

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

HOUSE BILL 1391

By: Murdock

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2011, Sections 1290.5, as last amended by Section 1, Chapter 122, O.S.L. 2014, 1290.12, as last amended by Section 2, Chapter 11, O.S.L. 2014, 1290.14, as last amended by Section 1, Chapter 123, O.S.L. 2014 and 1290.26, as last amended by Section 18, Chapter 15, O.S.L. 2013 (21 O.S. Supp. 2014, Sections 1290.5, 1290.12, 1290.14 and 1290.26), which relate to the Oklahoma Self-Defense Act; modifying license renewal application requirements; increasing renewal fee; directing portion of fee be deposited into certain revolving fund; modifying procedure for requesting applications; providing for online firearms safety and training courses; directing the Council on Law Enforcement Education and Training to establish criteria for online training courses; clarifying reciprocity provisions for nonresident licensees; and providing an effective date.

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

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

Section 1290.5

TERM OF LICENSE AND RENEWAL

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

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

20       1. To renew a handgun license, the licensee must first obtain a  
21      renewal form from the Oklahoma State Bureau of Investigation.

22       2. The applicant must complete the renewal form, attach two  
23      current passport size photographs of the applicant, a certificate of  
24      successful completion of a firearms safety and training refresher

1 course approved by the Council on Law Enforcement Education and  
2 Training, and submit a renewal fee in the amount of ~~Eighty-five~~  
3 ~~Dollars (\$85.00)~~ Ninety Dollars (\$90.00) to the Bureau. For each  
4 renewal fee collected, Five Dollars (\$5.00) shall be remitted to the  
5 Council on Law Enforcement Education and Training to be credited to  
6 the Firearms Instructors Revolving Fund. The renewal fee may be  
7 paid with a nationally recognized credit card as provided in  
8 subparagraph b of paragraph 4 of subsection A of Section 1290.12 of  
9 this title, by electronic funds transfer, or by a cashier's check or  
10 money order made payable to the Oklahoma State Bureau of  
11 Investigation.

12 3. Upon receipt of the renewal application, certificate,  
13 photographs and fee, the Bureau will conduct a criminal history  
14 records name search, an investigation of medical records or other  
15 records or information deemed by the Bureau to be relevant to the  
16 renewal application. If the applicant appears not to have any  
17 prohibition to renewing the handgun license, the Bureau shall issue  
18 the renewed license for a period of five (5) or ten (10) years.

19 C. Beginning November 1, 2007, any person making application  
20 for a handgun license or any licensee seeking to renew a handgun  
21 license shall have the option to request that said license be valid  
22 for a period of ten (10) years. The fee for any handgun license  
23 issued for a period of ten (10) years shall be double the amount of  
24 the fee provided for in paragraph 4 of subsection A of Section

1 1290.12 of this title. The renewal fee for a handgun license issued  
2 for a period of ten (10) years shall be double the amount of the fee  
3 provided for in paragraph 2 of subsection B of this section.

4 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.12, as  
5 last amended by Section 2, Chapter 11, O.S.L. 2014 (21 O.S. Supp.  
6 2014, Section 1290.12), is amended to read as follows:

7 Section 1290.12

8 PROCEDURE FOR APPLICATION

9 A. Except as provided in paragraph 11 of this subsection, the  
10 procedure for applying for a handgun license and processing the  
11 application shall be as follows:

12 1. An eligible person may request an application packet for a  
13 handgun license from the Oklahoma State Bureau of Investigation  
14 either in person, by mail or by an electronic communication sent to  
15 the Bureau via the Internet or from the county sheriff's office  
16 ~~either~~ in person or by mail. The Bureau may provide application  
17 packets to each sheriff not exceeding two hundred packets per  
18 request. The Bureau shall provide the following information in the  
19 application packet:

- 20 a. an application form,
- 21 b. procedures to follow to process the application form,
- 22 and
- 23 c. a copy of the Oklahoma Self-Defense Act with any
- 24 modifications thereto;

1        2. The person shall be required to successfully complete a  
2 firearms safety and training course from a firearms instructor who  
3 is approved and registered in this state as provided in Section  
4 1290.14 of this title or from an interactive online firearms safety  
5 and training course available electronically via the Internet  
6 approved and certified by the Council on Law Enforcement Education  
7 and Training, and the person shall be required to demonstrate  
8 competency and qualification with a pistol authorized for concealed  
9 or unconcealed carry by the Oklahoma Self-Defense Act. The original  
10 certificate of successful completion of a firearms safety and  
11 training course and an original certificate of successful  
12 demonstration of competency and qualification to carry and handle a  
13 pistol shall be submitted with the application for a handgun  
14 license. No duplicate, copy, facsimile or other reproduction of the  
15 certificate of training, certificate of competency and qualification  
16 or exemption from training shall be acceptable as proof of training  
17 as required by the provisions of the Oklahoma Self-Defense Act. A  
18 person exempt from the training requirements as provided in Section  
19 1290.15 of this title must show the required proof of such exemption  
20 to the firearms instructor to receive an exemption certificate. The  
21 original exemption certificate must be submitted with the  
22 application for a handgun license when the person claims an  
23 exemption from training and qualification;  
24

1        3. The application form shall be completed and delivered by the  
2 applicant, in person, to the sheriff of the county wherein the  
3 applicant resides;

4        4. The person shall deliver to the sheriff at the time of  
5 delivery of the completed application form a fee of One Hundred  
6 Dollars (\$100.00) for processing the application through the  
7 Oklahoma State Bureau of Investigation and processing the required  
8 fingerprints through the Federal Bureau of Investigation. The  
9 processing fee shall be in the form of:

10        a. a money order or a cashier's check made payable to the  
11 Oklahoma State Bureau of Investigation,

12        b. by a nationally recognized credit card issued to the  
13 applicant. For purposes of this paragraph,

14        "nationally recognized credit card" means any  
15 instrument or device, whether known as a credit card,  
16 credit plate, charge plate, or by any other name,  
17 issued with or without fee by the issuer for the use  
18 of the cardholder in obtaining goods, services, or  
19 anything else of value on credit which is accepted by  
20 over one thousand merchants in the state. The  
21 Oklahoma State Bureau of Investigation shall determine  
22 which nationally recognized credit cards will be  
23 accepted by the Bureau, or

24        c. by electronic funds transfer.

1       The processing fee shall not be refundable in the event of a  
2 denial of a handgun license or any suspension or revocation  
3 subsequent to the issuance of a license. Persons making application  
4 for a firearms instructor shall not be required to pay the  
5 application fee as provided in this section, but shall be required  
6 to pay the costs provided in paragraphs 6 and 8 of this subsection;

7       5. The completed application form shall be signed by the  
8 applicant in person before the sheriff. The signature shall be  
9 given voluntarily upon a sworn oath that the person knows the  
10 contents of the application and that the information contained in  
11 the application is true and correct. Any person making any false or  
12 misleading statement on an application for a handgun license shall,  
13 upon conviction, be guilty of perjury as defined by Section 491 of  
14 this title. Any conviction shall be punished as provided in Section  
15 500 of this title. In addition to a criminal conviction, the person  
16 shall be denied the right to have a handgun license pursuant to the  
17 provisions of Section 1290.10 of this title and the Oklahoma State  
18 Bureau of Investigation shall revoke the handgun license, if issued;

19       6. Two passport size photographs of the applicant shall be  
20 submitted with the completed application. The cost of the  
21 photographs shall be the responsibility of the applicant. The  
22 sheriff is authorized to take the photograph of the applicant for  
23 purposes of the Oklahoma Self-Defense Act and, if such photographs  
24 are taken by the sheriff the cost of the photographs shall not

1 exceed Ten Dollars (\$10.00) for the two photos. All money received  
2 by the sheriff from photographing applicants pursuant to the  
3 provisions of this paragraph shall be retained by the sheriff and  
4 deposited into the Sheriff's Service Fee Account;

5 7. The sheriff shall witness the signature of the applicant and  
6 review or take the photographs of the applicant and shall verify  
7 that the person making application for a handgun license is the same  
8 person in the photographs submitted and the same person who signed  
9 the application form. Proof of a valid Oklahoma driver license with  
10 a photograph of the applicant or an Oklahoma State photo  
11 identification for the applicant shall be required to be presented  
12 by the applicant to the sheriff for verification of the person's  
13 identity;

14 8. Upon verification of the identity of the applicant, the  
15 sheriff shall take two complete sets of fingerprints of the  
16 applicant. Both sets of fingerprints shall be submitted by the  
17 sheriff with the completed application, certificate of training or  
18 an exemption certificate, photographs and processing fee to the  
19 Oklahoma State Bureau of Investigation within fourteen (14) days of  
20 taking the fingerprints. The cost of the fingerprints shall be paid  
21 by the applicant and shall not exceed Twenty-five Dollars (\$25.00)  
22 for the two sets. All fees collected by the sheriff from taking  
23 fingerprints pursuant to the provisions of this paragraph shall be  
24



1 retained by the sheriff and deposited into the Sheriff's Service Fee  
2 Account;

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

17 10. The Oklahoma State Bureau of Investigation, upon receipt of  
18 the application and required information from the sheriff, shall  
19 forward one full set of fingerprints of the applicant to the Federal  
20 Bureau of Investigation for a national criminal history records  
21 search. The cost of processing the fingerprints nationally shall be  
22 paid from the processing fee collected by the Oklahoma State Bureau  
23 of Investigation;  
24

11. Notwithstanding the provisions of the Oklahoma Self-Defense Act, or any other provisions of law, any person who has been granted a permanent victim's protective order by the court, as provided for in the Protection from Domestic Abuse Act, may be issued a temporary handgun license for a period not to exceed six (6) months. A temporary handgun license may be issued if the person has successfully passed the required weapons course, completed the application process for the handgun license, passed the preliminary investigation of the person by the sheriff and court clerk, and provided the sheriff proof of a certified permanent victim protection order and a valid Oklahoma state photo identification card or driver license. The sheriff shall issue a temporary handgun license on a form approved by the Oklahoma State Bureau of Investigation, at no cost. Any person who has been issued a temporary license shall carry the temporary handgun license and a valid Oklahoma state photo identification on his or her person at all times, and shall be subject to all the requirements of the Oklahoma Self-Defense Act when carrying a handgun. The person may proceed with the handgun licensing process. In the event the victim's protection order is no longer enforceable, the temporary handgun license shall cease to be valid;

12. The Oklahoma State Bureau of Investigation shall make a reasonable effort to investigate the information submitted by the applicant and the sheriff, to ascertain whether or not the issuance

1 of a handgun license would be in violation of the provisions of the  
2 Oklahoma Self-Defense Act. The investigation by the Bureau of an  
3 applicant shall include, but shall not be limited to: a statewide  
4 criminal history records search, a national criminal history records  
5 search, a Federal Bureau of Investigation fingerprint search, and if  
6 applicable, an investigation of medical records or other records or  
7 information deemed by the Bureau to be relevant to the application.

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

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

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

1 (3) with an "Inconclusive" answer if the records of  
2 the Department suggest the applicant may be a  
3 formerly committed person. In the case of an  
4 inconclusive answer, the Bureau shall ask the  
5 applicant whether he or she was involuntarily  
6 committed. If the applicant states under penalty  
7 of perjury that he or she has not been  
8 involuntarily committed, the Bureau shall  
9 continue processing the application for a  
10 license.

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

21 (1) If the Bureau finds a record on the JOLTS that  
22 indicates the person was adjudicated a delinquent  
23 for an offense that would constitute a felony  
24

1 offense if committed by an adult within the last  
2 ten (10) years the Bureau shall deny the license,

3 (2) If the Bureau finds no record on the JOLTS  
4 indicating the named person was adjudicated  
5 delinquent for an offense that would constitute a  
6 felony offense if committed by an adult within  
7 the last ten (10) years, or

8 (3) If the records suggest the applicant may have  
9 been adjudicated delinquent for an offense that  
10 would constitute a felony offense if committed by  
11 an adult but such record is inconclusive, the  
12 Bureau shall ask the applicant whether he or she  
13 was adjudicated a delinquent for an offense that  
14 would constitute a felony offense if committed by  
15 an adult within the last ten (10) years. If the  
16 applicant states under penalty of perjury that he  
17 or she was not adjudicated a delinquent within  
18 ten (10) years, the Bureau shall continue  
19 processing the application for a license; and

20 13. If the background check set forth in paragraph ~~11~~ 12 of  
21 this subsection reveals no records pertaining to the applicant, the  
22 Oklahoma State Bureau of Investigation shall either issue a handgun  
23 license or deny the application within sixty (60) days of the date  
24 of receipt of the applicant's completed application and the required

1 information from the sheriff. In all other cases, the Oklahoma  
2 State Bureau of Investigation shall either issue a handgun license  
3 or deny the application within ninety (90) days of the date of the  
4 receipt of the applicant's completed application and the required  
5 information from the sheriff. The Bureau shall approve an applicant  
6 who appears to be in full compliance with the provisions of the  
7 Oklahoma Self-Defense Act, if completion of the federal fingerprint  
8 search is the only reason for delay of the issuance of the handgun  
9 license to that applicant. Upon receipt of the federal fingerprint  
10 search information, if the Bureau receives information which  
11 precludes the person from having a handgun license, the Bureau shall  
12 revoke the handgun license previously issued to the applicant. The  
13 Bureau shall deny a license when the applicant fails to properly  
14 complete the application form or application process or is  
15 determined not to be eligible as specified by the provisions of  
16 Section 1290.9, 1290.10 or 1290.11 of this title. The Bureau shall  
17 approve an application in all other cases. If an application is  
18 denied, the Bureau shall notify the applicant in writing of its  
19 decision. The notification shall state the grounds for the denial  
20 and inform the applicant of the right to an appeal as may be  
21 provided by the provisions of the Administrative Procedures Act.  
22 All notices of denial shall be mailed by first-class mail to the  
23 address of the applicant listed in the application. Within sixty  
24 (60) calendar days from the date of mailing a denial of application

1 to an applicant, the applicant shall notify the Bureau in writing of  
2 the intent to appeal the decision of denial or the right of the  
3 applicant to appeal shall be deemed waived. Any administrative  
4 hearing on a denial which may be provided shall be conducted by a  
5 hearing examiner appointed by the Bureau. The decision of the  
6 hearing examiner shall be a final decision appealable to a district  
7 court in accordance with the Administrative Procedures Act. When an  
8 application is approved, the Bureau shall issue the license and  
9 shall mail the license by first-class mail to the address of the  
10 applicant listed in the application.

11 B. Nothing contained in any provision of the Oklahoma Self-  
12 Defense Act shall be construed to require or authorize the  
13 registration, documentation or providing of serial numbers with  
14 regard to any firearm. For purposes of the Oklahoma Self-Defense  
15 Act, the sheriff may designate a person to receive, fingerprint,  
16 photograph or otherwise process applications for handgun licenses.

17 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1290.14, as  
18 last amended by Section 1, Chapter 123, O.S.L. 2014 (21 O.S. Supp.  
19 2014, Section 1290.14), is amended to read as follows:

20 Section 1290.14

21 SAFETY AND TRAINING COURSE

22 A. Each applicant for a license to carry a concealed or  
23 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must  
24 successfully complete a firearms safety and training course in this

1 state conducted by a registered and approved firearms instructor as  
2 provided by the provisions of this section or from an interactive  
3 online firearms safety and training course available electronically  
4 via the Internet approved and certified by the Council on Law  
5 Enforcement Education and Training. The applicant must further  
6 demonstrate competence and qualification with an authorized pistol  
7 of the type or types that the applicant desires to carry as a  
8 concealed or unconcealed handgun pursuant to the provisions of the  
9 Oklahoma Self-Defense Act, except certain persons may be exempt from  
10 such training requirement as provided by the provisions of Section  
11 1290.15 of this title.

12 B. The Council on Law Enforcement Education and Training  
13 (CLEET) shall establish criteria for approving firearms instructors  
14 and interactive online firearms safety and training courses  
15 available electronically via the Internet for purposes of training  
16 and qualifying individuals for a handgun license pursuant to the  
17 provisions of the Oklahoma Self-Defense Act. Prior to submitting an  
18 application for CLEET approval as a firearms instructor, applicants  
19 shall attend a firearms instructor school, meeting the following  
20 minimum requirements:

21 1. Firearms instructor training conducted by one of the  
22 following entities:

- 23 a. Council on Law Enforcement Education and Training,
- 24 b. National Rifle Association,



1           c.    Oklahoma Rifle Association,

2           d.    federal law enforcement agencies, or

3           e.    other professionally recognized organizations;

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

5           3.    Upon completion of the course, the applicant shall be  
6 qualified to provide instruction on revolvers, semiautomatic  
7 pistols, or both; and

8           4.    Receive a course completion certificate.

9           All firearms instructors shall be required to meet the  
10 eligibility requirements for a handgun license as provided in  
11 Sections 1290.9, 1290.10, and 1290.11 of this title, and the  
12 application shall be processed as provided for applicants in Section  
13 1290.12 of this title, including the state and national criminal  
14 history records search and fingerprint search. A firearms  
15 instructor shall be required to pay a fee of One Hundred Dollars  
16 (\$100.00) to the Council on Law Enforcement Education and Training  
17 (CLEET) each time the person makes application for CLEET approval as  
18 a firearms instructor pursuant to the provisions of the Oklahoma  
19 Self-Defense Act. The fee shall be retained by CLEET and shall be  
20 deposited into the Firearms Instructors Revolving Fund. CLEET shall  
21 promulgate the rules, forms and procedures necessary to implement  
22 the approval of firearms instructors as authorized by the provisions  
23 of this subsection. CLEET shall periodically review each approved  
24 instructor during a training and qualification course to assure

1 compliance with the rules and course contents. Any violation of the  
2 rules may result in the revocation or suspension of CLEET and  
3 Oklahoma State Bureau of Investigation approval. Unless the  
4 approval has been revoked or suspended, a firearms instructor's  
5 CLEET approval shall be for a term of five (5) years. Beginning on  
6 July 1, 2003, any firearms instructor who has been issued a four-  
7 year CLEET approval shall not be eligible for the five-year approval  
8 until the expiration of the approval previously issued. CLEET shall  
9 be responsible for notifying all approved firearms instructors of  
10 statutory and policy changes related to the Oklahoma Self-Defense  
11 Act. A firearms instructor shall not be required to submit his or  
12 her fingerprints for a fingerprint search when renewing a firearms  
13 instructor's CLEET approval.

14 C. 1. All firearms instructors approved by CLEET to train and  
15 qualify individuals for a handgun license shall be required to apply  
16 for registration with the Oklahoma State Bureau of Investigation  
17 after receiving CLEET approval. All firearms instructors teaching  
18 the approved course for a handgun license must display their  
19 registration certificate during each training and qualification  
20 course. Each approved firearms instructor shall complete a  
21 registration form provided by the Bureau and shall have the option  
22 to pay a registration fee of either One Hundred Dollars (\$100.00)  
23 for a five-year registration certificate or Two Hundred Dollars  
24 (\$200.00) for a ten-year registration certificate to the Bureau at

1 the time of each application for registration, except as provided in  
2 paragraph 2 of this subsection. Registration certificates issued by  
3 the Bureau shall be valid for a period of five (5) years or ten (10)  
4 years from the date of issuance. The Bureau shall issue a five-year  
5 or ten-year handgun license to an approved firearms instructor at  
6 the time of issuance of a registration certificate and no additional  
7 fee shall be required or charged. The Bureau shall maintain a  
8 current listing of all registered firearms instructors in this  
9 state. Nothing in this paragraph shall be construed to eliminate  
10 the requirement for registration and training with CLEET as provided  
11 in subsection B of this section. Failure to register or be trained  
12 as required shall result in a revocation or suspension of the  
13 instructor certificate by the Bureau.

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

- a. an active duty law enforcement officer of this state or any of its political subdivisions or of the federal government who has a valid CLEET approval as a firearms instructor pursuant to the Oklahoma Self-Defense Act, and
- b. a retired law enforcement officer authorized to carry a firearm pursuant to Section 1289.8 of this title who has a valid CLEET approval as a firearms instructor pursuant to the Oklahoma Self-Defense Act.

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

E. The required firearms safety and training course and the actual demonstration of competency and qualification required of the applicant shall be designed and conducted in such a manner that the course can be reasonably completed by the applicant within an eight-hour period. CLEET shall establish the course content and

1 promulgate rules, procedures and forms necessary to implement the  
2 provisions of this subsection. For the training and qualification  
3 course, an applicant may be charged a fee which shall be determined  
4 by the instructor or entity that is conducting the course. The  
5 maximum class size shall be determined by the instructor conducting  
6 the course; provided, however, practice shooting sessions shall not  
7 have more than ten participating students at one time. CLEET may  
8 establish criteria for assistant instructors and any other  
9 requirements deemed necessary to conduct a safe and effective  
10 training and qualification course. The course content shall include  
11 a safety inspection of the firearm to be used by the applicant in  
12 the training course; instruction on pistol handling, safety and  
13 storage; dynamics of ammunition and firing; methods or positions for  
14 firing a pistol; information about the criminal provisions of the  
15 Oklahoma law relating to firearms; the requirements of the Oklahoma  
16 Self-Defense Act as it relates to the applicant; self-defense and  
17 the use of appropriate force; a practice shooting session; and a  
18 familiarization course. The firearms instructor shall refuse to  
19 train or qualify any person when the pistol to be used or carried by  
20 the person is either deemed unsafe or unfit for firing or is a  
21 weapon not authorized by the Oklahoma Self-Defense Act. The course  
22 shall provide an opportunity for the applicant to qualify himself or  
23 herself on either a derringer, a revolver, a semiautomatic pistol or  
24 any combination of a derringer, a revolver and a semiautomatic

1 pistol, provided no pistol shall be capable of firing larger than  
2 .45 caliber ammunition. Any applicant who successfully trains and  
3 qualifies himself or herself with a semiautomatic pistol may be  
4 approved by the firearms instructor on the training certificate for  
5 a semiautomatic pistol, a revolver and a derringer upon request of  
6 the applicant. Any person who qualifies on a derringer or revolver  
7 shall not be eligible for a semiautomatic rating until the person  
8 has demonstrated competence and qualifications on a semiautomatic  
9 pistol. Upon successful completion of the training and  
10 qualification course, a certificate of training and a certificate of  
11 competency and qualification shall be issued to each applicant who  
12 successfully completes the course. The certificate of training and  
13 certificate of competency and qualification shall comply with the  
14 ~~form~~ forms established by CLEET and shall be submitted with an  
15 application for a handgun license pursuant to the provisions of  
16 paragraph 2 of subsection A of Section 1290.12 of this title. The  
17 certificate of ~~completion~~ training and a certificate of competency  
18 and qualification issued to an applicant shall be valid for a period  
19 of three (3) years.

20 F. There is hereby created a revolving fund for the Council on  
21 Law Enforcement Education and Training (CLEET), to be designated the  
22 "Firearms Instructors Revolving Fund". The fund shall be a  
23 continuing fund, not subject to fiscal year limitations, and shall  
24 consist of all funds received for approval of firearms instructors

1 for purposes of the Oklahoma Self-Defense Act. All funds received  
2 shall be deposited to the fund. All monies accruing to the credit  
3 of said fund are hereby appropriated and may be budgeted and  
4 expended by the Council on Law Enforcement Education and Training,  
5 for implementation of the training and qualification course  
6 contents, approval of firearms instructors and any other CLEET  
7 requirement pursuant to the provisions of the Oklahoma Self-Defense  
8 Act or as may otherwise be deemed appropriate by CLEET.

9 Expenditures from said fund shall be made upon warrants issued by  
10 the State Treasurer against claims filed as prescribed by law with  
11 the Director of the Office of Management and Enterprise Services for  
12 approval and payment.

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

20 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1290.26, as  
21 last amended by Section 18, Chapter 15, O.S.L. 2013 (21 O.S. Supp.  
22 2014, Section 1290.26), is amended to read as follows:

23 Section 1290.26

24 RECIPROCAL AGREEMENT AUTHORITY

1       The State of Oklahoma hereby recognizes any valid concealed or  
2       unconcealed carry weapons permit or license issued by another state  
3       to nonresidents of Oklahoma only, or if the state is a nonpermitting  
4       carry state, this state shall reciprocate under the permitting law  
5       of that state to nonresidents of Oklahoma only.

6       A. Any person not a resident of Oklahoma entering this state  
7       temporarily and in possession of a firearm authorized for concealed  
8       or unconcealed carry upon the authority and license of another state  
9       is authorized to continue to carry a concealed or unconcealed  
10      firearm and license in this state; provided the license from the  
11      other state remains valid. The firearm must either be carried  
12      unconcealed or concealed from detection and view, and upon coming in  
13      contact with any peace officer of this state, the person must  
14      disclose the fact that he or she is in possession of a concealed or  
15      unconcealed firearm pursuant to a valid concealed or unconcealed  
16      carry weapons permit or license issued in another state.

17      B. Any person not a resident of Oklahoma entering this state  
18      temporarily and in possession of a firearm authorized for concealed  
19      carry upon the authority of a state that is a nonpermitted carry  
20      state and the person is in compliance with the Oklahoma Self-Defense  
21      Act, the person is authorized to carry a concealed firearm in this  
22      state. The firearm must be carried fully concealed from detection  
23      and view, and upon coming in contact with any peace officer of this  
24      state, the person must disclose the fact that he or she is in



1 possession of a concealed firearm pursuant to the nonpermitting laws  
2 of the state in which he or she is a legal resident. The person  
3 shall present proper identification by a valid photo ID as proof  
4 that he or she is a legal resident in such a non-permitting state.  
5 The Department of Public Safety shall keep a current list of non-  
6 permitting states for law enforcement officers to confirm that a  
7 state is nonpermitting.

8 C. Any person who is twenty-one (21) years of age or older  
9 having a valid firearm license from another state may apply for and  
10 obtain a handgun license in this state immediately upon establishing  
11 a residence in this state. A valid handgun license from another  
12 state shall not be recognized in this state following any  
13 nonresident person establishing residency in this state.

14 SECTION 5. This act shall become effective November 1, 2015.

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