

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 HOUSE BILL 2427

 By: Kern of the House

5 and

6 Dahm of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to firearms; amending 21 O.S. 2011,
11 Section 1289.3, which relates to the Oklahoma
12 Firearms Act of 1971; updating language; modifying
13 certain definition; amending 21 O.S. 2011, Section
14 1290.2, as last amended by Section 2, Chapter 366,
15 O.S.L. 2013 (21 O.S. Supp. 2015, Section 1290.2),
16 which relates to the Oklahoma Self-Defense Act;
17 modifying certain definitions; and providing an
18 effective date.

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

20 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.3, is
21 amended to read as follows:

22 Section 1289.3

23 DEFINITIONS FOR FIREARMS ACT

24 "Pistols" or "handguns" as used in the Oklahoma Firearms Act of
25 1971, ~~Sections 1289.1 through 1289.17 of this title,~~ shall mean any
26 firearm capable of discharging a ~~projectile~~ single or multiple

1 projectiles from a single round of ammunition composed of any
2 material which may reasonably be expected to be able to cause lethal
3 injury, with a barrel or barrels less than sixteen (16) inches in
4 length, and using ~~either gunpowder, gas or any means of rocket~~
5 ~~propulsion~~ a combustible propellant charge, but not to include flare
6 guns, underwater fishing guns or blank pistols.

7 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.2, as
8 last amended by Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.
9 2015, Section 1290.2), is amended to read as follows:

10 Section 1290.2

11 DEFINITIONS

12 A. As used in the Oklahoma Self-Defense Act:

13 1. "Concealed handgun" means a loaded or unloaded pistol, ~~the~~
14 ~~presence of which is~~ or handgun not openly ~~discernible~~ visible to
15 the ordinary observation of a reasonable person;

16 2. "Unconcealed handgun" means a loaded or unloaded pistol or
17 handgun carried upon the person in a ~~belt holster or shoulder~~
18 ~~holster that is wholly or partially~~ where the firearm is visible, or
19 carried upon the person ~~in~~ using a scabbard, sling or case designed
20 for carrying firearms ~~that is wholly or partially visible~~; and

21 3. "Pistol" or "handgun" means any derringer, revolver or
22 semiautomatic firearm which:

23 a. has an overall barrel or barrels length of less than
24 sixteen (16) inches,

- b. is capable of discharging ~~a projectile~~ single or multiple projectiles from a single round of ammunition composed of any material which may reasonably be expected to be able to cause lethal injury,
- c. ~~is designed to~~ can be held and fired by the use of ~~a single hand~~ one or both hands, and
- d. uses ~~either gunpowder, gas or any means of rocket propulsion~~ a combustible propellant charge to ~~discharge~~ propel the projectile or projectiles.

B. The definition of pistol or handgun for purposes of the Oklahoma Self-Defense Act shall not apply to ~~homemade or~~ imitation pistols, flare guns, underwater fishing guns or blank pistols.

SECTION 3. This act shall become effective November 1, 2016.

COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/18/2016 - DO PASS, As Coauthored.