

1 STATE OF OKLAHOMA

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

3 SENATE BILL 40

By: David

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5  
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1289.16, as amended by Section 20, Chapter  
9 259, O.S.L. 2012 (21 O.S. Supp. 2016, Section  
10 1289.16), which relates to felony pointing firearms;  
11 providing an exception; modifying inclusions; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.16, as  
15 amended by Section 20, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2016,  
16 Section 1289.16), is amended to read as follows:

17 Section 1289.16.

18 FELONY POINTING FIREARMS

19 ~~It~~ Except for an act of self-defense, it shall be unlawful for  
20 any person to willfully or without lawful cause point a shotgun,  
21 rifle or pistol, or any deadly weapon, whether loaded or not, at any  
22 person or persons for the purpose of threatening or with the  
23 intention of discharging the firearm or with any malice or for any  
24 purpose of injuring, either through physical injury or mental or  
emotional intimidation or for purposes of whimsy, humor or prank, or

1 in anger or otherwise, but not to include the pointing of shotguns,  
2 rifles or pistols by law enforcement authorities in the performance  
3 of their duties, armed security guards or armed private  
4 investigators licensed by the Council on Law Enforcement Education  
5 and Training pursuant to the Oklahoma Security Guard and Private  
6 Investigator Act in the performance of their duties, members of the  
7 state military forces in the performance of their duties, members of  
8 the federal military reserve and active military components in the  
9 performance of their duties, or any federal government law  
10 enforcement officer in the performance of any duty, or in the  
11 performance of a play on stage, rodeo, television or on film, or in  
12 defense of any person, one's home or property. Any person convicted  
13 of a violation of the provisions of this section shall be punished  
14 as provided in Section 1289.17 of this title.

15 Any person convicted of a violation of the provisions of this  
16 section after having been issued a handgun license pursuant to the  
17 Oklahoma Self-Defense Act shall have the license revoked and shall  
18 be subject to an administrative fine of One Thousand Dollars  
19 (\$1,000.00), upon a hearing and determination by the Oklahoma State  
20 Bureau of Investigation that the person is in violation of the  
21 provisions of this section.

22 SECTION 2. This act shall become effective November 1, 2017.

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24 56-1-301 BH 12/20/2016 2:56:17 PM