

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB56
Page 1 Section 1 Lines 16
Of the printed Bill
Of the Engrossed Bill

By removing Section 1 from the bill in its entirety and inserting Sections 1 through 7

(see attached)

and by renumbering the subsequent section of the bill.

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Kevin Calvey

Adopted: _____

Reading Clerk

1 "SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.5, as
2 last amended by Section 1, Chapter 122, O.S.L. 2014 (21 O.S. Supp.
3 2014, Section 1290.5), is amended to read as follows:

4 Section 1290.5

5 TERM OF LICENSE AND RENEWAL

6 A. A handgun license when issued shall authorize the person to
7 whom the license is issued to carry a loaded or unloaded handgun,
8 concealed or unconcealed, as authorized by the provisions of the
9 Oklahoma Self-Defense Act, and any future modifications thereto.
10 The license shall be valid in this state for a period of five (5) ~~or~~
11 ~~ten (10)~~ years, unless subsequently surrendered, suspended or
12 revoked as provided by law. The person shall have no authority to
13 continue to carry a concealed or unconcealed handgun in this state
14 pursuant to the Oklahoma Self-Defense Act when a license is expired
15 or when a license has been voluntarily surrendered or suspended or
16 revoked for any reason.

17 B. A license may be renewed any time within ninety (90) days
18 prior to the expiration date as provided in this subsection. The
19 Bureau shall send a renewal application to each eligible licensee
20 with a return address requested. There shall be a ninety-day grace
21 period on license renewals beginning on the date of expiration,
22 thereafter the license is considered expired. However, any
23 applicant shall have three (3) years from the expiration of the
24 license to comply with the renewal requirements of this section.

1 1. ~~To renew a handgun license, the licensee must first obtain a~~
2 Oklahoma residents may submit renewal form from applications to the
3 Oklahoma State Bureau of Investigation at its headquarters or any
4 other facility designated by the Bureau for receiving applications.

5 2. The applicant must ~~complete the renewal form~~ submit either a
6 completed paper application, in person or by mail, or complete an
7 online application, attach or upload two current passport-size
8 photographs of the applicant, and submit a renewal fee in the amount
9 of Eighty-five Dollars (\$85.00) to the Bureau. Beginning August 1,
10 2016, the renewal fee shall be Forty Dollars (\$40.00) for Oklahoma
11 residents or Eighty Dollars (\$80.00) for nonresidents. The renewal
12 fee may be paid with a nationally recognized credit card as provided
13 in subparagraph b of paragraph 4 5 of subsection A of Section
14 1290.12 of this title, by electronic funds transfer, or by a
15 cashier's check or money order made payable to the Oklahoma State
16 Bureau of Investigation.

17 3. Upon receipt of the renewal application, photographs and
18 fee, the Bureau will conduct a ~~criminal history records name search,~~
19 ~~an investigation of medical records or other records or information~~
20 ~~deemed by the Bureau to be relevant to the renewal application~~
21 background check of the applicant using the National Instant
22 Criminal Background Check System (NICS) of the Federal Bureau of
23 Investigation. Approval or denial of the renewal application,
24 notification of the denial, and the appeals process of the renewal

1 application shall be subject to the same procedures for new
2 applicants. If the NICS background check provides a "proceed"
3 response pertaining to the applicant ~~appears not to have any~~
4 ~~prohibition to renewing the handgun license,~~ the Bureau shall issue
5 the renewed license for a period of five (5) ~~or ten (10)~~ years.

6 ~~C. Beginning November 1, 2007, any person making application~~
7 ~~for a handgun license or any licensee seeking to renew a handgun~~
8 ~~license shall have the option to request that said license be valid~~
9 ~~for a period of ten (10) years. The fee for any handgun license~~
10 ~~issued for a period of ten (10) years shall be double the amount of~~
11 ~~the fee provided for in paragraph 4 of subsection A of Section~~
12 ~~1290.12 of this title. The renewal fee for a handgun license issued~~
13 ~~for a period of ten (10) years shall be double the amount of the fee~~
14 ~~provided for in paragraph 2 of subsection B of this section.~~

15 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.9, as
16 last amended by Section 1, Chapter 85, O.S.L. 2014 (21 O.S. Supp.
17 2014, Section 1290.9), is amended to read as follows:

18 Section 1290.9

19 ELIGIBILITY

20 The following requirements shall apply to any person making
21 application to the Oklahoma State Bureau of Investigation for a
22 handgun license pursuant to the provisions of the Oklahoma Self-
23 Defense Act. The person must:

- 24 1. Be a citizen of the United States;

1 2. ~~Establish a residency in the State of Oklahoma. For~~
2 ~~purposes of the Oklahoma Self-Defense Act, the term "residency"~~
3 ~~shall apply to any person who either possesses a valid Oklahoma~~
4 ~~driver license or state photo identification card, and physically~~
5 ~~maintains a residence in this state or to any person, including the~~
6 ~~spouse of such person, who has permanent military orders within this~~
7 ~~state and possesses a valid driver license from another state where~~
8 ~~such person and spouse of such person claim residency;~~

9 ~~3.~~ Be at least twenty-one (21) years of age;

10 4. 3. Complete a firearms safety and training course and
11 demonstrate competence and qualifications with the type of pistol to
12 be carried by the person as provided in Section 1290.14 of this
13 title, and submit proof of training and qualification or an
14 exemption for training and qualification as authorized by Section
15 1290.14 of this title;

16 ~~5.~~ 4. Submit the required fee and complete the application
17 process as provided in Section 1290.12 of this title; and

18 ~~6.~~ 5. Comply in good faith with the provisions of the Oklahoma
19 Self-Defense Act.

20 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1290.12, as
21 last amended by Section 2, Chapter 11, O.S.L. 2014 (21 O.S. Supp.
22 2014, Section 1290.12), is amended to read as follows:

23 Section 1290.12

24 PROCEDURE FOR APPLICATION

1 A. Except as provided in paragraph ~~44~~ 9 of this subsection, the
2 procedure for applying for a handgun license and processing the
3 application shall be as follows:

4 1. Applications shall be submitted to the Oklahoma State Bureau
5 of Investigation at its headquarters or any other location
6 designated by the Bureau for receiving applications;

7 2. An eligible person may request an application packet for a
8 handgun license from the Oklahoma State Bureau of Investigation ~~or~~
9 ~~the county sheriff's office~~ either online, in person or by mail.
10 ~~The Bureau may provide application packets to each sheriff not~~
11 ~~exceeding two hundred packets per request.~~ The Bureau shall provide
12 the following information in the application packet:

- 13 a. an application form,
- 14 b. procedures to follow to process the application form,
- 15 and
- 16 c. a copy of the Oklahoma Self-Defense Act with any
17 modifications thereto;

18 ~~2.~~ 3. The person shall be required to successfully complete a
19 firearms safety and training course from a firearms instructor who
20 is approved and registered in this state as provided in Section
21 1290.14 of this title, and the person shall be required to
22 demonstrate competency and qualification with a pistol authorized
23 for concealed or unconcealed carry by the Oklahoma Self-Defense Act.
24 The original certificate of training shall be submitted with the

1 application for a handgun license. No duplicate, copy, facsimile or
2 other reproduction of the certificate of training or exemption from
3 training shall be acceptable as proof of training as required by the
4 provisions of the Oklahoma Self-Defense Act. A person exempt from
5 the training requirements as provided in Section 1290.15 of this
6 title must show the required proof of such exemption to the firearms
7 instructor to receive an exemption certificate. The original
8 exemption certificate must be submitted with the application for a
9 handgun license when the person claims an exemption from training
10 and qualification;

11 ~~3.~~ 4. The application form shall be completed and delivered by
12 the applicant, in person or by mail, to ~~the sheriff of the county~~
13 ~~wherein the applicant resides~~ a facility designated by the Bureau
14 for receiving applications;

15 ~~4. The person~~ 5. A resident of Oklahoma shall deliver to the
16 ~~sheriff~~ Bureau at the time of delivery of the completed application
17 form a fee of One Hundred Dollars (\$100.00) for processing the
18 application ~~through the Oklahoma State Bureau of Investigation and~~
19 ~~processing the required fingerprints through the Federal Bureau of~~
20 ~~Investigation.~~ Beginning August 1, 2016, the application fee shall
21 be Forty Dollars (\$40.00) for a resident and Eighty Dollars (\$80.00)
22 for a nonresident of Oklahoma for processing the application. The
23 processing fee shall be in the form of:
24

- 1 a. a money order or a cashier's check made payable to the
2 Oklahoma State Bureau of Investigation,
- 3 b. by a nationally recognized credit card issued to the
4 applicant. For purposes of this paragraph,
5 "nationally recognized credit card" means any
6 instrument or device, whether known as a credit card,
7 credit plate, charge plate, or by any other name,
8 issued with or without fee by the issuer for the use
9 of the cardholder in obtaining goods, services, or
10 anything else of value on credit which is accepted by
11 over one thousand merchants in the state. The
12 Oklahoma State Bureau of Investigation shall determine
13 which nationally recognized credit cards will be
14 accepted by the Bureau, or
- 15 c. by electronic funds transfer.

16 The processing fee shall not be refundable in the event of a
17 denial of a handgun license or any suspension or revocation
18 subsequent to the issuance of a license. Persons making application
19 for a firearms instructor shall not be required to pay the
20 application fee as provided in this section, but shall be required
21 to pay the ~~costs~~ cost provided in ~~paragraphs 6 and 8~~ paragraph 7 of
22 this subsection;

23 ~~5. The completed application form shall be signed by the~~
24 ~~applicant in person before the sheriff.~~

1 6. The signature of the applicant on the application shall be
2 given voluntarily upon a sworn oath that the person knows the
3 contents of the application ~~and,~~ that the information contained in
4 the application is true and correct and that the applicant is the
5 same person named on the application. Any person making any false
6 or misleading statement on an application for a handgun license
7 shall, upon conviction, be guilty of perjury as defined by Section
8 491 of this title. Any conviction shall be ~~punished~~ punishable as
9 provided in Section 500 of this title. ~~In addition to a criminal~~
10 ~~conviction, the person shall be denied the right to have a handgun~~
11 ~~license pursuant to the provisions of Section 1290.10 of this title~~
12 ~~and the Oklahoma State Bureau of Investigation shall revoke the~~
13 ~~handgun license, if issued;~~

14 ~~6.~~ 7. Two passport-size photographs of the applicant shall be
15 submitted with the completed application. The cost of the
16 photographs shall be the responsibility of the applicant. The
17 ~~sheriff~~ Bureau is authorized to take the photograph of the applicant
18 for purposes of the Oklahoma Self-Defense Act and, if such
19 photographs are taken by the ~~sheriff~~ Bureau the cost of the
20 photographs shall not exceed Ten Dollars (\$10.00) for the two
21 photos. All money received by the ~~sheriff~~ Bureau from photographing
22 applicants pursuant to the provisions of this paragraph shall be
23 retained by the ~~sheriff~~ Bureau and deposited into the ~~Sheriff's~~

~~Service Fee Account~~ Oklahoma State Bureau of Investigation Revolving Fund;

~~7. The sheriff shall witness the signature of the applicant and review or take the photographs of the applicant and shall verify that the person making application for a handgun license is the same person in the photographs submitted and the same person who signed the application form. Proof~~

8. A photocopy of a valid ~~Oklahoma~~ driver license with a photograph of the applicant or an ~~Oklahoma State~~ state-issued photo identification card for the applicant shall be required to be presented by the applicant ~~to the sheriff~~ with the application for verification of the person's identity;

~~8. Upon verification of the identity of the applicant, the sheriff shall take two complete sets of fingerprints of the applicant. Both sets of fingerprints shall be submitted by the sheriff with the completed application, certificate of training or an exemption certificate, photographs and processing fee to the Oklahoma State Bureau of Investigation within fourteen (14) days of taking the fingerprints. The cost of the fingerprints shall be paid by the applicant and shall not exceed Twenty-five Dollars (\$25.00) for the two sets. All fees collected by the sheriff from taking fingerprints pursuant to the provisions of this paragraph shall be retained by the sheriff and deposited into the Sheriff's Service Fee Account;~~

1 9. ~~The sheriff shall submit to the Oklahoma State Bureau of~~
2 ~~Investigation within the fourteen-day period, together with the~~
3 ~~completed application, including the certificate of training or~~
4 ~~exemption certificate, photographs, processing fee and legible~~
5 ~~fingerprints meeting the Oklahoma State Bureau of Investigation's~~
6 ~~Automated Fingerprint Identification System (AFIS) submission~~
7 ~~standards, and a report of information deemed pertinent to an~~
8 ~~investigation of the applicant for a handgun license. The sheriff~~
9 ~~shall make a preliminary investigation of pertinent information~~
10 ~~about the applicant and the court clerk shall assist the sheriff in~~
11 ~~locating pertinent information in court records for this purpose.~~
12 ~~If no pertinent information is found to exist either for or against~~
13 ~~the applicant, the sheriff shall so indicate in the report;~~

14 10. ~~The Oklahoma State Bureau of Investigation, upon receipt of~~
15 ~~the application and required information from the sheriff, shall~~
16 ~~forward one full set of fingerprints of the applicant to the Federal~~
17 ~~Bureau of Investigation for a national criminal history records~~
18 ~~search. The cost of processing the fingerprints nationally shall be~~
19 ~~paid from the processing fee collected by the Oklahoma State Bureau~~
20 ~~of Investigation;~~

21 11. ~~Notwithstanding the provisions of the Oklahoma Self-Defense~~
22 ~~Act, or any other provisions of law, any person who has been granted~~
23 ~~a permanent victim's protective order by the court, as provided for~~
24 ~~in the Protection from Domestic Abuse Act, may be issued a temporary~~

1 handgun license for a period not to exceed six (6) months. A
2 temporary handgun license may be issued if the person has
3 successfully passed the required weapons course, completed the
4 application process for the handgun license, ~~passed the preliminary~~
5 ~~investigation of the person by the sheriff and court clerk,~~ and
6 provided the ~~sheriff~~ Bureau proof of a certified permanent victim
7 protection order and a valid Oklahoma state photo identification
8 card or driver license. The ~~sheriff~~ Bureau shall issue a temporary
9 handgun license on a form approved by the Oklahoma State Bureau of
10 Investigation, at no cost. Any person who has been issued a
11 temporary license shall carry the temporary handgun license and a
12 valid Oklahoma ~~state~~ driver license or state-issued photo
13 identification card on his or her person at all times, and shall be
14 subject to all the requirements of the Oklahoma Self-Defense Act
15 when carrying a handgun. The person may proceed with the handgun
16 licensing process. In the event the victim's protection order is no
17 longer enforceable, the temporary handgun license shall cease to be
18 valid;

19 ~~12.~~ 10. The Oklahoma State Bureau of Investigation shall ~~make a~~
20 ~~reasonable effort to investigate the information submitted by the~~
21 ~~applicant and the sheriff, to ascertain whether or not the issuance~~
22 ~~of a handgun license would be in violation of the provisions of the~~
23 ~~Oklahoma Self-Defense Act. The investigation by the Bureau of an~~
24 ~~applicant shall include, but shall not be limited to: a statewide~~

~~criminal history records search, a national criminal history records search, a Federal Bureau of Investigation fingerprint search, and if applicable, an investigation of medical records or other records or information deemed by the Bureau to be relevant to the application.~~

a. ~~In the course of the investigation by the Bureau, it shall present the name of the applicant along with any known aliases, the address of the applicant and the social security number of the applicant to the Department of Mental Health and Substance Abuse Services. The Department of Mental Health and Substance Abuse Services shall respond within ten (10) days of receiving such information to the Bureau as follows:~~

~~(1) with a "Yes" answer, if the records of the Department indicate that the person was involuntarily committed to a mental institution in Oklahoma,~~

~~(2) with a "No" answer, if there are no records indicating the name of the person as a person involuntarily committed to a mental institution in Oklahoma, or~~

~~(3) with an "Inconclusive" answer if the records of the Department suggest the applicant may be a formerly committed person. In the case of an~~

~~inconclusive answer, the Bureau shall ask the applicant whether he or she was involuntarily committed. If the applicant states under penalty of perjury that he or she has not been involuntarily committed, the Bureau shall continue processing the application for a license.~~

~~b. In the course of the investigation by the Bureau, it shall check the name of any applicant who is twenty-eight (28) years of age or younger along with any known aliases, the address of the applicant and the social security number of the applicant against the records in the Juvenile Online Tracking System (JOLTS) of the Office of Juvenile Affairs. The Office of Juvenile Affairs shall provide the Bureau direct access to check the applicant against the records available on JOLTS.~~

~~(1) If the Bureau finds a record on the JOLTS that indicates the person was adjudicated a delinquent for an offense that would constitute a felony offense if committed by an adult within the last ten (10) years the Bureau shall deny the license,~~
~~(2) If the Bureau finds no record on the JOLTS indicating the named person was adjudicated~~

~~delinquent for an offense that would constitute a
felony offense if committed by an adult within
the last ten (10) years, or~~

~~(3) If the records suggest the applicant may have
been adjudicated delinquent for an offense that
would constitute a felony offense if committed by
an adult but such record is inconclusive, the
Bureau shall ask the applicant whether he or she
was adjudicated a delinquent for an offense that
would constitute a felony offense if committed by
an adult within the last ten (10) years. If the
applicant states under penalty of perjury that he
or she was not adjudicated a delinquent within
ten (10) years, the Bureau shall continue
processing the application for a license~~

conduct a background check of the applicant using the National
Instant Criminal Background Check System (NICS) of the Federal
Bureau of Investigation. On or before November 1, 2015, the Bureau
shall develop and facilitate the necessary modifications to the
Oklahoma Self-Defense Act systems and messages switches for the
Bureau and the Oklahoma Law Enforcement Telecommunications System
(OLETS) for purposes of accessing the NICS database of the Federal
Bureau of Investigation and receiving background information
relating to handgun license applicants; and

1 ~~13. 11. If the NICS background check set forth in paragraph 11~~
2 ~~of this subsection reveals no records~~ provides a "proceed" response
3 ~~pertaining to the applicant, the Oklahoma State Bureau of~~
4 ~~Investigation shall either issue a handgun license or deny the~~
5 ~~application within sixty (60) days of the date of receipt of the~~
6 ~~applicant's completed application and the required information from~~
7 ~~the sheriff. In all other cases, the Oklahoma State Bureau of~~
8 ~~Investigation shall either issue a handgun license or deny the~~
9 ~~application within ninety (90) days of the date of the receipt of~~
10 ~~the applicant's completed application and the required information~~
11 ~~from the sheriff. The Bureau shall approve an applicant who appears~~
12 ~~to be in full compliance with the provisions of the Oklahoma Self-~~
13 ~~Defense Act, if completion of the federal fingerprint search is the~~
14 ~~only reason for delay of the issuance of the handgun license to that~~
15 ~~applicant. Upon receipt of the federal fingerprint search~~
16 ~~information, if the Bureau receives information which precludes the~~
17 ~~person from having a handgun license, the Bureau shall revoke the~~
18 ~~handgun license previously issued to the applicant. The Bureau~~
19 ~~shall deny a license when the applicant fails to properly complete~~
20 ~~the application form or application process or is determined not to~~
21 ~~be eligible as specified by the provisions of Section 1290.9,~~
22 ~~1290.10 or 1290.11 of this title. The Bureau shall approve an~~
23 ~~application in all other cases. If an application is denied the~~
24 NICS background check provides a "deny" response pertaining to the

1 applicant, the Bureau shall notify the applicant in writing ~~of its~~
2 ~~decision~~ that the application has been denied and provide
3 information from the NICS background check as to why the application
4 has been denied. The notification shall ~~state the grounds for the~~
5 ~~denial and~~ inform the applicant of the right to an appeal ~~as may be~~
6 ~~provided by the provisions of the Administrative Procedures Act and~~
7 the procedures by which the applicant may appeal the denial. If the
8 NICS background check provides a "delayed" response pertaining to
9 the applicant and the Bureau does not receive a "proceed" response
10 within sixty (60) days of the date of receipt of the application,
11 the application shall be denied. All notices of denial shall be
12 mailed by first-class mail to the address of the applicant listed in
13 the application. Within sixty (60) calendar days from the date of
14 mailing a denial of application to an applicant, the applicant shall
15 notify the Bureau in writing of the intent to appeal the decision of
16 denial or the right of the applicant to appeal shall be deemed
17 waived. Any administrative hearing on a denial which may be
18 provided shall be conducted by a hearing examiner appointed by the
19 Bureau. If the applicant has corrected any error pertaining to the
20 NICS background check, the hearing examiner shall approve the
21 application. The decision of the hearing examiner shall be a final
22 decision appealable to a district court in accordance with the
23 Administrative Procedures Act. When an application is approved, the
24 Bureau shall issue the license and shall mail the license by first-

1 class mail to the address of the applicant listed in the
2 application.

3 B. Nothing contained in any provision of the Oklahoma Self-
4 Defense Act shall be construed to require or authorize the
5 registration, documentation or providing of serial numbers with
6 regard to any firearm. ~~For purposes of the Oklahoma Self-Defense~~
7 ~~Act, the sheriff may designate a person to receive, fingerprint,~~
8 ~~photograph or otherwise process applications for handgun licenses.~~

9 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1290.14, as
10 last amended by Section 1, Chapter 123, O.S.L. 2014 (21 O.S. Supp.
11 2014, Section 1290.14), is amended to read as follows:

12 Section 1290.14

13 SAFETY AND TRAINING COURSE

14 A. Each ~~applicant~~ Oklahoma resident who applies for a license
15 to carry a concealed or unconcealed handgun pursuant to the Oklahoma
16 Self-Defense Act must successfully complete a firearms safety and
17 training course in this state conducted by a registered and approved
18 firearms instructor as provided by the provisions of this section.
19 Nonresident applicants for a license to carry a concealed or
20 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must
21 successfully complete a firearms safety and training course that
22 meets the provisions of this section. The applicant must further
23 demonstrate competence and qualification with an authorized pistol
24 of the type or types that the applicant desires to carry as a

1 concealed or unconcealed handgun pursuant to the provisions of the
2 Oklahoma Self-Defense Act, except certain persons may be exempt from
3 such training requirement as provided by the provisions of Section
4 1290.15 of this title.

5 B. The Council on Law Enforcement Education and Training
6 (CLEET) shall establish criteria for approving firearms instructors
7 for purposes of training and qualifying individuals for a handgun
8 license pursuant to the provisions of the Oklahoma Self-Defense Act.
9 Prior to submitting an application for CLEET approval as a firearms
10 instructor, applicants shall attend a firearms instructor school,
11 meeting the following minimum requirements:

12 1. Firearms instructor training conducted by one of the
13 following entities:

- 14 a. Council on Law Enforcement Education and Training,
- 15 b. National Rifle Association,
- 16 c. Oklahoma Rifle Association,
- 17 d. federal law enforcement agencies, or
- 18 e. other professionally recognized organizations;

19 2. The course shall be at least sixteen (16) hours in length;

20 3. Upon completion of the course, the applicant shall be
21 qualified to provide instruction on revolvers, semiautomatic
22 pistols, or both; and

23 4. Receive a course completion certificate.

24

1 All firearms instructors shall be required to meet the
2 eligibility requirements for a handgun license as provided in
3 ~~Sections~~ Section 1290.9, 1290.10, and 1290.11 of this title, and the
4 application shall be processed as provided for applicants in Section
5 1290.12 of this title, including the ~~state and national criminal~~
6 ~~history records search and fingerprint search~~ background check
7 through the National Instant Criminal Background Check System (NICS)
8 of the Federal Bureau of Investigation. A firearms instructor shall
9 be required to pay a fee of One Hundred Dollars (\$100.00) to the
10 Council on Law Enforcement Education and Training (CLEET) each time
11 the person makes application for CLEET approval as a firearms
12 instructor pursuant to the provisions of the Oklahoma Self-Defense
13 Act. The fee shall be retained by CLEET and shall be deposited into
14 the Firearms Instructors Revolving Fund. CLEET shall promulgate the
15 rules, forms and procedures necessary to implement the approval of
16 firearms instructors as authorized by the provisions of this
17 subsection. CLEET shall periodically review each approved
18 instructor during a training and qualification course to assure
19 compliance with the rules and course contents. Any violation of the
20 rules may result in the revocation or suspension of CLEET and
21 Oklahoma State Bureau of Investigation approval. Unless the
22 approval has been revoked or suspended, a firearms instructor's
23 CLEET approval shall be for a term of five (5) years. ~~Beginning on~~
24 ~~July 1, 2003, any firearms instructor who has been issued a four-~~

~~year CLEET approval shall not be eligible for the five-year approval~~
~~until the expiration of the approval previously issued.~~ CLEET shall
be responsible for notifying all approved firearms instructors of
statutory and policy changes related to the Oklahoma Self-Defense
Act. A firearms instructor shall not be required to submit his or
her fingerprints for a fingerprint search when applying for or
renewing a firearms instructor's CLEET approval.

C. 1. All firearms instructors approved by CLEET to train and
qualify individuals for a handgun license shall be required to apply
for registration with the Oklahoma State Bureau of Investigation
after receiving CLEET approval. All firearms instructors teaching
the approved course for a handgun license must display their
registration certificate during each training and qualification
course. Each approved firearms instructor shall complete a
registration form provided by the Bureau and shall ~~have the option~~
~~to~~ pay a registration fee of ~~either~~ One Hundred Dollars (\$100.00)
for a five-year registration certificate ~~or Two Hundred Dollars~~
~~(\$200.00) for a ten-year registration certificate~~ to the Bureau at
the time of each application for registration, except as provided in
paragraph 2 of this subsection. Registration certificates issued by
the Bureau shall be valid for a period of five (5) years ~~or ten (10)~~
~~years~~ from the date of issuance. The Bureau shall issue a five-year
~~or ten-year~~ handgun license to an approved firearms instructor at
the time of issuance of a registration certificate and no additional

1 fee shall be required or charged. The license issued shall reflect
2 that the licensee is a firearms instructor. The Bureau shall
3 maintain a current listing of all registered firearms instructors in
4 this state. Nothing in this paragraph shall be construed to
5 eliminate the requirement for registration and training with CLEET
6 as provided in subsection B of this section. Failure to register or
7 be trained as required shall result in a revocation or suspension of
8 the instructor certificate by the Bureau.

9 2. On or after July 1, 2003, the registered instructors listed
10 in subparagraphs a and b of this paragraph shall not be required to
11 renew the firearms instructor registration certificate with the
12 Oklahoma State Bureau of Investigation at the expiration of the
13 registration term, provided the instructor is not subject to any
14 suspension or revocation of the firearms instructor certificate.
15 The firearms instructor registration with the Oklahoma State Bureau
16 of Investigation shall automatically renew together with the handgun
17 license authorized in paragraph 1 of this subsection for an
18 additional five-year term and no additional cost or fee may be
19 charged for the following individuals:

- 20 a. an active duty law enforcement officer of this state
21 or any of its political subdivisions or of the federal
22 government who has a valid CLEET approval as a
23 firearms instructor pursuant to the Oklahoma Self-
24 Defense Act, and

1 b. a retired law enforcement officer authorized to carry
2 a firearm pursuant to Section 1289.8 of this title who
3 has a valid CLEET approval as a firearms instructor
4 pursuant to the Oklahoma Self-Defense Act.

5 D. The Oklahoma State Bureau of Investigation shall approve
6 registration for a firearms instructor applicant who is in full
7 compliance with CLEET rules regarding firearms instructors and the
8 provisions of subsection B of this section,~~if completion of the~~
9 ~~federal fingerprint search is the only reason for delay of~~
10 ~~registration of that firearms instructor applicant. Upon receipt of~~
11 ~~the federal fingerprint search information, if the Bureau receives~~
12 ~~information which precludes the person from having a handgun~~
13 ~~license, the Bureau shall revoke both the registration and the~~
14 ~~handgun license previously issued to the firearms instructor.~~

15 E. The required firearms safety and training course and the
16 actual demonstration of competency and qualification required of the
17 applicant shall be designed and conducted in such a manner that the
18 course can be reasonably completed by the applicant within an eight-
19 hour period. CLEET shall establish the course content and
20 promulgate rules, procedures and forms necessary to implement the
21 provisions of this subsection. ~~For the training and qualification~~
22 ~~course, an~~ An applicant may be charged a fee which shall be
23 determined by the instructor or entity that is conducting the
24 course. The maximum class size shall be determined by the

1 instructor conducting the course; provided, however, practice
2 shooting sessions shall not have more than ten participating
3 students at one time. CLEET may establish criteria for assistant
4 instructors and any other requirements deemed necessary to conduct a
5 safe and effective training and qualification course. The course
6 content shall include a safety inspection of the firearm to be used
7 by the applicant in the training course; instruction on pistol
8 handling, safety and storage; dynamics of ammunition and firing;
9 methods or positions for firing a pistol; information about the
10 criminal provisions of the Oklahoma law relating to firearms; the
11 requirements of the Oklahoma Self-Defense Act as it relates to the
12 applicant; self-defense and the use of appropriate force; a practice
13 shooting session; and a familiarization course. The firearms
14 instructor shall refuse to train or qualify any person when the
15 pistol to be used or carried by the person is either deemed unsafe
16 or unfit for firing or is a weapon not authorized by the Oklahoma
17 Self-Defense Act. The course shall provide an opportunity for the
18 applicant to qualify himself or herself on either a derringer, a
19 revolver, a semiautomatic pistol or any combination of a derringer,
20 a revolver and a semiautomatic pistol, provided no pistol shall be
21 capable of firing larger than .45 caliber ammunition. Any applicant
22 who successfully trains and qualifies himself or herself with a
23 semiautomatic pistol may be approved by the firearms instructor on
24 the training certificate for a semiautomatic pistol, a revolver and

1 a derringer upon request of the applicant. Any person who qualifies
2 on a derringer or revolver shall not be eligible for a semiautomatic
3 rating until the person has demonstrated competence and
4 qualifications on a semiautomatic pistol. Upon successful
5 completion of the training and qualification course, a certificate
6 shall be issued to each applicant who successfully completes the
7 course. The firearms instructor shall require each applicant to
8 present a state-issued photo identification card or driver license
9 of the applicant to verify the identity of the applicant and shall
10 record the name of the applicant and the identification card number
11 or driver license number on the class roster before providing a
12 course completion certificate. The certificate of training shall
13 comply with the form established by CLEET and shall be submitted
14 with an application for a handgun license pursuant to the provisions
15 of paragraph ~~2~~ 3 of subsection A of Section 1290.12 of this title.
16 The certificate of completion issued to an applicant shall be valid
17 for a period of three (3) years.

18 F. There is hereby created a revolving fund for the Council on
19 Law Enforcement Education and Training (CLEET), to be designated the
20 "Firearms Instructors Revolving Fund". The fund shall be a
21 continuing fund, not subject to fiscal year limitations, and shall
22 consist of all funds received for approval of firearms instructors
23 for purposes of the Oklahoma Self-Defense Act. All funds received
24 shall be deposited to the fund. All monies accruing to the credit

1 of said fund are hereby appropriated and may be budgeted and
2 expended by the Council on Law Enforcement Education and Training,
3 for implementation of the training and qualification course
4 contents, approval of firearms instructors and any other CLEET
5 requirement pursuant to the provisions of the Oklahoma Self-Defense
6 Act or as may otherwise be deemed appropriate by CLEET.
7 Expenditures from said fund shall be made upon warrants issued by
8 the State Treasurer against claims filed as prescribed by law with
9 the Director of the Office of Management and Enterprise Services for
10 approval and payment.

11 G. Firearms instructors shall keep on file for a period of not
12 less than three (3) years a roster of each training class, including
13 the state-issued photo identification card number or driver license
14 number of each applicant, the safety test score of each individual,
15 the caliber and type of weapon each individual used when qualifying
16 and whether or not each individual successfully completed the
17 training course. Firearms instructors shall be authorized to
18 destroy all training documents and records upon expiration of the
19 three-year time period.

20 H. Nothing herein contained shall be construed to prohibit an
21 Oklahoma resident from obtaining or possessing a nonresident weapons
22 or handgun license issued by another state.
23
24

1 SECTION 5. AMENDATORY 21 O.S. 2011, Section 1290.18, as
2 amended by Section 37, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2014,
3 Section 1290.18), is amended to read as follows:

4 Section 1290.18

5 APPLICATION FORM CONTENTS

6 The application shall be completed upon the sworn oath of the
7 applicant as provided in paragraph ~~5~~ 6 of subsection A of Section
8 1290.12 of this title. The application form shall be provided by
9 the Oklahoma State Bureau of Investigation and shall contain the
10 following information ~~in addition to any other information deemed~~
11 ~~relevant by the Bureau:~~

- 12 1. Applicant's full legal name;
- 13 2. Applicant's birth name, alias names or nicknames;
- 14 3. Maiden name, if applicable;
- 15 4. County of residence;
- 16 5. Length of residency at the current address;
- 17 6. Previous addresses for the preceding three (3) years;
- 18 7. Place of birth;
- 19 8. Date of birth;
- 20 9. Declaration of citizenship and date United States
21 citizenship was acquired, if applicable;
- 22 10. Race;
- 23 11. Weight;
- 24 12. Height;

1 13. Sex;

2 14. Color of eyes;

3 15. Social Security number with a statement that providing the
4 Social Security number is optional;

5 16. ~~Current~~ Valid state-issued identification card number or
6 driver license number and the state issuing the card;

7 17. Military service number, if applicable;

8 18. Law enforcement identification numbers, if applicable;

9 19. Current occupation;

10 20. Authorized type or types of pistol for which the applicant
11 qualified as stated on the certificate of training or exemption of
12 training which shall be stated as either derringer, revolver,
13 semiautomatic pistol, or some combination of derringer, revolver and
14 semiautomatic pistol and the maximum ammunition capacity of the
15 firearm shall be .45 caliber;

16 21. An acknowledgment that the applicant desires a handgun
17 license as a means of lawful self-defense and self-protection and
18 for no other intent or purpose;

19 22. A statement that the applicant has never been convicted of
20 any felony offense in this state, another state or pursuant to any
21 federal offense;

22 23. A statement that the applicant ~~has none of the conditions~~
23 ~~which would preclude the issuing of a handgun license pursuant to~~
24 ~~any of the provisions of Sections 1290.10 and 1290.11 of this title~~

1 ~~and that the applicant further~~ meets all of the eligibility criteria
2 required by Section 1290.9 of this title;

3 24. An authorization for the Oklahoma State Bureau of
4 Investigation to investigate the applicant and any or all records
5 relating to the applicant for purposes of approving or denying a
6 handgun license pursuant to the provisions of the Oklahoma Self-
7 Defense Act;

8 25. An acknowledgment that the applicant, if a resident of
9 Oklahoma, has been furnished a copy of the Oklahoma Self-Defense Act
10 and is knowledgeable about its provisions;

11 26. A statement that the applicant is the identical person who
12 completed the firearms training course for which the original
13 training certificate is submitted as part of the application or a
14 statement that the applicant is the identical person who is exempt
15 from firearms training for which the original exemption certificate
16 is submitted as part of the application, whichever is applicable to
17 the applicant;

18 27. A conspicuous warning that the application is executed upon
19 the sworn oath of the applicant and that any false or misleading
20 answer to any question or the submission of any false information or
21 documentation by the applicant is punishable by criminal penalty as
22 provided in paragraph 5 6 of subsection A of Section 1290.12 of this
23 title;
24

1 28. A signed verification that the contents of the application
2 are known to the applicant and are true and correct;

3 29. Two separate places for the original signature of the
4 applicant;

5 30. A place for attachment of a passport-size photograph of the
6 applicant; and

7 31. ~~A place for the signature and verification of the identity~~
8 ~~of the applicant by the sheriff or the sheriff's designee~~ Any other
9 information required by the Bureau of Alcohol, Tobacco, Firearms and
10 Explosives (BATFE) to be provided on forms BATFE requires for the
11 transfer of a firearm from a federally licensed firearms dealer to
12 the public.

13 Information provided by the person on an application for a
14 handgun license shall be confidential except to law enforcement
15 officers or law enforcement agencies.

16 SECTION 6. AMENDATORY 21 O.S. 2011, Section 1290.19, as
17 amended by Section 38, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2014,
18 Section 1290.19), is amended to read as follows:

19 Section 1290.19

20 LICENSE FORM

21 The handgun license shall be on a form prescribed by the
22 Oklahoma State Bureau of Investigation and shall contain the
23 following information in addition to any other information deemed
24 relevant by the Bureau:

1. The full name of the person;

2. Current address;

3. County of residence;

4. Date of birth;

5. Weight;

6. Height;

7. Sex;

8. Race;

9. Color of eyes;

10. Handgun license identification number;

11. Expiration date of the handgun license; ~~and~~

12. Authorized pistol to be either: (D) derringer, (R)

revolver, (S) semiautomatic pistol, or some combination of

derringer, revolver and semiautomatic pistol as may be authorized by

the Oklahoma Self-Defense Act for which the person demonstrated

qualification pursuant to the certificate of training or an

exemption certificate; and

13. Whether the license is issued to a resident or nonresident
of Oklahoma.

Licenses issued to instructors under Section 1290.14 of this
title shall reflect that the licensee is a firearms instructor.

SECTION 7. REPEALER 21 O.S. 2011, Sections 1290.10, as
amended by Section 1, Chapter 259, O.S.L. 2014, 1290.11, as last
amended by Section 2, Chapter 259, O.S.L. 2014 and 1290.20, as

1 amended by Section 39, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2014,
2 Sections 1290.10, 1290.11 and 1290.20), are hereby repealed."
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