

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 55<sup>th</sup> Legislature

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| <b>Bill No.:</b>       | <b>SB1185</b>                                      |
| <b>Version:</b>        | <b>CCR</b>   |
| <b>Request Number:</b> |  |
| <b>Author:</b>         | <b>Derby</b>                                       |
| <b>Date:</b>           | <b>5/17/2016</b>                                   |
| <b>Impact:</b>         | <b>Please see previous summary of this measure</b> |

**Research Analysis**

The CCR to SB 1185 makes numerous changes to the firearm laws in Oklahoma.

Section 1 adds a definition of handgun and includes a firearm capable of discharging single or multiple projectiles from a single round of ammunition.

Section 2 adds armed security guards and armed private investigators licensed by CLEET as being able to point firearms at persons without the act of pointing a firearm being considered a criminal act.

Section 3 modifies the use of deadly force to provide for the use of defensive force and allows a person to point a weapon at a person in self-defense or in order to thwart, stop or deter a felony or attempted felony without criminal repercussions. Defines defensive force.

Section 4 modifies definitions.

Section 5 allows Oklahoma residents and nonresidents of Oklahoma to submit renewal applications for an SDA license at the OSBI headquarters or any other facility designated by OSBI. The renewal fee is lowered from \$85 to \$25. The measure requires OSBI to use the National Instant Criminal Background Check System (NICS) to conduct a background check on the renewal applicant. The measure removes the ability of a new or renewal license to be valid for a period longer than 5 years.

Section 6 allows person over the age of 21 who are on active military duty, National Guard duty or regular military reserve duty or has been honorably discharged from military service to use a valid military identification card in lieu of a handgun license.

Section 7 removes the requirement that a person be a citizen of Oklahoma in order to obtain an Oklahoma Self-Defense Act license to carry.

Section 8 allows applicants for an SDA license to submit applications for an SDA license at the OSBI headquarters or any other facility designated by OSBI. The measure removes the requirement of a fingerprint based background check. The measure gradually lowers the fees charged for processing an application from \$100 beginning January 1, 2017 to \$75 beginning January 1, 2018 to \$50 beginning January 1, 2019 to \$25 beginning on January 1, 2020. The measure removes the sheriff from the application procedure. The measure requires OSBI to use the National Instant Criminal Background Check System (NICS) to conduct a background check on the applicant. The measure provides that nothing in the Oklahoma application process is to be construed to prohibit an Oklahoma resident from obtaining or possessing a nonresident weapons or handgun license issued by another state.

Section 9 requires firearms instructors to have a background check through the National Instant Criminal Background Check System. The measure removes the availability of a 10 year instructor license.

Section 10 provides that a reserve duty law enforcement officer is exempt from SDA firearm training for SDA license.

Section 11 allows nonresident to submit state-issued identification card number or driver license number when making application. Allows OSBI to obtain any other information required by the Bureau of Alcohol, Tobacco, Firearms and Explosives regarding the transfer of a firearm from a federally licensed firearms dealer to the public.

Section 12 modifies the application form to include nonresidents.

Section 13 removes reference to the collection of fingerprints.

Section 14 modifies reciprocal agreement to include valid military identification cards.

Section 15 provides effective date.

Prepared By: Brad Wolgamott

### **Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

### **Other Considerations**

None.