

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 HOUSE BILL 2614

By: Martin (Steve)

6 AS INTRODUCED

7 An Act relating to firearms; amending 19 O.S. 2011,  
8 Section 215.29, which relates to the carrying of  
9 firearms by district attorneys; clarifying firearm  
10 training requirement; amending Section 1, Chapter  
11 267, O.S.L. 2013 (20 O.S. Supp. 2013, Section 129),  
12 which relates to the carrying of firearms by judges;  
13 clarifying firearm training requirement; amending 21  
14 O.S. 2011, Section 1273, as amended by Section 4,  
15 Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013, Section  
16 1273), which relates to the possession of firearms by  
17 minors; expanding scope of certain exceptions;  
18 amending 21 O.S. 2011, Section 1289.29, which relates  
19 to the carrying of firearms by United States  
20 Attorneys; clarifying firearm training requirement;  
21 amending Section 2, Chapter 315, O.S.L. 2013 (70 O.S.  
22 Supp. 2013, Section 3311.14), which relates to the  
23 carrying of firearms by the Attorney General;  
24 clarifying firearm training requirement; and  
providing an effective date.

19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 19 O.S. 2011, Section 215.29, is  
21 amended to read as follows:

22 Section 215.29 A. A district attorney, or retired district  
23 attorney who receives a statement from the appropriate retirement  
24 system verifying the status of the person as a retired district

1 attorney, may carry a firearm on his or her person anywhere in the  
2 state to use only for personal protection if the person has  
3 successfully completed ~~an approved~~ a handgun qualification course ~~of~~  
4 ~~firearm training conducted by a state-certified firearms instructor~~  
5 ~~which meets the minimum requirements for firearms training as set~~  
6 ~~forth~~ for court officials administered by the Council on Law  
7 Enforcement Education and Training.

8 B. At the discretion of the district attorney, the district  
9 attorney may allow an assistant district attorney to carry a firearm  
10 on his or her person anywhere in the state to use only for personal  
11 protection if the person has successfully completed ~~an approved~~ a  
12 handgun qualification course ~~of firearm training conducted by a~~  
13 ~~state-certified firearms instructor which meets the minimum~~  
14 ~~requirements for firearms training as set forth~~ for court officials  
15 administered by the Council on Law Enforcement Education and  
16 Training.

17 SECTION 2. AMENDATORY Section 1, Chapter 267, O.S.L.  
18 2013 (20 O.S. Supp. 2013, Section 129), is amended to read as  
19 follows:

20 Section 129. A district judge, municipal judge, or retired  
21 district judge who receives a statement from the appropriate  
22 retirement system verifying the status of the person as a retired  
23 district judge may carry a firearm on his or her person anywhere in  
24 the state to use only for personal protection if the person has

1 successfully completed ~~an approved~~ a handgun qualification course ~~of~~  
2 ~~firearms training conducted by a state-certified firearms instructor~~  
3 ~~which meets the minimum requirements for firearms training as set~~  
4 ~~forth~~ for court officials administered by the Council on Law  
5 Enforcement Education and Training.

6 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1273, as  
7 amended by Section 4, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013,  
8 Section 1273), is amended to read as follows:

9 Section 1273.

10 ALLOWING MINORS TO POSSESS FIREARMS

11 A. It shall be unlawful for any person within this state to  
12 sell or give to any child any of the arms or weapons designated in  
13 Section 1272 of this title; provided, the provisions of this section  
14 shall not prohibit a parent from giving his or her child a pistol,  
15 revolver, rifle or shotgun for participation in hunting animals or  
16 fowl, hunter safety classes, firearm safety classes, target  
17 shooting, skeet, trap or other recognized sporting events, except as  
18 provided in subsection B of this section.

19 B. It shall be unlawful for any parent or guardian to  
20 intentionally, knowingly, or recklessly permit his or her child to  
21 possess any of the arms or weapons designated in Section 1272 of  
22 this title, including any pistol, revolver, rifle or shotgun, if  
23 such parent is aware of a substantial risk that the child will use  
24 the weapon to commit a criminal offense or if the child has either

1 been adjudicated a delinquent or has been convicted as an adult for  
2 any criminal offense.

3 C. It shall be unlawful for any child to possess any of the  
4 arms or weapons designated in Section 1272 of this title, except  
5 pistols, revolvers, rifles or shotguns used for participation in  
6 hunting animals or fowl, hunter safety classes, firearm safety  
7 classes, target shooting, skeet, trap or other recognized sporting  
8 event. Provided, the possession of pistols, revolvers, rifles or  
9 shotguns authorized by this section shall not authorize the  
10 possession of such weapons by any person who is subject to the  
11 provisions of Section 1283 of this title.

12 D. Any person violating the provisions of this section shall,  
13 upon conviction, be punished as provided in Section 1276 of this  
14 title, and, any child violating the provisions of this section shall  
15 be subject to adjudication as a delinquent. In addition, any person  
16 violating the provisions of this section shall be liable for civil  
17 damages for any injury or death to any person and for any damage to  
18 property resulting from any discharge of a firearm or use of any  
19 other weapon as provided in Section 10 of Title 23 of the Oklahoma  
20 Statutes. Any person convicted of violating the provisions of this  
21 section after having been issued a handgun license pursuant to the  
22 provisions of the Oklahoma Self-Defense Act may be liable for an  
23 administrative violation as provided in Section 1276 of this title.

1 E. As used in this section, "child" means a person under  
2 eighteen (18) years of age.

3 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1289.29, is  
4 amended to read as follows:

5 Section 1289.29 Any United States Attorney or Assistant United  
6 States Attorney may carry a firearm on his or her person anywhere in  
7 the State of Oklahoma if the person has successfully completed ~~an~~  
8 approved a handgun qualification course of firearm training  
9 ~~conducted by a certified firearms instructor which is equal to the~~  
10 ~~minimum requirements for firearms training as set forth~~ for court  
11 officials administered by the Council on Law Enforcement Education  
12 and Training.

13 SECTION 5. AMENDATORY Section 2, Chapter 315, O.S.L.  
14 2013 (70 O.S. Supp. 2013, Section 3311.14), is amended to read as  
15 follows:

16 Section 3311.14 Upon completion of ~~an approved~~ a handgun  
17 qualification ~~course of firearm training conducted by a certified~~  
18 ~~firearms instructor which is equal to the minimum requirements for~~  
19 ~~firearms training as set forth~~ for court officials administered by  
20 the Council on Law Enforcement Education and Training, the Attorney  
21 General and any assistant attorney general may carry a firearm on  
22 his or her person anywhere in this state for personal protection  
23 only.

SECTION 6. This act shall become effective November 1, 2014.

54-2-8235            GRS            01/14/14