

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 2945

By: Nichols

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5
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,
8 Section 1272, as last amended by Section 1, Chapter
9 1, O.S.L. 2019 (21 O.S. Supp. 2019, Section 1272),
10 which relates to the carry of firearms by certain
11 persons; prohibiting persons from carrying certain
12 weapons; defining term; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1272, as
16 last amended by Section 1, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
17 2019, Section 1272), is amended to read as follows:

18 Section 1272.

19 UNLAWFUL CARRY

20 A. Notwithstanding any other provision of law, it shall be
21 unlawful for any person to carry upon or about his or her person, or
22 in a purse or other container belonging to the person, any pistol,
23 revolver, shotgun or rifle whether loaded or unloaded or any
24 blackjack, loaded cane, hand chain, metal knuckles, or any other

1 offensive weapon, whether such weapon be concealed or unconcealed,
2 except this section shall not prohibit:

3 1. The proper use of guns and knives for self-defense, hunting,
4 fishing, educational or recreational purposes;

5 2. The carrying or use of weapons in a manner otherwise
6 permitted by statute or authorized by the Oklahoma Self-Defense Act;

7 3. The carrying, possession and use of any weapon by a peace
8 officer or other person authorized by law to carry a weapon in the
9 performance of official duties and in compliance with the rules of
10 the employing agency;

11 4. The carrying or use of weapons in a courthouse by a district
12 judge, associate district judge or special district judge within
13 this state, who is in possession of a valid handgun license issued
14 pursuant to the provisions of the Oklahoma Self-Defense Act and
15 whose name appears on a list maintained by the Administrative
16 Director of the Courts;

17 5. The carrying and use of firearms and other weapons provided
18 in this subsection when used for the purpose of living history
19 reenactment. For purposes of this paragraph, "living history
20 reenactment" means depiction of historical characters, scenes,
21 historical life or events for entertainment, education, or
22 historical documentation through the wearing or use of period,
23 historical, antique or vintage clothing, accessories, firearms,
24 weapons, and other implements of the historical period; or

1 6. The carrying of a firearm, concealed or unconcealed, loaded
2 or unloaded, by a person who is twenty-one (21) years of age or
3 older or by a person who is eighteen (18) years of age but not yet
4 twenty-one (21) years of age and the person is a member or veteran
5 of the United States Armed Forces, Reserves or National Guard or was
6 discharged under honorable conditions from the United States Armed
7 Forces, Reserves or National Guard, and the person is otherwise not
8 disqualified from the possession or purchase of a firearm under
9 state or federal law and is not carrying the firearm in furtherance
10 of a crime.

11 Except as provided in subsection B of Section 1283 of this
12 title, a person who has been convicted of any one of the following
13 offenses in this state or a violation of the equivalent law of
14 another state:

- 15 a. assault and battery pursuant to the provisions of
16 Section 644 of this title which caused serious
17 physical injury to the victim,
- 18 b. aggravated assault and battery pursuant to the
19 provisions of Section 646 of this title,
- 20 c. assault and battery that qualifies as domestic abuse
21 as defined in Section 644 of this title,
- 22 d. stalking pursuant to the provisions of Section 1173 of
23 this title,

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- 1 e. a violation of an order issued under the Protection
2 from Domestic Abuse Act or a domestic abuse protection
3 order issued by another state, or
4 f. a violation relating to illegal drug use or possession
5 under the provisions of the Uniform Controlled
6 Dangerous Substances Act,

7 shall be prohibited from carrying a firearm under the provisions of
8 this paragraph. Any person who carries a firearm in the manner
9 provided for in this paragraph shall be prohibited from carrying the
10 firearm into any of the places prohibited in subsection A of Section
11 1277 of this title or any other place currently prohibited by law.
12 In addition, carrying an assault firearm in the manner provided for
13 in this paragraph shall be prohibited in municipalities with a
14 population over one hundred thousand (100,000), as determined by the
15 latest Federal Decennial Census. Nothing in this section shall
16 modify or otherwise change where a person may legally carry a
17 firearm.

18 B. Any person convicted of violating the foregoing provision
19 shall be guilty of a misdemeanor punishable as provided in Section
20 1276 of this title.

21 C. As used in paragraph 6 of subsection A of this section, the
22 term "assault firearm" includes the following firearms:

- 23 1. Algimec AGM1 type;
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- 1 2. Any shotgun with a revolving cylinder such as the "Street
- 2 Sweeper" or "Striker 12";
- 3 3. Armalite AR-180 type;
- 4 4. Australian Automatic Arms SAR;
- 5 5. Avtomat Kalashnikov type semiautomatic firearms;
- 6 6. Beretta AR-70 and BM59 semiautomatic firearms;
- 7 7. Bushmaster Assault Rifle;
- 8 8. Calico M-900 Assault Carbine and M-900;
- 9 9. CETME G3;
- 10 10. Chartered Industries of Singapore SR-88 type;
- 11 11. Colt AR-15 and CAR-15 series;
- 12 12. Daewoo K1, K2, Max 1 and Max 2, AR 100 types;
- 13 13. Demro TAC-1 carbine type;
- 14 14. Encom MP-9 and MP-45 carbine types;
- 15 15. FAMAS MAS223 types;
- 16 16. FN-FAL, FN-LAR or FN-FNC type semiautomatic firearms;
- 17 17. Franchi SPAS 12 and LAW 12 shotguns;
- 18 18. G3SA type;
- 19 19. Galil type Heckler and Koch HK91, HK93, HK94, MP5, and
- 20 PSG-1;
- 21 20. Intratec TEC-9 and 22 semiautomatic firearms;
- 22 21. M1 carbine type;
- 23 22. M14S type;
- 24 23. MAC 10, MAC 11, or MAC 11-9mm carbine type firearms;

- 1 24. PJK M-68 carbine type;
- 2 25. Plainfield Machine Company Carbine;
- 3 26. Ruger K-Mini-14/5F and Mini-14/5RF;
- 4 27. SIG AMT, SIG 550SP, SIG 551SP, and SIG PE-57 types;
- 5 28. SKS with detachable magazine type;
- 6 29. Spectre Auto carbine type;
- 7 30. Springfield Armory BM59 and SAR-48 types;
- 8 31. Sterling MK-6, MK-7 and SAR types;
- 9 32. Steyr A.U.G. semiautomatic firearms;
- 10 33. USAS 12 semiautomatic type shotgun;
- 11 34. Uzi type semiautomatic firearms;
- 12 35. Valmet M62, M71S, M76 or M78 type semiautomatic firearms;
- 13 36. Weaver Arms Nighthawk;
- 14 37. Any firearm manufactured under any designation which is
15 substantially identical to any of the firearms listed in paragraphs
16 1 through 36 of this subsection;
- 17 38. A semiautomatic shotgun with either a magazine capacity
18 exceeding six rounds, a pistol grip or a folding stock;
- 19 39. A semiautomatic rifle with a fixed magazine capacity
20 exceeding ten rounds. "Assault firearm" shall not include a
21 semiautomatic rifle which has an attached tubular device and which
22 is capable of operating only with .22 caliber rimfire ammunition;
- 23 40. A part or combination of parts designed or intended to
24 convert a firearm into an assault firearm, or any combination of

1 parts from which an assault firearm may be readily assembled if
2 those parts are in the possession or under the control of the same
3 person; or

4 41. A firearm with a bump stock attached.

5 SECTION 2. This act shall become effective November 1, 2020.

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7 57-2-9041 GRS 09/24/19

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