

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 HOUSE BILL 3445

By: Gann

6 AS INTRODUCED

7 An Act relating to municipal police officers;
8 authorizing retired municipal police officers to
9 retain firearm and badge; requiring request in
10 writing; specifying circumstances in which municipal
11 governing body shall deny request; authorizing
12 custody and possession of the firearm and badge to be
awarded to family of deceased officer; providing for
codification; and providing an effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 34-109 of Title 11, unless there
16 is created a duplication in numbering, reads as follows:

17 A. Municipal police officers, retired under a the Municipal
18 Police Pension and Retirement System pursuant to Sections 50-101
19 through 50-136.8 of Title 11 of the Oklahoma Statutes may retain the
20 right to keep their municipal-issued firearm and badge and bear
21 firearms. The retiring officer shall request in writing to the
22 municipal governing board of the municipality in which the officer
23 retired for permission to keep and bear arms. The municipal
24 governing board may grant the request except in the following cases:

1 1. When the retiring officer has been convicted of a felony
2 involving moral turpitude;

3 2. Where the officer is mentally or physically incapacitated
4 and could not perform duties if recalled; or

5 3. When good cause is shown that granting approval of the
6 request would be detrimental to the public health, safety and
7 welfare.

8 B. Upon the death of a municipal police officer that becomes
9 deceased prior to retirement or a retired municipal police officer
10 granted permission to retain the badge and firearm pursuant to
11 subsection A of this section, custody and possession of the firearm
12 and badge may be awarded by the municipal governing board to a
13 spouse or next of kin of the deceased employee under the same
14 conditions listed in paragraphs 1 through 3 of subsection A of this
15 section.

16 SECTION 2. This act shall become effective November 1, 2018.

17
18 56-2-8386 AMM 12/06/17
19
20
21
22
23
24