

**BILL SUMMARY**  
1<sup>st</sup> Session of the 56<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB 2323</b>
<b>Version:</b>	<b>FULLPCS1</b>
<b>Request Number:</b>	<b>6725</b>
<b>Author:</b>	<b>Rep. Coody</b>
<b>Date:</b>	<b>2/14/2017</b>
<b>Impact:</b>	<b>Creates a misdemeanor/fine</b>

**Research Analysis**

The committee substitute to HB 2323 modifies the manner in which firearms may be transported in vehicles. The measure provides that it is unlawful for any person who is not lawfully present in the United States to have in the possession of the person or under the immediate control of the person, or in any vehicle the person is operating or in which the person is riding as a passenger, or at the residence where the person resides, any pistol, imitation or homemade pistol, altered air or toy pistol, machine gun, sawed off shotgun, rifle or any other dangerous or deadly firearm. The measure modifies the definition of “pistols” as used in the Firearms Act. The measure allows any person, except a felon or person otherwise disqualified, to transport an unloaded rifle or shotgun concealed or unconcealed at any time. The measure allows any person 21 or older, except a felon or person otherwise disqualified, to transport a pistol, concealed or unconcealed, loaded or unloaded without a valid handgun license issued pursuant to the Oklahoma Self-Defense Act provided, the citizen is not involved in a crime. The measure requires persons who are in possession of a firearm to notify law enforcement of the weapon when coming into contact with law enforcement. The measure prevents law enforcement officers from disarming or physically restraining any individual possessing a concealed or unconcealed weapon with having a reasonable and articulable suspicion of other criminal activity. The measure provides that it is not unlawful for CLEET licensed armed security guards or armed private investigators to point a deadly weapon at another person. The measure provides that a person pointing a weapon at a perpetrator in self-defense or in order to thwart, stop or deter a forcible felony or attempted forcible felony shall not be deemed guilty of committing a criminal act.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The FULLPCS1 on HB 2323 creates a misdemeanor and a fine up to \$100. The exact fiscal impact is contingent upon the number of persons convicted and the amount at which the fine is set.

Prepared By: Kristina King

**Other Considerations**

None.

