

BILL SUMMARY
2nd Session of the 56th Legislature

Bill No.:	SB 1212
Version:	FA1
Request Number:	10426
Author:	Rep. Coody
Date:	4/19/2018
Impact:	OSBI: negative revenue impact of ~\$4.2 million annually; establishes misdemeanors and associated fines, widens scope of traffic citation

Research Analysis

The FA1 to SB 1212 provides that a prohibited carry place does not include a wildlife refuge or a wildlife management area.

The amendment adds a new Section 1 to allow any person at least 21 years of age or a person who is at least 18 years of age and in the military to carry a firearm concealed or unconcealed if the person is not otherwise disqualified from the possession or purchase of a firearm. The amendment excludes persons convicted of certain crimes from carrying a firearm.

The amendment adds a new Section 3 to provide that it is unlawful for an alien illegally in the United States to possess or have in their control a firearm or imitation or toy firearm.

The amendment adds a new Section 4 deletes language relating to conditions under which a firearm may be carried.

The amendment adds a new Section 5 clarifying the carrying of firearms in vehicles.

The amendment adds a new Section 6 clarifying the transporting of a loaded firearm.

The amendment adds a new Section 7 clarifying the improper transportation of a firearm.

The amendment adds a new Section 8 to allow a peace officer to carry a personal rifle or shotgun.

The amendment adds a new Section 9 to clean-up language.

The amendment adds a new Section 10 to clean-up language.

The amendment adds a new Section 11 to provide that the availability of a license to carry pursuant the Oklahoma Self-Defense Act does not prohibit the lawful transport or carrying of a handgun or pistol in a vehicle or on or about a person whether concealed or unconcealed, loaded or unloaded and without a valid handgun license as permitted by law.

The amendment adds a new Section 12 to clean-up language.

Prepared By: Brad Wolgamott

Fiscal Analysis

The FA1 on SB 1212 alters requirements associated with SDA licenses. Upon review, the OSBI calculates (based off of prior year collections) that on average, this would be an annual revenue loss of \$4.2 million for the agency (a decrease of 80% in total SDA licenses).

The amendment also creates a misdemeanor and an associated fine of \$250 for any person who is an illegal alien to possess: any pistol, imitation or homemade pistol, altered air or toy pistol, shotgun, rifle or any other dangerous or deadly firearm.

The amendment creates a misdemeanor and an associated fine of \$100 for any person to transport a firearm in a motor vehicle to fail or refuse to identify that the person is in actual possession of a firearm when asked to do so by a law enforcement officer of this state during a traffic stop, arrest, or detention.

The amendment widens the scope for traffic citations related to the violation of any law related to the carrying or transporting of firearms which may result in a citation in the amount of \$70 plus court costs.

The ultimate impact of these provisions will be contingent upon how many individuals are convicted of these violations. The revenue from these misdemeanors and citations are apportioned to the courts, county sheriffs, and many law enforcement agencies, including but not limited to: OSBI, DPS, CLEET and others.

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Other Considerations

None.