

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SENATE BILL 1158

By: Dahm

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2011, Section 1289.7, as amended by Section 12, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2015, Section 1289.7), which relates to firearms in vehicles; modifying certain carry; restricting certain action; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.7, as amended by Section 12, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2015, Section 1289.7), is amended to read as follows:

Section 1289.7.

FIREARMS IN VEHICLES

Any person, except a convicted felon, may transport in a motor vehicle a rifle, or shotgun ~~or pistol~~, ~~open~~ unconcealed and unloaded, at any time. Any person twenty-one (21) years of age or older, except a convicted felon, may transport a handgun concealed or unconcealed, loaded or unloaded for the purpose of self-defense without a valid handgun license issued pursuant to the Oklahoma Self-Defense Act provided, the person is not involved in a crime.

1 For purposes of this section ~~"open"~~ "unconcealed" means the
2 firearm is transported in plain view, or in a case designed for
3 carrying firearms, which case is wholly or partially visible, in a
4 gun rack mounted in the vehicle, in an exterior locked compartment
5 or a trunk of a vehicle.

6 Any person, except a convicted felon, may transport in a motor
7 vehicle a rifle or shotgun concealed behind a seat of the vehicle or
8 within the interior of the vehicle provided the rifle or shotgun is
9 not clip, magazine or chamber loaded. The authority to transport a
10 clip or magazine loaded rifle or shotgun shall be pursuant to
11 Section 1289.13 of this title.

12 Any person who is the operator of a vehicle or is a passenger in
13 any vehicle wherein another person who is licensed pursuant to the
14 Oklahoma Self-Defense Act to carry a handgun, concealed or
15 unconcealed, and is carrying a handgun or has the handgun in such
16 vehicle, shall not be deemed in violation of the provisions of this
17 section provided the licensee is in or near the vehicle.

18 In the absence of reasonable and articulable suspicion of
19 criminal activity, an individual, twenty-one (21) years of age or
20 older, possessing a concealed or unconcealed weapon in a vehicle
21 shall not be disarmed or physically restrained by any law
22 enforcement officer.

23 SECTION 2. This act shall become effective November 1, 2016.

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