

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE BILL 2302

By: Kannady

AS INTRODUCED

An Act relating to the firearms; amending 21 O.S. Sections 1290.1, 1290.4, as amended by Section 25, Chapter 259, O.S.L. 2012, 1290.5, as last amended by Section 1, Chapter 122, O.S.L. 2014, 1290.6, as amended by Section 27, Chapter 259, O.S.L. 2012, 1290.7, as last amended by Section 3, Chapter 366, O.S.L. 2013, 1290.8, as last amended by Section 4, Chapter 366, O.S.L. 2013, 1290.9, as last amended by Section 1, Chapter 85, O.S.L. 2014, 1290.10, as last amended by Section 1, Chapter 86, O.S.L. 2015, 1290.11, as last amended by Section 2, Chapter 259, O.S.L. 2014, 1290.12, as last amended by Section 1, Chapter 207, O.S.L. 2015, 1290.14, as last amended by Section 2, Chapter 207, O.S.L. 2015, 1290.15, as last amended by Section 2, Chapter 86, O.S.L. 2013, 1290.17, as amended by Section 36, Chapter 259, O.S.L. 2012, 1290.18, as last amended by Section 1, Chapter 200, O.S.L. 2015, 1290.20, as amended by Section 39, Chapter 259, O.S.L. 2012 and Section 3, Chapter 259, O.S.L. 2014 (21 O.S. Supp. 2015, Sections 1290.4, 1290.5, 1290.6, 1290.7, 1290.8, 1290.9, 1290.10, 1290.11, 1290.12, 1290.14, 1290.15, 1290.17, 1290.18, 1290.20 and 1290.27), which relate to the Oklahoma Self-Defense Act; modifying statutory references; amending 21 O.S. 2011, Section 1280, which relates to penalties for pointing weapons; modifying statutory citation; amending 21 O.S. 2011, Section 1289.23, as last amended by Section 1, Chapter 216, O.S.L. 2015 (21 O.S. Supp. 2015, Section 1289.23), which relates to the Oklahoma Firearms Act of 1971; modifying statutory citations; providing for recodification; and providing an effective date.

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

2 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.1, is  
3 amended to read as follows:

4 Section 1290.1

5 SHORT TITLE

6 Sections ~~4~~ 150.51 through ~~25~~ 150.77 of ~~this act~~ Title 74 of the  
7 Oklahoma Statutes shall be known and may be cited as the "Oklahoma  
8 Self-Defense Act".

9 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.4, as  
10 amended by Section 25, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2015,  
11 Section 1290.4), is amended to read as follows:

12 Section 1290.4

13 UNLAWFUL CARRY

14 As provided by Section 1272 of ~~this title~~ Title 21 of the  
15 Oklahoma Statutes, it is unlawful for any person to carry a  
16 concealed or unconcealed handgun in this state, except as hereby  
17 authorized by the provisions of the Oklahoma Self-Defense Act or as  
18 may otherwise be provided by law.

19 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1290.5, as  
20 last amended by Section 1, Chapter 122, O.S.L. 2014 (21 O.S. Supp.  
21 2015, Section 1290.5), is amended to read as follows:

22 Section 1290.5

23 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, and submit a  
24      renewal fee in the amount of Eighty-five Dollars (\$85.00) to the

1 Bureau. The renewal fee may be paid with a nationally recognized  
2 credit card as provided in subparagraph b of paragraph 4 of  
3 subsection A of Section ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the  
4 Oklahoma Statutes, by electronic funds transfer, or by a cashier's  
5 check or money order made payable to the Oklahoma State Bureau of  
6 Investigation.

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

14 C. Beginning November 1, 2007, any person making application  
15 for a handgun license or any licensee seeking to renew a handgun  
16 license shall have the option to request that said license be valid  
17 for a period of ten (10) years. The fee for any handgun license  
18 issued for a period of ten (10) years shall be double the amount of  
19 the fee provided for in paragraph 4 of subsection A of Section  
20 ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the Oklahoma Statutes. The  
21 renewal fee for a handgun license issued for a period of ten (10)  
22 years shall be double the amount of the fee provided for in  
23 paragraph 2 of subsection B of this section.  
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1       SECTION 4.       AMENDATORY       21 O.S. 2011, Section 1290.6, as  
2 amended by Section 27, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2015,  
3 Section 1290.6), is amended to read as follows:

4       Section 1290.6

5                               PROHIBITED AMMUNITION

6       Any concealed or unconcealed handgun when carried in a manner  
7 authorized by the provisions of the Oklahoma Self-Defense Act and  
8 when loaded with any ammunition which is either a restricted bullet  
9 as defined by Section 1289.19 of ~~this title~~ Title 21 of the Oklahoma  
10 Statutes or is larger than .45 caliber or is otherwise prohibited by  
11 law shall be deemed a prohibited weapon for purposes of the Oklahoma  
12 Self-Defense Act. Any person violating the provisions of this  
13 section shall be punished for a criminal offense as provided by  
14 Section 1272 of ~~this title~~ Title 21 of the Oklahoma Statutes or any  
15 other applicable provision of law. In addition to any criminal  
16 prosecution for a violation of the provisions of this section, the  
17 licensee shall be subject to an administrative fine of Five Hundred  
18 Dollars (\$500.00), upon a hearing and determination by the Oklahoma  
19 State Bureau of Investigation that the person is in violation of the  
20 provisions of this section.

21       SECTION 5.       AMENDATORY       21 O.S. 2011, Section 1290.7, as  
22 last amended by Section 3, Chapter 366, O.S.L. 2013 (21 O.S. Supp.  
23 2015, Section 1290.7), is amended to read as follows:

24       Section 1290.7

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The authority to carry a concealed or unconcealed handgun

1. Carry or possess any weapon other than an authorized pistol

2. Carry or possess any pistol in any manner or in any place

3. Carry or possess any prohibited ammunition or any illegal,

4. Carry or possess any pistol when the person is prohibited by

5. Point, discharge or use the pistol in any manner not

SECTION 6. AMENDATORY 21 O.S. 2011, Section 1290.8, as

Section 1290.8

POSSESSION OF LICENSE REQUIRED

## NOTIFICATION TO POLICE OF GUN

A. Except as otherwise prohibited by law, an eligible person

1 this state when the person has been issued a handgun license from  
2 the Oklahoma State Bureau of Investigation pursuant to the  
3 provisions of the Oklahoma Self-Defense Act, provided the person is  
4 in compliance with the provisions of the Oklahoma Self-Defense Act,  
5 and the license has not expired or been subsequently suspended or  
6 revoked. A person in possession of a valid handgun license and in  
7 compliance with the provisions of the Oklahoma Self-Defense Act  
8 shall be authorized to carry such concealed or unconcealed handgun  
9 while bow hunting or fishing.

10 B. The person shall be required to have possession of his or  
11 her valid handgun license and a valid Oklahoma driver license or an  
12 Oklahoma State photo identification at all times when in possession  
13 of an authorized pistol. The person shall display the handgun  
14 license on demand of a law enforcement officer; provided, however,  
15 that in the absence of reasonable and articulable suspicion of other  
16 criminal activity, an individual carrying an unconcealed or  
17 concealed handgun shall not be disarmed or physically restrained  
18 unless the individual fails to display a valid handgun license in  
19 response to that demand. Any violation of the provisions of this  
20 subsection may be punishable as a criminal offense as authorized by  
21 Section 1272 of ~~this title~~ Title 21 of the Oklahoma Statutes or  
22 pursuant to any other applicable provision of law. Any second or  
23 subsequent violation of the provisions of this subsection shall be  
24

1 grounds for the Bureau to suspend the handgun license for a period  
2 of six (6) months, in addition to any other penalty imposed.

3       Upon the arrest of any person for a violation of the provisions  
4 of this subsection, the person may show proof to the court that a  
5 valid handgun license and the other required identification has been  
6 issued to such person and the person may state any reason why the  
7 handgun license or the other required identification was not carried  
8 by the person as required by the Oklahoma Self-Defense Act. The  
9 court shall dismiss an alleged violation of Section 1272 of ~~this~~  
10 ~~title~~ Title 21 of the Oklahoma Statutes upon payment of court costs,  
11 if proof of a valid handgun license and other required  
12 identification is shown to the court within ten (10) days of the  
13 arrest of the person. The court shall report a dismissal of a  
14 charge to the Bureau for consideration of administrative proceedings  
15 against the licensee.

16       C. It shall be unlawful for any person to fail or refuse to  
17 identify the fact that the person is in actual possession of a  
18 concealed or unconcealed handgun pursuant to the authority of the  
19 Oklahoma Self-Defense Act when the person comes into contact with  
20 any law enforcement officer of this state or its political  
21 subdivisions or a federal law enforcement officer during the course  
22 of any arrest, detainment, or routine traffic stop. Said  
23 identification to the law enforcement officer shall be made at the  
24 first opportunity. No person shall be required to identify himself



1 or herself as a handgun licensee when no handgun is in the  
2 possession of the person or in any vehicle in which the person is  
3 driving or is a passenger. Any violation of the provisions of this  
4 subsection shall, upon conviction, be a misdemeanor punishable by a  
5 fine not exceeding One Hundred Dollars (\$100.00).

6 D. Any law enforcement officer coming in contact with a person  
7 whose handgun license is suspended, revoked, or expired, or who is  
8 in possession of a handgun license which has not been lawfully  
9 issued to that person, shall confiscate the license and return it to  
10 the Oklahoma State Bureau of Investigation for appropriate  
11 administrative proceedings against the licensee when the license is  
12 no longer needed as evidence in any criminal proceeding.

13 E. Nothing in this section shall be construed to authorize a  
14 law enforcement officer to inspect any weapon properly concealed or  
15 unconcealed without probable cause that a crime has been committed.

16 SECTION 7. AMENDATORY 21 O.S. 2011, Section 1290.9, as  
17 last amended by Section 1, Chapter 85, O.S.L. 2014 (21 O.S. Supp.  
18 2015, Section 1290.9), is amended to read as follows:

19 Section 1290.9

#### 20 ELIGIBILITY

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

1. Be a citizen of the United States;

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

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

4. Complete a firearms safety and training course and demonstrate competence and qualifications with the type of pistol to be carried by the person as provided in Section ~~1290.14~~ 150.64 of ~~this title~~ Title 74 of the Oklahoma Statutes, and submit proof of training and qualification or an exemption for training and qualification as authorized by Section ~~1290.14~~ 150.64 of ~~this title~~ Title 74 of the Oklahoma Statutes;

5. Submit the required fee and complete the application process as provided in Section ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the Oklahoma Statutes; and

6. Comply in good faith with the provisions of the Oklahoma Self-Defense Act.

1       SECTION 8.       AMENDATORY       21 O.S. 2011, Section 1290.10, as  
2 last amended by Section 1, Chapter 86, O.S.L. 2015 (21 O.S. Supp.  
3 2015, Section 1290.10), is amended to read as follows:

4       Section 1290.10

5                               MANDATORY PRECLUSIONS

6       In addition to the requirements stated in Section ~~1290.9~~ 150.59  
7 of ~~this title~~ Title 74 of the Oklahoma Statutes, the conditions  
8 stated in this section shall preclude a person from eligibility for  
9 a handgun license pursuant to the provisions of the Oklahoma Self-  
10 Defense Act. The occurrence of any one of the following conditions  
11 shall deny the person the right to have a handgun license pursuant  
12 to the provisions of the Oklahoma Self-Defense Act. Prohibited  
13 conditions are:

14       1. Ineligible to possess a pistol due to any felony conviction  
15 or adjudication as a delinquent as provided by Section 1283 of ~~this~~  
16 ~~title~~ Title 21 of the Oklahoma Statutes, except as provided in  
17 subsection B of Section 1283 of ~~this title~~ Title 21 of the Oklahoma  
18 Statutes;

19       2. Any felony conviction pursuant to any law of another state,  
20 a felony conviction pursuant to any provision of the United States  
21 Code, or any conviction pursuant to the laws of any foreign country,  
22 provided such foreign conviction would constitute a felony offense  
23 in this state if the offense had been committed in this state,  
24

1 except as provided in subsection B of Section 1283 of ~~this title~~  
2 Title 21 of the Oklahoma Statutes;

3 3. Adjudication as a mentally incompetent person pursuant to  
4 the provisions of the Oklahoma Mental Health Law, or an adjudication  
5 of incompetency entered in another state pursuant to any provision  
6 of law of that state, unless the person has been granted relief from  
7 the disqualifying disability pursuant to Section ~~1290.27~~ 150.77 of  
8 ~~this title~~ Title 74 of the Oklahoma Statutes;

9 4. Any false or misleading statement on the application for a  
10 handgun license as provided by paragraph 5 of subsection A of  
11 Section ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the Oklahoma  
12 Statutes;

13 5. Conviction of any one of the following misdemeanor offenses  
14 in this state or in any other state:

- 15 a. any assault and battery which caused serious physical  
16 injury to the victim, or any second or subsequent  
17 assault and battery conviction,
- 18 b. any aggravated assault and battery,
- 19 c. any stalking pursuant to Section 1173 of ~~this title~~  
20 Title 21 of the Oklahoma Statutes, or a similar law of  
21 another state,
- 22 d. a violation relating to the Protection from Domestic  
23 Abuse Act or any violation of a victim protection  
24 order of another state,

1 e. any conviction relating to illegal drug use or  
2 possession, or

3 f. an act of domestic abuse as defined by Section 644 of  
4 ~~this title~~ Title 21 of the Oklahoma Statutes or an act  
5 of domestic assault and battery or any comparable acts  
6 under the laws of another state.

7 The preclusive period for a misdemeanor conviction related to  
8 illegal drug use or possession shall be ten (10) years from the date  
9 of completion of a sentence. For purposes of this subsection, "date  
10 of completion of a sentence" shall mean the day an offender  
11 completes all incarceration, probation, and parole pertaining to  
12 such sentence;

13 6. An attempted suicide or other condition relating to or  
14 indicating mental instability or an unsound mind which occurred  
15 within the preceding ten-year period from the date of the  
16 application for a license to carry a concealed firearm or that  
17 occurs during the period of licensure;

18 7. Currently undergoing treatment for a mental illness,  
19 condition, or disorder. For purposes of this paragraph, "currently  
20 undergoing treatment for a mental illness, condition, or disorder"  
21 means the person has been diagnosed by a licensed physician as being  
22 afflicted with a substantial disorder of thought, mood, perception,  
23 psychological orientation, or memory that significantly impairs  
24

1 judgment, behavior, capacity to recognize reality, or ability to  
2 meet the ordinary demands of life;

3 8. Significant character defects of the applicant as evidenced  
4 by a misdemeanor criminal record indicating habitual criminal  
5 activity;

6 9. Ineligible to possess a pistol due to any provision of law  
7 of this state or the United States Code, except as provided in  
8 subsection B of Section 1283 of ~~this title~~ Title 21 of the Oklahoma  
9 Statutes;

10 10. Failure to pay an assessed fine or surrender the handgun  
11 license as required by a decision by the administrative hearing  
12 examiner pursuant to authority of the Oklahoma Self-Defense Act;

13 11. Being subject to an outstanding felony warrant issued in  
14 this state or another state or the United States; or

15 12. Adjudication as a delinquent as provided by Section 1283 of  
16 ~~this title~~ Title 21 of the Oklahoma Statutes, except as provided in  
17 subsection B of Section 1283 of ~~this title~~ Title 21 of the Oklahoma  
18 Statutes.

19 SECTION 9. AMENDATORY 21 O.S. 2011, Section 1290.11, as  
20 last amended by Section 2, Chapter 259, O.S.L. 2014 (21 O.S. Supp.  
21 2015, Section 1290.11), is amended to read as follows:

22 Section 1290.11

23 OTHER PRECLUSIONS  
24

1       A. The following conditions shall preclude a person from being  
2 eligible for a handgun license pursuant to the provisions of the  
3 Oklahoma Self-Defense Act for a period of time as prescribed in each  
4 of the following paragraphs:

5       1. An arrest for an alleged commission of a felony offense or a  
6 felony charge pending in this state, another state or pursuant to  
7 the United States Code. The preclusive period shall be until the  
8 final determination of the matter;

9       2. The person is subject to the provisions of a deferred  
10 sentence or deferred prosecution in this state or another state or  
11 pursuant to federal authority for the commission of a felony  
12 offense. The preclusive period shall be three (3) years and shall  
13 begin upon the final determination of the matter;

14       3. Any involuntary commitment for a mental illness, condition,  
15 or disorder pursuant to the provisions of Section 5-410 of Title 43A  
16 of the Oklahoma Statutes or any involuntary commitment in another  
17 state pursuant to any provisions of law of that state. The  
18 preclusive period shall be permanent as provided by Title 18 of the  
19 United States Code Section 922(g)(4) unless the person has been  
20 granted relief from the disqualifying disability pursuant to Section  
21 3 150.77 of ~~this act~~ Title 74 of the Oklahoma Statutes;

22       4. The person has previously undergone treatment for a mental  
23 illness, condition, or disorder which required medication or  
24 supervision as defined by paragraph 7 of Section ~~1290.10~~ 150.60 of

1 ~~this title~~ Title 74 of the Oklahoma Statutes. The preclusive period  
2 shall be three (3) years from the last date of treatment or upon  
3 presentation of a certified statement from a licensed physician  
4 stating that the person is either no longer disabled by any mental  
5 or psychiatric illness, condition, or disorder or that the person  
6 has been stabilized on medication for ten (10) years or more;

7 5. Inpatient treatment for substance abuse. The preclusive  
8 period shall be three (3) years from the last date of treatment or  
9 upon presentation of a certified statement from a licensed physician  
10 stating that the person has been free from substance use for twelve  
11 (12) months or more preceding the filing of an application for a  
12 handgun license;

13 6. Two or more convictions of public intoxication pursuant to  
14 Section 8 of Title 37 of the Oklahoma Statutes, or a similar law of  
15 another state. The preclusive period shall be three (3) years from  
16 the date of the completion of the last sentence;

17 7. Two or more misdemeanor convictions relating to intoxication  
18 or driving under the influence of an intoxicating substance or  
19 alcohol. The preclusive period shall be three (3) years from the  
20 date of the completion of the last sentence or shall require a  
21 certified statement from a licensed physician stating that the  
22 person is not in need of substance abuse treatment;

23 8. A court order for a final Victim Protection Order against  
24 the applicant, as authorized by the Protection from Domestic Abuse



1 Act, or any court order granting a final victim protection order  
2 against the applicant from another state. The preclusive period  
3 shall be three (3) years from the date of the entry of the final  
4 court order, or sixty (60) days from the date an order was vacated,  
5 canceled or withdrawn;

6 9. An adjudicated delinquent or convicted felon residing in the  
7 residence of the applicant which may be a violation of Section 1283  
8 of ~~this title~~ Title 21 of the Oklahoma Statutes. The preclusive  
9 period shall be thirty (30) days from the date the person no longer  
10 resides in the same residence as the applicant; or

11 10. An arrest for an alleged commission of, a charge pending  
12 for, or the person is subject to the provisions of a deferred  
13 prosecution for any one or more of the following misdemeanor  
14 offenses in this state or another state:

- 15 a. any assault and battery which caused serious physical  
16 injury to the victim or any second or subsequent  
17 assault and battery,
- 18 b. any aggravated assault and battery,
- 19 c. any stalking pursuant to Section 1173 of ~~this title~~  
20 Title 21 of the Oklahoma Statutes, or a similar law of  
21 another state,
- 22 d. any violation of the Protection from Domestic Abuse  
23 Act or any violation of a victim protection order of  
24 another state,

- 1 e. any violation relating to illegal drug use or  
2 possession, or  
3 f. an act of domestic abuse as defined by Section 644 of  
4 ~~this title~~ Title 21 of the Oklahoma Statutes or an act  
5 of domestic assault and battery or any comparable acts  
6 under the law of another state.

7 The preclusive period shall be until the final determination of the  
8 matter. The preclusive period for a person subject to the  
9 provisions of a deferred sentence for the offenses mentioned in this  
10 paragraph shall be three (3) years and shall begin upon the final  
11 determination of the matter.

12 B. Nothing in this section shall be construed to require a full  
13 investigation of the applicant by the Oklahoma State Bureau of  
14 Investigation.

15 SECTION 10. AMENDATORY 21 O.S. 2011, Section 1290.12, as  
16 last amended by Section 1, Chapter 207, O.S.L. 2015 (21 O.S. Supp.  
17 2015, Section 1290.12), is amended to read as follows:

18 Section 1290.12

19 PROCEDURE FOR APPLICATION

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

23 1. An eligible person may request an application packet for a  
24 handgun license from the Oklahoma State Bureau of Investigation or

1 the county sheriff's office either in person or by mail. The Bureau  
2 may provide application packets to each sheriff not exceeding two  
3 hundred packets per request. The Bureau shall provide the following  
4 information in the application packet:

- 5 a. an application form,
- 6 b. procedures to follow to process the application form,
- 7 and
- 8 c. a copy of the Oklahoma Self-Defense Act with any
- 9 modifications thereto;

10 2. The person shall be required to successfully complete a  
11 firearms safety and training course from a firearms instructor who  
12 is approved and registered in this state as provided in Section  
13 ~~1290.14~~ 150.64 of ~~this title~~ Title 74 of the Oklahoma Statutes or  
14 from an interactive online firearms safety and training course  
15 available electronically via the Internet approved and certified by  
16 the Council on Law Enforcement Education and Training, and the  
17 person shall be required to demonstrate competency and qualification  
18 with a pistol authorized for concealed or unconcealed carry by the  
19 Oklahoma Self-Defense Act. The original certificate of successful  
20 completion of a firearms safety and training course and an original  
21 certificate of successful demonstration of competency and  
22 qualification to carry and handle a pistol shall be submitted with  
23 the application for a handgun license. No duplicate, copy,  
24 facsimile or other reproduction of the certificate of training,

1 certificate of competency and qualification or exemption from  
2 training shall be acceptable as proof of training as required by the  
3 provisions of the Oklahoma Self-Defense Act. A person exempt from  
4 the training requirements as provided in Section ~~1290.15~~ 150.65 of  
5 ~~this title~~ Title 74 of the Oklahoma Statutes must show the required  
6 proof of such exemption to the firearms instructor to receive an  
7 exemption certificate. The original exemption certificate must be  
8 submitted with the application for a handgun license when the person  
9 claims an exemption from training and qualification;

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

13 4. The person shall deliver to the sheriff at the time of  
14 delivery of the completed application form a fee of One Hundred  
15 Dollars (\$100.00) for processing the application through the  
16 Oklahoma State Bureau of Investigation and processing the required  
17 fingerprints through the Federal Bureau of Investigation. The  
18 processing fee shall be in the form of:

- 19 a. a money order or a cashier's check made payable to the  
20 Oklahoma State Bureau of Investigation,
- 21 b. by a nationally recognized credit card issued to the  
22 applicant. For purposes of this paragraph,  
23 "nationally recognized credit card" means any  
24 instrument or device, whether known as a credit card,

1 credit plate, charge plate, or by any other name,  
2 issued with or without fee by the issuer for the use  
3 of the cardholder in obtaining goods, services, or  
4 anything else of value on credit which is accepted by  
5 over one thousand merchants in the state. The  
6 Oklahoma State Bureau of Investigation shall determine  
7 which nationally recognized credit cards will be  
8 accepted by the Bureau, or

9 c. by electronic funds transfer.

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

16 5. The completed application form shall be signed by the  
17 applicant in person before the sheriff. The signature shall be  
18 given voluntarily upon a sworn oath that the person knows the  
19 contents of the application and that the information contained in  
20 the application is true and correct. Any person making any false or  
21 misleading statement on an application for a handgun license shall,  
22 upon conviction, be guilty of perjury as defined by Section 491 of  
23 ~~this title~~ Title 21 of the Oklahoma Statutes. Any conviction shall  
24 be punished as provided in Section 500 of ~~this title~~ Title 21 of the

1 Oklahoma Statutes. In addition to a criminal conviction, the person  
2 shall be denied the right to have a handgun license pursuant to the  
3 provisions of Section ~~1290.10~~ 150.60 of ~~this title~~ Title 74 of the  
4 Oklahoma Statutes and the Oklahoma State Bureau of Investigation  
5 shall revoke the handgun license, if issued;

6 6. Two passport-size photographs of the applicant shall be  
7 submitted with the completed application. The cost of the  
8 photographs shall be the responsibility of the applicant. The  
9 sheriff is authorized to take the photograph of the applicant for  
10 purposes of the Oklahoma Self-Defense Act and, if such photographs  
11 are taken by the sheriff, the cost of the photographs shall not  
12 exceed Ten Dollars (\$10.00) for the two photos. All money received  
13 by the sheriff from photographing applicants pursuant to the  
14 provisions of this paragraph shall be retained by the sheriff and  
15 deposited into the Sheriff's Service Fee Account;

16 7. The sheriff shall witness the signature of the applicant and  
17 review or take the photographs of the applicant and shall verify  
18 that the person making application for a handgun license is the same  
19 person in the photographs submitted and the same person who signed  
20 the application form. Proof of a valid Oklahoma driver license with  
21 a photograph of the applicant or an Oklahoma state photo  
22 identification for the applicant shall be required to be presented  
23 by the applicant to the sheriff for verification of the person's  
24 identity;

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

13        9. The sheriff shall submit to the Oklahoma State Bureau of  
14 Investigation within the fourteen-day period, together with the  
15 completed application, including the certificate of training,  
16 certificate of competency and qualification or exemption  
17 certificate, photographs, processing fee and legible fingerprints  
18 meeting the Oklahoma State Bureau of Investigation's Automated  
19 Fingerprint Identification System (AFIS) submission standards, and a  
20 report of information deemed pertinent to an investigation of the  
21 applicant for a handgun license. The sheriff shall make a  
22 preliminary investigation of pertinent information about the  
23 applicant and the court clerk shall assist the sheriff in locating  
24 pertinent information in court records for this purpose. If no

1 pertinent information is found to exist either for or against the  
2 applicant, the sheriff shall so indicate in the report;

3 10. The Oklahoma State Bureau of Investigation, upon receipt of  
4 the application and required information from the sheriff, shall  
5 forward one full set of fingerprints of the applicant to the Federal  
6 Bureau of Investigation for a national criminal history records  
7 search. The cost of processing the fingerprints nationally shall be  
8 paid from the processing fee collected by the Oklahoma State Bureau  
9 of Investigation;

10 11. Notwithstanding the provisions of the Oklahoma Self-Defense  
11 Act, or any other provisions of law, any person who has been granted  
12 a permanent victim's protective order by the court, as provided for  
13 in the Protection from Domestic Abuse Act, may be issued a temporary  
14 handgun license for a period not to exceed six (6) months. A  
15 temporary handgun license may be issued if the person has  
16 successfully passed the required weapons course, completed the  
17 application process for the handgun license, passed the preliminary  
18 investigation of the person by the sheriff and court clerk, and  
19 provided the sheriff proof of a certified permanent victim  
20 protection order and a valid Oklahoma state photo identification  
21 card or driver license. The sheriff shall issue a temporary handgun  
22 license on a form approved by the Oklahoma State Bureau of  
23 Investigation, at no cost. Any person who has been issued a  
24 temporary license shall carry the temporary handgun license and a



1 valid Oklahoma state photo identification on his or her person at  
2 all times, and shall be subject to all the requirements of the  
3 Oklahoma Self-Defense Act when carrying a handgun. The person may  
4 proceed with the handgun licensing process. In the event the  
5 victim's protection order is no longer enforceable, the temporary  
6 handgun license shall cease to be valid;

7 12. The Oklahoma State Bureau of Investigation shall make a  
8 reasonable effort to investigate the information submitted by the  
9 applicant and the sheriff, to ascertain whether or not the issuance  
10 of a handgun license would be in violation of the provisions of the  
11 Oklahoma Self-Defense Act. The investigation by the Bureau of an  
12 applicant shall include, but shall not be limited to: a statewide  
13 criminal history records search, a national criminal history records  
14 search, a Federal Bureau of Investigation fingerprint search, and if  
15 applicable, an investigation of medical records or other records or  
16 information deemed by the Bureau to be relevant to the application.

17 a. In the course of the investigation by the Bureau, it  
18 shall present the name of the applicant along with any  
19 known aliases, the address of the applicant and the  
20 social security number of the applicant to the  
21 Department of Mental Health and Substance Abuse  
22 Services. The Department of Mental Health and  
23 Substance Abuse Services shall respond within ten (10)  
24

1 days of receiving such information to the Bureau as  
2 follows:

- 3 (1) with a "Yes" answer, if the records of the  
4 Department indicate that the person was  
5 involuntarily committed to a mental institution  
6 in Oklahoma,
- 7 (2) with a "No" answer, if there are no records  
8 indicating the name of the person as a person  
9 involuntarily committed to a mental institution  
10 in Oklahoma, or
- 11 (3) with an "Inconclusive" answer if the records of  
12 the Department suggest the applicant may be a  
13 formerly committed person. In the case of an  
14 inconclusive answer, the Bureau shall ask the  
15 applicant whether he or she was involuntarily  
16 committed. If the applicant states under penalty  
17 of perjury that he or she has not been  
18 involuntarily committed, the Bureau shall  
19 continue processing the application for a  
20 license.

- 21 b. In the course of the investigation by the Bureau, it  
22 shall check the name of any applicant who is twenty-  
23 eight (28) years of age or younger along with any  
24 known aliases, the address of the applicant and the

1 social security number of the applicant against the  
2 records in the Juvenile Online Tracking System (JOLTS)  
3 of the Office of Juvenile Affairs. The Office of  
4 Juvenile Affairs shall provide the Bureau direct  
5 access to check the applicant against the records  
6 available on JOLTS.

7 (1) If the Bureau finds a record on the JOLTS that  
8 indicates the person was adjudicated a delinquent  
9 for an offense that would constitute a felony  
10 offense if committed by an adult within the last  
11 ten (10) years the Bureau shall deny the license,

12 (2) If the Bureau finds no record on the JOLTS  
13 indicating the named person was adjudicated  
14 delinquent for an offense that would constitute a  
15 felony offense if committed by an adult within  
16 the last ten (10) years, or

17 (3) If the records suggest the applicant may have  
18 been adjudicated delinquent for an offense that  
19 would constitute a felony offense if committed by  
20 an adult but such record is inconclusive, the  
21 Bureau shall ask the applicant whether he or she  
22 was adjudicated a delinquent for an offense that  
23 would constitute a felony offense if committed by  
24 an adult within the last ten (10) years. If the

1                   applicant states under penalty of perjury that he  
2                   or she was not adjudicated a delinquent within  
3                   ten (10) years, the Bureau shall continue  
4                   processing the application for a license; and

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

1 Section ~~1290.9~~ 150.59, ~~1290.10~~ 150.60 or ~~1290.11~~ 150.61 of ~~this~~  
2 ~~title~~ Title 74 of the Oklahoma Statutes. The Bureau shall approve  
3 an application in all other cases. If an application is denied, the  
4 Bureau shall notify the applicant in writing of its decision. The  
5 notification shall state the grounds for the denial and inform the  
6 applicant of the right to an appeal as may be provided by the  
7 provisions of the Administrative Procedures Act. All notices of  
8 denial shall be mailed by first-class mail to the address of the  
9 applicant listed in the application. Within sixty (60) calendar  
10 days from the date of mailing a denial of application to an  
11 applicant, the applicant shall notify the Bureau in writing of the  
12 intent to appeal the decision of denial or the right of the  
13 applicant to appeal shall be deemed waived. Any administrative  
14 hearing on a denial which may be provided shall be conducted by a  
15 hearing examiner appointed by the Bureau. The decision of the  
16 hearing examiner shall be a final decision appealable to a district  
17 court in accordance with the Administrative Procedures Act. When an  
18 application is approved, the Bureau shall issue the license and  
19 shall mail the license by first-class mail to the address of the  
20 applicant listed in the application.

21 B. Nothing contained in any provision of the Oklahoma Self-  
22 Defense Act shall be construed to require or authorize the  
23 registration, documentation or providing of serial numbers with  
24 regard to any firearm. For purposes of the Oklahoma Self-Defense

1 Act, the sheriff may designate a person to receive, fingerprint,  
2 photograph or otherwise process applications for handgun licenses.

3 SECTION 11. AMENDATORY 21 O.S. 2011, Section 1290.14, as  
4 last amended by Section 2, Chapter 207, O.S.L. 2015 (21 O.S. Supp.  
5 2015, Section 1290.14), is amended to read as follows:

6 Section 1290.14

7 SAFETY AND TRAINING COURSE

8 A. Each applicant for a license to carry a concealed or  
9 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must  
10 successfully complete a firearms safety and training course in this  
11 state conducted by a registered and approved firearms instructor as  
12 provided by the provisions of this section or from an interactive  
13 online firearms safety and training course available electronically  
14 via the Internet approved and certified by the Council on Law  
15 Enforcement Education and Training. The applicant must further  
16 demonstrate competence and qualification with an authorized pistol  
17 of the type or types that the applicant desires to carry as a  
18 concealed or unconcealed handgun pursuant to the provisions of the  
19 Oklahoma Self-Defense Act, except certain persons may be exempt from  
20 such training requirement as provided by the provisions of Section  
21 ~~1290.15~~ 150.65 of ~~this title~~ Title 74 of the Oklahoma Statutes.

22 B. The Council on Law Enforcement Education and Training  
23 (CLEET) shall establish criteria for approving firearms instructors  
24 and interactive online firearms safety and training courses

1 available electronically via the Internet for purposes of training  
2 and qualifying individuals for a handgun license pursuant to the  
3 provisions of the Oklahoma Self-Defense Act. Prior to submitting an  
4 application for CLEET approval as a firearms instructor, applicants  
5 shall attend a firearms instructor school, meeting the following  
6 minimum requirements:

7 1. Firearms instructor training conducted by one of the  
8 following entities:

- 9 a. Council on Law Enforcement Education and Training,
- 10 b. National Rifle Association,
- 11 c. Oklahoma Rifle Association,
- 12 d. federal law enforcement agencies, or
- 13 e. other professionally recognized organizations;

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

15 3. Upon completion of the course, the applicant shall be  
16 qualified to provide instruction on revolvers, semiautomatic  
17 pistols, or both; and

18 4. Receive a course completion certificate.

19 All firearms instructors shall be required to meet the  
20 eligibility requirements for a handgun license as provided in  
21 Sections ~~1290.9~~ 150.59, ~~1290.10~~ 150.60, and ~~1290.11~~ 150.61 of ~~this~~  
22 ~~title~~ Title 74 of the Oklahoma Statutes and the application shall be  
23 processed as provided for applicants in Section ~~1290.12~~ 150.62 of  
24 ~~this title~~ Title 74 of the Oklahoma Statutes, including the state

1 and national criminal history records search and fingerprint search.  
2 A firearms instructor shall be required to pay a fee of One Hundred  
3 Dollars (\$100.00) to the Council on Law Enforcement Education and  
4 Training (CLEET) each time the person makes application for CLEET  
5 approval as a firearms instructor pursuant to the provisions of the  
6 Oklahoma Self-Defense Act. The fee shall be retained by CLEET and  
7 shall be deposited into the Firearms Instructors Revolving Fund.  
8 CLEET shall promulgate the rules, forms and procedures necessary to  
9 implement the approval of firearms instructors as authorized by the  
10 provisions of this subsection. CLEET shall periodically review each  
11 approved instructor during a training and qualification course to  
12 assure compliance with the rules and course contents. Any violation  
13 of the rules may result in the revocation or suspension of CLEET and  
14 Oklahoma State Bureau of Investigation approval. Unless the  
15 approval has been revoked or suspended, a firearms instructor's  
16 CLEET approval shall be for a term of five (5) years. Beginning on  
17 July 1, 2003, any firearms instructor who has been issued a four-  
18 year CLEET approval shall not be eligible for the five-year approval  
19 until the expiration of the approval previously issued. CLEET shall  
20 be responsible for notifying all approved firearms instructors of  
21 statutory and policy changes related to the Oklahoma Self-Defense  
22 Act. A firearms instructor shall not be required to submit his or  
23 her fingerprints for a fingerprint search when renewing a firearms  
24 instructor's CLEET approval.



1 C. 1. All firearms instructors approved by CLEET to train and  
2 qualify individuals for a handgun license shall be required to apply  
3 for registration with the Oklahoma State Bureau of Investigation  
4 after receiving CLEET approval. All firearms instructors teaching  
5 the approved course for a handgun license must display their  
6 registration certificate during each training and qualification  
7 course. Each approved firearms instructor shall complete a  
8 registration form provided by the Bureau and shall have the option  
9 to pay a registration fee of either One Hundred Dollars (\$100.00)  
10 for a five-year registration certificate or Two Hundred Dollars  
11 (\$200.00) for a ten-year registration certificate to the Bureau at  
12 the time of each application for registration, except as provided in  
13 paragraph 2 of this subsection. Registration certificates issued by  
14 the Bureau shall be valid for a period of five (5) years or ten (10)  
15 years from the date of issuance. The Bureau shall issue a five-year  
16 or ten-year handgun license to an approved firearms instructor at  
17 the time of issuance of a registration certificate and no additional  
18 fee shall be required or charged. The Bureau shall maintain a  
19 current listing of all registered firearms instructors in this  
20 state. Nothing in this paragraph shall be construed to eliminate  
21 the requirement for registration and training with CLEET as provided  
22 in subsection B of this section. Failure to register or be trained  
23 as required shall result in a revocation or suspension of the  
24 instructor certificate by the Bureau.

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

- 12            a. an active duty law enforcement officer of this state  
13 or any of its political subdivisions or of the federal  
14 government who has a valid CLEET approval as a  
15 firearms instructor pursuant to the Oklahoma Self-  
16 Defense Act, and  
17            b. a retired law enforcement officer authorized to carry  
18 a firearm pursuant to Section 1289.8 of ~~this title~~  
19 Title 21 of the Oklahoma Statutes who has a valid  
20 CLEET approval as a firearms instructor pursuant to  
21 the Oklahoma Self-Defense Act.

22        D. The Oklahoma State Bureau of Investigation shall approve  
23 registration for a firearms instructor applicant who is in full  
24 compliance with CLEET rules regarding firearms instructors and the

1 provisions of subsection B of this section, if completion of the  
2 federal fingerprint search is the only reason for delay of  
3 registration of that firearms instructor applicant. Upon receipt of  
4 the federal fingerprint search information, if the Bureau receives  
5 information which precludes the person from having a handgun  
6 license, the Bureau shall revoke both the registration and the  
7 handgun license previously issued to the firearms instructor.

8 E. The required firearms safety and training course and the  
9 actual demonstration of competency and qualification required of the  
10 applicant shall be designed and conducted in such a manner that the  
11 course can be reasonably completed by the applicant within an eight-  
12 hour period. CLEET shall establish the course content and  
13 promulgate rules, procedures and forms necessary to implement the  
14 provisions of this subsection. For the training and qualification  
15 course, an applicant may be charged a fee which shall be determined  
16 by the instructor or entity that is conducting the course. The  
17 maximum class size shall be determined by the instructor conducting  
18 the course; provided, however, practice shooting sessions shall not  
19 have more than ten participating students at one time. CLEET may  
20 establish criteria for assistant instructors and any other  
21 requirements deemed necessary to conduct a safe and effective  
22 training and qualification course. The course content shall include  
23 a safety inspection of the firearm to be used by the applicant in  
24 the training course; instruction on pistol handling, safety and

1 storage; dynamics of ammunition and firing; methods or positions for  
2 firing a pistol; information about the criminal provisions of the  
3 Oklahoma law relating to firearms; the requirements of the Oklahoma  
4 Self-Defense Act as it relates to the applicant; self-defense and  
5 the use of appropriate force; a practice shooting session; and a  
6 familiarization course. The firearms instructor shall refuse to  
7 train or qualify any person when the pistol to be used or carried by  
8 the person is either deemed unsafe or unfit for firing or is a  
9 weapon not authorized by the Oklahoma Self-Defense Act. The course  
10 shall provide an opportunity for the applicant to qualify himself or  
11 herself on either a derringer, a revolver, a semiautomatic pistol or  
12 any combination of a derringer, a revolver and a semiautomatic  
13 pistol, provided no pistol shall be capable of firing larger than  
14 .45 caliber ammunition. Any applicant who successfully trains and  
15 qualifies himself or herself with a semiautomatic pistol may be  
16 approved by the firearms instructor on the training certificate for  
17 a semiautomatic pistol, a revolver and a derringer upon request of  
18 the applicant. Any person who qualifies on a derringer or revolver  
19 shall not be eligible for a semiautomatic rating until the person  
20 has demonstrated competence and qualifications on a semiautomatic  
21 pistol. Upon successful completion of the training and  
22 qualification course, a certificate of training and a certificate of  
23 competency and qualification shall be issued to each applicant who  
24 successfully completes the course. The certificate of training and

1 certificate of competency and qualification shall comply with the  
2 forms established by CLEET and shall be submitted with an  
3 application for a handgun license pursuant to the provisions of  
4 paragraph 2 of subsection A of Section ~~1290.12~~ 150.62 of ~~this title~~  
5 Title 74 of the Oklahoma Statutes. The certificate of training and  
6 certificate of competency and qualification issued to an applicant  
7 shall be valid for a period of three (3) years.

8 F. There is hereby created a revolving fund for the Council on  
9 Law Enforcement Education and Training (CLEET), to be designated the  
10 "Firearms Instructors Revolving Fund". The fund shall be a  
11 continuing fund, not subject to fiscal year limitations, and shall  
12 consist of all funds received for approval of firearms instructors  
13 for purposes of the Oklahoma Self-Defense Act. All funds received  
14 shall be deposited to the fund. All monies accruing to the credit  
15 of said fund are hereby appropriated and may be budgeted and  
16 expended by the Council on Law Enforcement Education and Training,  
17 for implementation of the training and qualification course  
18 contents, approval of firearms instructors and any other CLEET  
19 requirement pursuant to the provisions of the Oklahoma Self-Defense  
20 Act or as may otherwise be deemed appropriate by CLEET.  
21 Expenditures from said fund shall be made upon warrants issued by  
22 the State Treasurer against claims filed as prescribed by law with  
23 the Director of the Office of Management and Enterprise Services for  
24 approval and payment.

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

8 SECTION 12. AMENDATORY 21 O.S. 2011, Section 1290.15, as  
9 last amended by Section 2, Chapter 86, O.S.L. 2013 (21 O.S. Supp.  
10 2015, Section 1290.15), is amended to read as follows:

11 Section 1290.15

12 PERSONS EXEMPT FROM TRAINING COURSE

13 A. The following individuals may be exempt from all or part of  
14 the required training and qualification course established pursuant  
15 to the provisions of Section ~~1290.14~~ 150.64 of ~~this title~~ Title 74  
16 of the Oklahoma Statutes:

17 1. A firearms instructor registered with the Oklahoma State  
18 Bureau of Investigation for purposes of the Oklahoma Self-Defense  
19 Act;

20 2. An active duty law enforcement officer of this state or any  
21 of its political subdivisions or of the federal government;

22 3. A retired law enforcement officer authorized by this state  
23 pursuant to Section 1289.8 of ~~this title~~ Title 21 of the Oklahoma  
24 Statutes to carry a firearm;

1       4. A CLEET-certified armed security officer, armed guard,  
2       correctional officer, or any other person having a CLEET  
3       certification to carry a firearm in the course of their employment;

4       5. A person on active military duty, National Guard duty or  
5       regular military reserve duty who is a legal resident of this state  
6       and who is trained and qualified in the use of handguns;

7       6. A person honorably discharged from active military duty,  
8       National Guard duty or military reserves within twenty (20) years  
9       preceding the date of the application for a handgun license pursuant  
10      to the provisions of the Oklahoma Self-Defense Act, who is a legal  
11      resident of this state, and who has been trained and qualified in  
12      the use of handguns;

13      7. A person retired as a peace officer in good standing from a  
14      law enforcement agency located in another state, who is a legal  
15      resident of this state, and who has received training equivalent to  
16      the training required for CLEET certification in this state; and

17      8. Any person who is otherwise deemed qualified for a training  
18      exemption by CLEET.

19      Provided, however, persons applying for an exemption pursuant to  
20      paragraph 3, 4, 5, 6 or 7 of this subsection may be required to  
21      successfully complete the classroom portion of the training course.  
22      The fee for the classroom portion of the training course shall be  
23      determined by the instructor or entity that is conducting the  
24      course.

1       B. The Council on Law Enforcement Education and Training  
2 (CLEET) shall establish criteria for providing proof of an  
3 exemption. Before any person shall be considered exempt from all or  
4 part of the required training and qualification pursuant to the  
5 provisions of the Oklahoma Self-Defense Act, the person shall  
6 present the required proof of exemption to a registered firearms  
7 instructor. Each person determined to be exempt from training or  
8 qualification as provided in this subsection shall receive an  
9 exemption certificate from the registered firearms instructor. The  
10 rules promulgated by CLEET to implement the provisions of this  
11 section and Section ~~1290.14~~ 150.64 of ~~this title~~ Title 74 of the  
12 Oklahoma Statutes may require that a fee not to exceed Five Dollars  
13 (\$5.00) be charged for processing an exemption certificate. The  
14 original exemption certificate must be submitted with an application  
15 for a handgun license as provided in paragraph 2 of subsection A of  
16 Section ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the Oklahoma  
17 Statutes. No person who is determined to be exempt from training or  
18 qualification may carry a concealed or unconcealed firearm pursuant  
19 to the authority of the Oklahoma Self-Defense Act until issued a  
20 valid handgun license.

21       C. Nothing contained in any provision of the Oklahoma Self-  
22 Defense Act shall be construed to alter, amend, or modify the  
23 authority of any active duty law enforcement officer, or any person  
24 certified by the Council on Law Enforcement Education and Training



1 to carry a pistol during the course of their employment, to carry  
2 any pistol in any manner authorized by law or authorized by the  
3 employing agency.

4 SECTION 13. AMENDATORY 21 O.S. 2011, Section 1290.17, as  
5 amended by Section 36, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2015,  
6 Section 1290.17), is amended to read as follows:

7 Section 1290.17

8 SUSPENSION AND REVOCATION OF LICENSE

9 A. The Oklahoma State Bureau of Investigation shall have  
10 authority pursuant to the provisions of the Oklahoma Self-Defense  
11 Act and any other provision of law to suspend or revoke any handgun  
12 license issued pursuant to the provisions of the Oklahoma Self-  
13 Defense Act. A person whose license has been suspended or revoked  
14 or against whom a fine has been assessed shall be entitled to an  
15 appeal through a hearing in accordance with the Administrative  
16 Procedures Act. Any administrative hearing on suspensions,  
17 revocations or fines shall be conducted by a hearing examiner  
18 appointed by the Bureau. The hearing examiner's decision shall be a  
19 final decision appealable to a district court in accordance with the  
20 Administrative Procedures Act. After a handgun license has been  
21 issued, the discovery of or the occurrence of any condition which  
22 directly affects a person's eligibility for a handgun license as  
23 provided by the provisions of Section ~~1290.9~~ 150.59 or ~~1290.10~~  
24 150.60 of ~~this title~~ Title 74 of the Oklahoma Statutes shall require

1 a revocation of the license by the Bureau. The discovery of or the  
2 occurrence of any condition pursuant to Section ~~1290.11~~ 150.61 of  
3 ~~this title~~ Title 74 of the Oklahoma Statutes, after a license has  
4 been issued, shall cause a suspension of the handgun license for a  
5 period of time as prescribed for the condition. Any provision of  
6 law that requires a revocation of a handgun license upon a  
7 conviction shall cause the Bureau to suspend the handgun license  
8 upon the discovery of the arrest of the person for such offense  
9 until a determination of the criminal case at which time the Bureau  
10 shall proceed with the appropriate administrative action. A  
11 licensee may voluntarily surrender a license to the Oklahoma State  
12 Bureau of Investigation at any time. Such surrender of a handgun  
13 license will render the license invalid. Nothing in this section  
14 may be interpreted to prevent a subsequent new application for a  
15 license. The licensee shall be informed and acknowledge in writing  
16 as follows:

- 17 1. The licensee understands that the voluntary surrender of the  
18 license will not be deemed a suspension or revocation by the Bureau;
  - 19 2. A voluntary surrender of a license will not be reviewable by  
20 a hearing examiner or subject to judicial review under the  
21 Administrative Procedures Act; and
  - 22 3. By surrendering the license, the licensee shall forfeit all  
23 fees paid to date.
- 24

1       B. Any handgun license which is subsequently suspended or  
2       revoked shall be immediately returned to the Oklahoma State Bureau  
3       of Investigation upon notification. Any person refusing or failing  
4       to return a license after notification of its suspension or  
5       revocation shall, upon conviction, be guilty of a misdemeanor  
6       punishable by a fine of not exceeding Five Hundred Dollars  
7       (\$500.00), by imprisonment in the county jail for not exceeding six  
8       (6) months, or by both such fine and imprisonment. In addition, the  
9       person shall be subject to an administrative fine of Five Hundred  
10      Dollars (\$500.00), upon a hearing and determination by the Bureau  
11      that the person is in violation of the provisions of this  
12      subsection.

13      C. Any law enforcement officer of this state shall confiscate a  
14      handgun license in the possession of any person and return it to the  
15      Oklahoma State Bureau of Investigation for appropriate  
16      administrative proceedings against the licensee when the license is  
17      no longer needed as evidence in any criminal proceeding, as follows:

18          1. Upon the arrest of the person for any felony offense;  
19          2. Upon the arrest of the person for any misdemeanor offense  
20      enumerated as a preclusion to a handgun license;

21          3. For any violation of the provisions of the Oklahoma Self-  
22      Defense Act;

1       4. When the officer has been called to assist or is  
2 investigating any situation which would be a preclusion to having a  
3 handgun license; or

4       5. As provided in subsection D of Section ~~1290.8~~ 150.58 of ~~this~~  
5 ~~title~~ Title 74 of the Oklahoma Statutes.

6       D. Any administrative fine assessed in accordance with the  
7 provisions of the Oklahoma Self-Defense Act shall be paid in full  
8 within thirty (30) days of assessment. The Oklahoma State Bureau of  
9 Investigation shall, without a hearing, suspend the handgun license  
10 of any person who fails to pay in full any administrative fine  
11 assessed against the person in accordance with the provisions of  
12 this subsection. The suspension of any handgun license shall be  
13 automatic and shall begin thirty (30) days from the date of the  
14 assessment of the administrative fine. The suspension shall be  
15 removed and the handgun license returned to its prior standing upon  
16 payment of the administrative fine being paid in full to the Bureau.

17       E. Whenever a handgun license has been suspended in accordance  
18 with the provisions of this act or the administrative rules of the  
19 Bureau promulgated for purposes of this act, the license shall  
20 remain under suspension and shall not be reinstated until:

21       1. The person whose license has been suspended applies for  
22 reinstatement in accordance with the administrative rules of the  
23 Bureau. The Bureau shall not charge any fee in conjunction with an  
24 application for a license reinstatement. The person whose license

1 has been suspended must demonstrate that the condition or preclusion  
2 which was the basis for the suspension has lapsed and is no longer  
3 in effect; and

4 2. Any and all administrative fines assessed against the person  
5 have been paid in full.

6 In the event a handgun license expires during the term of the  
7 suspension, the person shall be required to apply for renewal of the  
8 license in accordance with Section ~~1290.5~~ 150.55 of ~~this title~~ Title  
9 74 of the Oklahoma Statutes.

10 SECTION 14. AMENDATORY 21 O.S. 2011, Section 1290.18, as  
11 last amended by Section 1, Chapter 200, O.S.L. 2015 (21 O.S. Supp.  
12 2015, Section 1290.18), is amended to read as follows:

13 Section 1290.18

14 APPLICATION FORM CONTENTS

15 The application shall be completed upon the sworn oath of the  
16 applicant as provided in paragraph 5 of subsection A of Section  
17 ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the Oklahoma Statutes. The  
18 application form shall be provided by the Oklahoma State Bureau of  
19 Investigation and shall contain the following information in  
20 addition to any other information deemed relevant by the Bureau:

- 21 1. Applicant's full legal name;
- 22 2. Applicant's birth name, alias names or nicknames;
- 23 3. Maiden name, if applicable;
- 24 4. County of residence;

- 1        5. Length of residency at the current address;
- 2        6. Previous addresses for the preceding three (3) years;
- 3        7. Place of birth;
- 4        8. Date of birth;
- 5        9. Declaration of citizenship and date United States
- 6 citizenship was acquired, if applicable;
- 7        10. Race;
- 8        11. Weight;
- 9        12. Height;
- 10       13. Sex;
- 11       14. Color of eyes;
- 12       15. Current driver license number;
- 13       16. Military service number, if applicable;
- 14       17. Law enforcement identification numbers, if applicable;
- 15       18. Current occupation;
- 16       19. Authorized type or types of pistol for which the applicant
- 17 qualified as stated on the certificate of training or exemption of
- 18 training which shall be stated as either derringer, revolver,
- 19 semiautomatic pistol, or some combination of derringer, revolver and
- 20 semiautomatic pistol and the maximum ammunition capacity of the
- 21 firearm shall be .45 caliber;
- 22       20. An acknowledgment that the applicant desires a handgun
- 23 license as a means of lawful self-defense and self-protection and
- 24 for no other intent or purpose;

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

4        22. A statement that the applicant has none of the conditions  
5 which would preclude the issuing of a handgun license pursuant to  
6 any of the provisions of Sections ~~1290.10~~ 150.60 and ~~1290.11~~ 150.61  
7 of ~~this title~~ Title 74 of the Oklahoma Statutes and that the  
8 applicant further meets all of the eligibility criteria required by  
9 Section ~~1290.9~~ 150.59 of ~~this title~~ Title 74 of the Oklahoma  
10 Statutes;

11        23. An authorization for the Oklahoma State Bureau of  
12 Investigation to investigate the applicant and any or all records  
13 relating to the applicant for purposes of approving or denying a  
14 handgun license pursuant to the provisions of the Oklahoma Self-  
15 Defense Act;

16        24. An acknowledgment that the applicant has been furnished a  
17 copy of the Oklahoma Self-Defense Act and is knowledgeable about its  
18 provisions;

19        25. A statement that the applicant is the identical person who  
20 completed the firearms training course for which the original  
21 training certificate is submitted as part of the application or a  
22 statement that the applicant is the identical person who is exempt  
23 from firearms training for which the original exemption certificate  
24

1 is submitted as part of the application, whichever is applicable to  
2 the applicant;

3 26. A conspicuous warning that the application is executed upon  
4 the sworn oath of the applicant and that any false or misleading  
5 answer to any question or the submission of any false information or  
6 documentation by the applicant is punishable by criminal penalty as  
7 provided in paragraph 5 of subsection A of Section ~~1290.12~~ 150.62 of  
8 ~~this title~~ Title 74 of the Oklahoma Statutes;

9 27. A signed verification that the contents of the application  
10 are known to the applicant and are true and correct;

11 28. Two separate places for the original signature of the  
12 applicant;

13 29. A place for attachment of a passport size photograph of the  
14 applicant; and

15 30. A place for the signature and verification of the identity  
16 of the applicant by the sheriff or the sheriff's designee.

17 Information provided by the person on an application for a  
18 handgun license shall be confidential except to law enforcement  
19 officers or law enforcement agencies.

20 SECTION 15. AMENDATORY 21 O.S. 2011, Section 1290.20, as  
21 amended by Section 39, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2015,  
22 Section 1290.20), is amended to read as follows:

23 Section 1290.20

24 PENALTY FOR REFUSAL TO SUBMIT OR FALSIFICATION



1       It shall be unlawful for any sheriff or designee to fail or  
2 refuse to accept an application for a handgun license as authorized  
3 by the provisions of the Oklahoma Self-Defense Act or to fail or  
4 refuse to process or submit the completed application to the  
5 Oklahoma State Bureau of Investigation within the time prescribed by  
6 paragraph 8 of subsection A of Section ~~1290.12~~ 150.62 of ~~this title~~  
7 Title 74 of the Oklahoma Statutes, or to falsify or knowingly allow  
8 any person to falsify any information, documentation, fingerprint or  
9 photograph submitted with a handgun application. Any violation  
10 shall, upon conviction, be a misdemeanor. There is a presumption  
11 that the sheriff has acted in good faith to comply with the  
12 provisions of the Oklahoma Self-Defense Act and any alleged  
13 violation of the provisions of this section shall require proof  
14 beyond a reasonable doubt.

15       SECTION 16.       AMENDATORY       Section 3, Chapter 259, O.S.L.  
16 2014 (21 O.S. Supp. 2015, Section 1290.27), is amended to read as  
17 follows:

18       Section 1290.27 A. When a court adjudicates a person mentally  
19 incompetent or orders the involuntary commitment of a person due to  
20 a mental illness, condition or disorder under the laws of this state  
21 by which a person becomes subject to the provisions of Section  
22 922(d)(4) and (g)(4) of Title 18 of the United States Code, the  
23 clerk of the court shall forward a certified copy of the order or  
24 adjudication to the Federal Bureau of Investigation or its successor

1 agency for the sole purpose of inclusion in the National Instant  
2 Criminal Background Check System database and to the Oklahoma State  
3 Bureau of Investigation. The clerk of the court shall also notify  
4 the person of the prohibitions contained within the provisions of  
5 Section 922(d)(4) and (g)(4) of Title 18 of the United States Code,  
6 paragraph 3 of Section ~~1290.10~~ 150.60 or paragraph 3 of subsection A  
7 of Section ~~1290.11~~ 150.61 of Title ~~21~~ 74 of the Oklahoma Statutes.

8 B. When a court adjudicates a person mentally incompetent or  
9 orders the involuntary commitment of a person due to a mental  
10 illness, condition or disorder under the laws of this state by which  
11 a person becomes subject to the provisions of Section 922(d)(4) and  
12 (g)(4) of Title 18 of the United States Code, paragraph 3 of Section  
13 ~~1290.10~~ 150.60 or paragraph 3 of subsection A of Section ~~1290.11~~  
14 150.61 of Title ~~21~~ 74 of the Oklahoma Statutes, or when a person is  
15 otherwise disqualified from eligibility for a handgun license under  
16 paragraph 6 or 7 of Section ~~1290.10~~ 150.60 of Title ~~21~~ 74 of the  
17 Oklahoma Statutes or paragraph 4 of subsection A of Section ~~1290.11~~  
18 150.61 of Title ~~21~~ 74 of the Oklahoma Statutes, the person may  
19 petition the court in which the adjudication or commitment  
20 proceedings occurred or the district court of the county in which  
21 the person currently resides to remove the disability.

22 C. On filing of the petition, the court shall set a hearing.  
23 Not less than thirty (30) days prior to a hearing on the matter, a  
24 copy of the petition for relief shall be served upon the district

1 attorney for that county. The court shall receive and consider  
2 evidence in a closed hearing.

3 D. The court shall receive evidence on and consider the  
4 following before granting or denying the petition:

5 1. Psychological or psychiatric evidence from the petitioner  
6 and in support of the petition;

7 2. The circumstances that resulted in the firearm disabilities;

8 3. The petitioner's criminal history records provided by the  
9 state, if any;

10 4. The petitioner's mental health records;

11 5. The reputation of the petitioner based on character witness  
12 statements, testimony or other character evidence;

13 6. Whether the petitioner is a danger to self or others;

14 7. Changes in the condition or circumstances of the petitioner  
15 since the original adjudication of mental incompetency or  
16 involuntary commitment for a mental illness, condition or disorder  
17 relevant to the relief sought; and

18 8. Any other evidence deemed admissible by the court.

19 E. The court shall grant the relief requested if the petitioner  
20 proves by clear and convincing evidence that:

21 1. The petitioner is not likely to act in a manner that is  
22 dangerous to the public safety; and

23 2. Granting the relief requested is not contrary to the public  
24 interest.

1 F. At the conclusion of the hearing, the court shall issue  
2 findings of fact and conclusions of law. A record shall be kept of  
3 the proceedings, but shall remain confidential and be disclosed only  
4 to a court or the parties. No records of the proceedings pursuant  
5 to this subsection shall be open to public inspection except by  
6 order of the court or to a person's attorney of record. The  
7 petitioner may appeal a denial of the requested relief, and review  
8 on appeal shall be de novo.

9 G. If the court grants the petition for relief, the original  
10 adjudication of mental incompetency or order of involuntary  
11 commitment due to a mental illness, condition or disorder of the  
12 petitioner is deemed not to have occurred for purposes of applying  
13 Section 922(d)(4) and (g)(4) of Title 18 of the United States Code,  
14 paragraph 3, 6 or 7 of Section ~~1290.10~~ 150.60, or paragraph 3 or 4  
15 of subsection A of Section ~~1290.11~~ 150.61 of Title ~~21~~ 74 of the  
16 Oklahoma Statutes.

17 H. The clerk of the court shall promptly forward to the Federal  
18 Bureau of Investigation or its successor agency for the sole purpose  
19 of inclusion in the National Instant Criminal Background Check  
20 System database and the Department of Mental Health and Substance  
21 Abuse Services and the Oklahoma State Bureau of Investigation, a  
22 certified copy of the order granting relief under this section. The  
23 Department of Mental Health and Substance Abuse Services and the  
24 Oklahoma State Bureau of Investigation shall as soon thereafter as

1 is practicable, but in no case later than ten (10) business days,  
2 update, correct, modify, or remove the record of the person in any  
3 databases that these agencies use or refer to for the purposes of  
4 handgun licensing, or make available to the National Instant  
5 Criminal Background Check System and notify the United States  
6 Attorney that the basis for such record being made available no  
7 longer applies.

8 SECTION 17. AMENDATORY 21 O.S. 2011, Section 1280, is  
9 amended to read as follows:

10 Section 1280.

11 PENALTY FOR 1279

12 Any person violating the provisions of Section 1279 of this  
13 title, upon conviction, shall be guilty of a misdemeanor. The  
14 person offending shall be punished by a fine of not less than One  
15 Hundred Dollars (\$100.00) nor more than One Thousand Dollars  
16 (\$1,000.00) and shall be imprisoned in the county jail for a period  
17 not less than three (3) nor more than twelve (12) months. Any  
18 person convicted of violating the provisions of Section 1279 of this  
19 title after having been issued a handgun license pursuant to the  
20 provisions of the Oklahoma Self-Defense Act, ~~Sections 1 through 25~~  
21 ~~of this act,~~ shall have the handgun license permanently revoked and  
22 shall be liable for an administrative fine of Fifty Dollars (\$50.00)  
23 upon a hearing and determination by the Oklahoma State Bureau of  
24

1 Investigation that the person is in violation of the provisions of  
2 this section.

3 SECTION 18. AMENDATORY 21 O.S. 2011, Section 1289.23, as  
4 last amended by Section 1, Chapter 216, O.S.L. 2015 (21 O.S. Supp.  
5 2015, Section 1289.23), is amended to read as follows:

6 Section 1289.23

7 CONCEALED FIREARM FOR OFF-DUTY POLICE OFFICER

8 A. A full-time duly appointed peace officer who is certified by  
9 the Council on Law Enforcement Education and Training (CLEET),  
10 pursuant to the provisions of Section 3311 of Title 70 of the  
11 Oklahoma Statutes, is hereby authorized to carry a weapon certified  
12 and approved by the employing agency during periods when the officer  
13 is not on active duty as provided by the provisions of subsection B  
14 of this section.

15 B. When an off-duty officer carries a certified weapon, the  
16 officer shall be wearing the law enforcement uniform prescribed by  
17 the employing agency or when not wearing the prescribed law  
18 enforcement uniform, the officer shall be required:

19 1. To have the official peace officers badge, Commission Card  
20 and CLEET Certification Card on his or her person at all times when  
21 carrying a weapon certified and approved by the employing agency;  
22 and  
23  
24

1        2. To keep the authorized weapon concealed or unconcealed at  
2 all times, except when the weapon is used within the guidelines  
3 established by the employing agency.

4        C. Nothing in this section shall be construed to alter or amend  
5 the provisions of Section 1272.1 of this title or expand the duties,  
6 authority or jurisdiction of any peace officer.

7        D. A reserve peace officer who has satisfactorily completed a  
8 basic police course of not less than one hundred twenty (120) hours  
9 of accredited instruction for reserve police officers and reserve  
10 deputies from the Council on Law Enforcement Education and Training  
11 or a course of study approved by CLEET may carry a certified weapon  
12 when such officer is off duty as provided by subsection E of this  
13 section, provided:

14        1. The officer has been granted written authorization signed by  
15 the director of the employing agency; and

16        2. The employing agency shall maintain a current list of any  
17 officers authorized to carry a certified weapon while said officers  
18 are off duty, and shall provide a copy of such list to the Council  
19 on Law Enforcement Education and Training. Any change to the list  
20 shall be made in writing and mailed to the Council on Law  
21 Enforcement Education and Training within five (5) days.

22        E. When an off-duty reserve peace officer carries a certified  
23 weapon, the officer shall be wearing the law enforcement uniform  
24

1 prescribed by the employing agency or when not wearing the  
2 prescribed law enforcement uniform, the officer shall be required:

3 1. To have his or her official peace officer's badge,  
4 Commission Card, CLEET Certification Card; and

5 2. To keep the authorized weapon concealed or unconcealed at  
6 all times, except when the weapon is used within the guidelines  
7 established by the employing agency.

8 F. Nothing in subsection D of this section shall be construed  
9 to alter or amend the provisions of Section 1750.2 of Title 59 of  
10 the Oklahoma Statutes or expand the duties, jurisdiction or  
11 authority of any reserve peace officer.

12 G. Nothing in this section shall be construed to limit or  
13 restrict any peace officer or reserve peace officer from carrying a  
14 handgun, concealed or unconcealed, as allowed by the Oklahoma Self-  
15 Defense Act after issuance of a valid license. When an off-duty  
16 officer elects to carry a handgun under the authority of the  
17 Oklahoma Self-Defense Act, the person shall comply with all  
18 provisions of such act and shall not be representing the employing  
19 agency.

20 H. Any off-duty peace officer who carries any weapon in  
21 violation of the provisions of this section shall be deemed to be in  
22 violation of Section 1272 of this title and may be prosecuted as  
23 provided by law for a violation of that section.  
24



1 I. On or after November 1, 2004, a reserve or full-time  
2 commissioned peace officer may apply to carry a weapon pursuant to  
3 the Oklahoma Self-Defense Act as follows:

4 1. The officer shall apply in writing to the Council on Law  
5 Enforcement Education and Training (CLEET) stating that the officer  
6 desires to have a handgun license pursuant to the Oklahoma Self-  
7 Defense Act and certifying that he or she has no preclusions to  
8 having such handgun license. The officer shall submit with the  
9 application:

10 a. an official letter from his or her employing agency  
11 confirming the officer's employment and status as a  
12 full-time commissioned peace officer or an active  
13 reserve peace officer,

14 b. a fee of Twenty-five Dollars (\$25.00) for the handgun  
15 license, and

16 c. two passport-size photographs of the peace officer  
17 applicant.

18 2. Upon receiving the required information, CLEET shall  
19 determine whether the peace officer is in good standing, has CLEET  
20 certification and training, and is otherwise eligible for a handgun  
21 license. Upon verification of the officer's eligibility, CLEET  
22 shall send the information to the Oklahoma State Bureau of  
23 Investigation (OSBI) and OSBI shall issue a handgun license in the  
24 same or similar form as other handgun licenses. All other

1 requirements in Section ~~1290.12~~ 150.62 of ~~this title~~ Title 74 of the  
2 Oklahoma Statutes concerning application for a handgun license shall  
3 be waived for active duty peace officers except as provided in this  
4 subsection, including but not limited to training, fingerprints and  
5 criminal history records checks unless the officer does not have  
6 fingerprints on file or a criminal history records background check  
7 conducted prior to employment as a peace officer. The OSBI shall  
8 not be required to conduct any further investigation into the  
9 eligibility of the peace officer applicant and shall not deny a  
10 handgun license except when preclusions are found to exist.

11 3. The term of the handgun license for an active duty reserve  
12 or full-time commissioned peace officer pursuant to this section  
13 shall be as provided in Section ~~1290.5~~ 150.55 of ~~this title~~ Title 74  
14 of the Oklahoma Statutes, renewable in the same manner provided in  
15 this subsection for an original application by a peace officer. The  
16 handgun license shall be valid when the peace officer is in  
17 possession of a valid driver license and law enforcement commission  
18 card.

19 4. If the commission card of a law enforcement officer is  
20 terminated, revoked or suspended, the handgun license shall be  
21 immediately returned to CLEET. When a peace officer in possession  
22 of a handgun license pursuant to this subsection changes employment,  
23 the person must notify CLEET within ninety (90) days and send a new  
24

1 letter verifying employment and status as a full-time commissioned  
2 or reserve peace officer.

3 5. There shall be no refund of any fee for any unexpired term  
4 of any handgun license that is suspended, revoked, or voluntarily  
5 returned to CLEET, or that is denied, suspended or revoked by the  
6 OSBI.

7 6. CLEET may promulgate any rules, forms or procedures  
8 necessary to implement the provisions of this section.

9 7. Nothing in this subsection shall be construed to change or  
10 amend the application process, eligibility, effective date or fees  
11 of any handgun license pending issuance on November 1, 2004, or  
12 previously issued to any peace officer prior to November 1, 2004.

13 SECTION 19. RECODIFICATION 21 O.S. 2011, Sections  
14 1290.1, as amended by Section 1 of this act, 1290.2, as last amended  
15 by Section 2, Chapter 366, O.S.L. 2013, 1290.3, as amended by  
16 Section 24, Chapter 259, O.S.L. 2012, 1290.4, as last amended by  
17 Section 2 of this act, 1290.5, as last amended by Section 3 of this  
18 act, 1290.6, as last amended by Section 4 of this act, 1290.7, as  
19 last amended by Section 5 of this act, 1290.8, as last amended by  
20 Section 6 of this act, 1290.9, as last amended by Section 7 of this  
21 act, 1290.10, as last amended by Section 8 of this act, 1290.11, as  
22 last amended by Section 9 of this act, 1290.12, as last amended by  
23 Section 10 of this act, 1290.13, as last amended by Section 1,  
24 Chapter 161, O.S.L. 2014, 1290.14, as last amended by Section 11 of

1 this act, 1290.15, as last amended by Section 12 of this act,  
2 1290.16, 1290.17, as last amended by Section 13 of this act,  
3 1290.18, as last amended by Section 14 of this act, 1290.19, as  
4 amended by Section 38, Chapter 259, O.S.L. 2012, 1290.20, as last  
5 amended by Section 15 of this act, 1290.21, as last amended by  
6 Section 6, Chapter 366, O.S.L. 2013, 1290.22, as amended by Section  
7 7, Chapter 366, O.S.L. 2013, 1290.23, as amended by Section 41,  
8 Chapter 259, O.S.L. 2012, 1290.24, as amended by Section 42, Chapter  
9 259, O.S.L. 2012, 1290.25, as amended by Section 43, Chapter 259,  
10 O.S.L. 2012, 1290.26, as last amended by Section 18, Chapter 15,  
11 O.S.L. 2013 and Section 3, Chapter 259, O.S.L. 2014, as last amended  
12 by Section 16 of this act (21 O.S. Supp. 2015, Sections 1290.2,  
13 1290.3, 1290.4, 1290.5, 1290.6, 1290.7, 1290.8, 1290.9, 1290.10,  
14 1290.11, 1290.12, 1290.13, 1290.14, 1290.15, 1290.17, 1290.18,  
15 1290.19, 1290.20, 1290.21, 1290.22, 1290.23, 1290.24, 1290.25,  
16 1290.26 and 1290.27), shall be recodified as Sections 150.51,  
17 150.52, 150.53, 150.54, 150.55, 150.56, 150.57, 150.58, 150.59,  
18 150.60, 150.61, 150.62, 150.63, 150.64, 150.65, 150.66, 150.67,  
19 150.68, 150.69, 150.70, 150.71, 150.72, 150.73, 150.74, 150.75,  
20 150.76 and 150.77 of Title 74 of the Oklahoma Statutes, unless there  
21 is created a duplication in numbering.

22 SECTION 20. This act shall become effective November 1, 2016.  
23

24 55-2-8808 GRS 01/13/16