

BILL SUMMARY
2nd Session of the 56th Legislature

Bill No.:	HB 2713
Version:	PCS
Request Number:	9722
Author:	Rep. Echols
Date:	2/20/2018
Impact:	Establishes two misdemeanors and accompanying fines

Research Analysis

The proposed Committee Substitute to HB 2713 provides that it is unlawful for any person not lawfully present in the United States to possess or have under their immediate control, 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, shotgun, rifle or any other dangerous or deadly firearm. Persons convicted of this offense are guilty of a misdemeanor subject to a fine of \$250. The measure also modifies the transportation of firearms in motor vehicles by providing that any person 25 years of age or older, except a convicted felon or person that is otherwise disqualified from the possession or legal purchase of a firearm under state or federal law, may transport in a motor vehicle a pistol, concealed or unconcealed, loaded or unloaded, without a valid handgun license issued pursuant to the Oklahoma Self-Defense Act, provided the person is not involved in a crime. The measure makes it unlawful for any person to fail or refuse to identify the fact that the person is in actual possession of a firearm, when the person comes into contact with any law enforcement officer of this state or its political subdivisions or a federal law enforcement officer during the course of any arrest, detainment or routine traffic stop. The identification to the law enforcement officer must be made at the first opportunity. Any person who violates these provisions, upon conviction, is guilty of a misdemeanor punishable by a fine of not more than \$100. The measure further provides that absent a reasonable and articulable suspicion of other criminal activity, an individual possessing a concealed or unconcealed weapon is not to be disarmed or physically restrained by any law enforcement officer.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB 2713 establishes two misdemeanors and accompanying fines.

The first is a misdemeanor for unlawfully present persons to have under their control or vehicle certain firearms. The fine is \$250.

The second is a misdemeanor for failing or refusing to identify their possession of a firearm. The fine is \$100.

Actual fiscal impact to the state will be contingent upon how many individuals are convicted of the above crimes.

Prepared By: Kristina King

Other Considerations

None.

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