

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 36

By: David

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5  
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1289.3, which relates to definitions for  
9 Firearms Act; modifying certain definitions; amending  
10 21 O.S. 2011, Section 1290.2, as last amended by  
11 Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.  
12 2016, Section 1290.2), which relates to definitions;  
13 modifying certain definitions; and providing an  
14 effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.3, is  
17 amended to read as follows:

18 Section 1289.3.

19 DEFINITIONS FOR FIREARMS ACT

20 "Pistols" or "handguns" as used in the Oklahoma Firearms Act of  
21 1971, ~~Sections 1289.1 through 1289.17 of this title,~~ shall mean any  
22 firearm capable of discharging a ~~projectile~~ single or multiple  
23 projectiles from a single round of ammunition composed of any  
24 material which may reasonably be expected to be able to cause lethal  
injury, with a barrel or barrels less than sixteen (16) inches in  
length, and using ~~either gunpowder, gas or any means of rocket~~

1 ~~propulsion~~ a combustible propellant charge, but not to include flare  
2 guns, underwater fishing guns or blank pistols.

3 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.2, as  
4 last amended by Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.  
5 2016, Section 1290.2), is amended to read as follows:

6 Section 1290.2.

7 DEFINITIONS

8 A. As used in the Oklahoma Self-Defense Act:

9 1. "Concealed handgun" means a loaded or unloaded pistol, ~~the~~  
10 ~~presence of which is~~ or handgun not openly ~~discernible~~ visible to  
11 the ordinary observation of a reasonable person;

12 2. "Unconcealed handgun" or "open carry" means a loaded or  
13 unloaded pistol or handgun carried upon the person in a ~~belt holster~~  
14 ~~or shoulder holster that is wholly or partially~~ where the firearm is  
15 visible, or carried upon the person ~~in~~ using a scabbard, sling or  
16 case designed for carrying firearms ~~that is wholly or partially~~  
17 ~~visible~~; and

18 3. "Pistol" or "handgun" means any derringer, revolver or  
19 semiautomatic firearm which:

20 a. has an overall barrel or barrels length of less than  
21 sixteen (16) inches,

22 b. is capable of discharging a ~~projectile~~ single or  
23 multiple projectiles from a single round of ammunition

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1 composed of any material which may reasonably be  
2 expected to be able to cause lethal injury,

3 c. ~~is designed to~~ can be held and fired by the use of a  
4 ~~single hand~~ one or both hands, and

5 d. uses ~~either gunpowder, gas or any means of rocket~~  
6 ~~propulsion~~ a combustible propellant charge to  
7 ~~discharge~~ propel the projectile or projectiles.

8 B. The definition of pistol or handgun for purposes of the  
9 Oklahoma Self-Defense Act shall not apply to ~~homemade or~~ imitation  
10 pistols, flare guns, underwater fishing guns or blank pistols.

11 SECTION 3. This act shall become effective November 1, 2017.

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