

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 57th Legislature (2019)

4 HOUSE BILL 1001

                                  By: Olsen

7                                   AS INTRODUCED

8                   An Act relating to firearms; amending 21 O.S. 2011,  
9                   Section 1283, as last amended by Section 1, Chapter  
10                  179, O.S.L. 2014 (21 O.S. Supp. 2018, Section 1283),  
11                  which relates to possession of firearms by felons and  
                  delinquents; removing vehicle passenger restriction;  
                  modifying list of prohibited weapons; deleting  
                  definition; and providing an effective date.

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

15           SECTION 1.           AMENDATORY           21 O.S. 2011, Section 1283, as  
16           last amended by Section 1, Chapter 179, O.S.L. 2014 (21 O.S. Supp.  
17           2018, Section 1283), is amended to read as follows:

18           Section 1283.

19                                   CONVICTED FELONS AND DELINQUENTS

20           A.   Except as provided in subsection B of this section, it shall  
21           be unlawful for any person convicted of any felony in any court of  
22           this state or of another state or of the United States to have in  
23           his or her possession or under his or her immediate control, or in  
24           any vehicle which the person is operating, ~~or in which the person is~~

1 ~~riding as a passenger,~~ or at the residence where the convicted  
2 person resides, any pistol, imitation or homemade pistol, altered  
3 air or toy pistol, ~~machine gun, sawed-off shotgun or rifle,~~ or any  
4 other dangerous or deadly firearm.

5 B. Any person who has previously been convicted of a nonviolent  
6 felony in any court of this state or of another state or of the  
7 United States, and who has received a full and complete pardon from  
8 the proper authority and has not been convicted of any other felony  
9 offense which has not been pardoned, shall have restored the right  
10 to possess any firearm or other weapon prohibited by subsection A of  
11 this section, the right to apply for and carry a handgun, concealed  
12 or unconcealed, pursuant to the Oklahoma Self-Defense Act and the  
13 right to perform the duties of a peace officer, gunsmith, or for  
14 firearms repair.

15 C. It shall be unlawful for any person serving a term of  
16 probation for any felony in any court of this state or of another  
17 state or of the United States or under the jurisdiction of any  
18 alternative court program to have in his or her possession or under  
19 his or her immediate control, or at his or her residence, or in any  
20 ~~passenger~~ vehicle which the person is operating ~~or is riding as a~~  
21 ~~passenger,~~ any pistol, ~~shotgun or rifle,~~ including any imitation or  
22 homemade pistol, altered air or toy pistol, ~~shotgun or rifle,~~ or any  
23 other dangerous or deadly firearm while such person is subject to  
24 supervision, probation, parole or inmate status.

1 D. It shall be unlawful for any person previously adjudicated  
2 as a delinquent child or a youthful offender for the commission of  
3 an offense, which would have constituted a felony offense if  
4 committed by an adult, to have in the possession of the person or  
5 under the immediate control of the person, or have in any vehicle  
6 which he or she is driving ~~or in which the person is riding as a~~  
7 ~~passenger~~, or at the residence of the person, any pistol, imitation  
8 or homemade pistol, altered air or toy pistol, ~~machine gun, sawed-~~  
9 ~~off shotgun or rifle~~, or any other dangerous or deadly firearm  
10 within ten (10) years after such adjudication; provided, that  
11 nothing in this subsection shall be construed to prohibit the  
12 placement of the person in a home with a full-time duly appointed  
13 peace officer who is certified by the Council on Law Enforcement  
14 Education and Training (CLEET) pursuant to the provisions of Section  
15 3311 of Title 70 of the Oklahoma Statutes.

16 E. Any person having been issued a handgun license pursuant to  
17 the provisions of the Oklahoma Self-Defense Act and who thereafter  
18 knowingly or intentionally allows a convicted felon or adjudicated  
19 delinquent or a youthful offender as prohibited by the provisions of  
20 subsection A, C, or D of this section to possess or have control of  
21 any pistol authorized by the Oklahoma Self-Defense Act shall, upon  
22 conviction, be guilty of a felony punishable by a fine not to exceed  
23 Five Thousand Dollars (\$5,000.00). In addition, the person shall  
24 have the handgun license revoked by the Oklahoma State Bureau of

1 Investigation after a hearing and determination that the person has  
2 violated the provisions of this section.

3 F. Any convicted or adjudicated person violating the provisions  
4 of this section shall, upon conviction, be guilty of a felony  
5 punishable as provided in Section 1284 of this title.

6 ~~G. For purposes of this section, "sawed-off shotgun or rifle"~~  
7 ~~shall mean any shotgun or rifle which has been shortened to any~~  
8 ~~length.~~

9 ~~H.~~ For purposes of this section, "altered toy pistol" shall  
10 mean any toy weapon which has been altered from its original  
11 manufactured state to resemble a real weapon.

12 ~~I.~~ H. For purposes of this section, "altered air pistol" shall  
13 mean any air pistol manufactured to propel projectiles by air  
14 pressure which has been altered from its original manufactured  
15 state.

16 ~~J.~~ I. For purposes of this section, "alternative court program"  
17 shall mean any drug court, Anna McBride or mental health court, DUI  
18 court or veterans court.

19 SECTION 2. This act shall become effective November 1, 2019.  
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21 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/11/2019 -  
22 DO PASS.  
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