

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3010

By: Gann and **Roberts (Sean)**

7
8 COMMITTEE SUBSTITUTE

9 An Act relating to firearms; amending 21 O.S. 2011,
10 Section 1277, as last amended by Section 1, Chapter
11 235, O.S.L. 2019 (21 O.S. Supp. 2019, Section 1277),
12 which relates to the unlawful carry of firearms;
13 clarifying exemption that authorizes the possession
14 of firearms on certain property; authorizing open
15 carry on property of nonprofit entities and public
16 trusts under certain circumstances; stating exclusion
17 for certain properties and events; amending 21 O.S.
18 2011, Section 1289.2, which relates to the Oklahoma
19 Firearms Act of 1971; modifying legislative findings
20 for firearms; amending 21 O.S. 2011, Sections 1290.2,
21 as last amended by Section 4, Chapter 63, O.S.L.
22 2019, 1290.4, as amended by Section 25, Chapter 259,
23 O.S.L. 2012, 1290.6, as amended by Section 27,
24 Chapter 259, O.S.L. 2012, 1290.7, as last amended by
 Section 10, Chapter 1, O.S.L. 2019, 1290.8, as last
 amended by Section 4, Chapter 406, O.S.L. 2019,
 1290.25, as amended by Section 43, Chapter 259,
 O.S.L. 2012 and 1290.26, as last amended by Section
 4, Chapter 298, O.S.L. 2017 (21 O.S. Supp. 2019,
 Sections 1290.2, 1290.4, 1290.6, 1290.7, 1290.8,
 1290.25 and 1290.26), which relate to the Oklahoma
 Self-Defense Act; clarifying definitions and
 providing statutory references; removing references
 to handguns; specifying persons authorized to carry
 firearms; modifying scope of certain prohibited act;
 clarifying construing provisions related to the
 carrying of firearms; providing statutory references;
 specifying persons eligible to carry firearms in the
 state; requiring possession of certain license or

1 identification when carrying or possessing firearms;
2 modifying legislative intent regarding the issuance
3 of licenses; clarifying reciprocity requirements of
4 the state; requiring persons to disclose possession
5 of firearm upon request of law enforcement; removing
6 requirement that the Department of Public Safety keep
7 a list of nonpermitting states for law enforcement
8 reference; and providing an effective date.

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

9 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
10 last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp.
11 2019, Section 1277), is amended to read as follows:

12 Section 1277.

13 UNLAWFUL CARRY IN CERTAIN PLACES

14 A. It shall be unlawful for any person, including a person in
15 possession of a valid handgun license issued pursuant to the
16 provisions of the Oklahoma Self-Defense Act, to carry any concealed
17 or unconcealed ~~handgun~~ firearm into any of the following places:

18 1. Any structure, building, or office space which is owned or
19 leased by a city, town, county, state or federal governmental
20 authority for the purpose of conducting business with the public;

21 2. Any courthouse, courtroom, prison, jail, detention facility
22 or any facility used to process, hold or house arrested persons,
23 prisoners or persons alleged delinquent or adjudicated delinquent,
24

1 except as provided in Section 21 of Title 57 of the Oklahoma
2 Statutes;

3 3. Any public or private elementary or public or private
4 secondary school, except as provided in subsections C and D of this
5 section;

6 4. Any publicly owned or operated sports arena or venue during
7 a professional sporting event, unless allowed by the event holder;

8 5. Any place where gambling is authorized by law, unless
9 allowed by the property owner; and

10 6. Any other place specifically prohibited by law.

11 B. ~~For purposes of subsection A of this section, the prohibited~~
12 ~~place does not include and specifically excludes~~ It shall be lawful
13 for a person to carry a concealed or unconcealed firearm on the
14 following ~~property~~ properties:

15 1. Any property set aside for the use or parking of any
16 vehicle, whether attended or unattended, by a city, town, county,
17 state or federal governmental authority;

18 2. Any property set aside for the use or parking of any
19 vehicle, whether attended or unattended, which is open to the
20 public, or by any entity engaged in gambling authorized by law;

21 3. Any property adjacent to a structure, building or office
22 space in which concealed or unconcealed weapons are prohibited by
23 the provisions of this section;

24

1 4. Any property designated by statute, ordinance, resolution,
2 policy or use by a city, town, county or state governmental
3 authority as a street, plaza, sidewalk, alley, park, recreational
4 area, wildlife refuge, wildlife management area or fairgrounds;
5 provided, nothing in this paragraph shall be construed to authorize
6 any entry by a person in possession of a concealed or unconcealed
7 firearm into any structure, building or office space which is
8 specifically prohibited by the provisions of subsection A of this
9 section; and

10 5. Any property set aside by a public or private elementary or
11 secondary school for the use or parking of any vehicle, whether
12 attended or unattended; provided, however, the firearm shall be
13 stored and hidden from view in a locked motor vehicle when the motor
14 vehicle is left unattended on school property.

15 Nothing contained in any provision of this subsection or
16 subsection C of this section shall be construed to authorize or
17 allow any person in control of any place described in subsection A
18 of this section to establish any policy or rule that has the effect
19 of prohibiting any person in lawful possession of a handgun license
20 or otherwise in lawful possession of a firearm from carrying or
21 possessing the firearm on the property described in this subsection.

22 C. A concealed or unconcealed weapon may be carried onto
23 private school property or in any school bus or vehicle used by any
24 private school for transportation of students or teachers by a

1 person who is licensed pursuant to the Oklahoma Self-Defense Act,
2 provided a policy has been adopted by the governing entity of the
3 private school that authorizes the carrying and possession of a
4 weapon on private school property or in any school bus or vehicle
5 used by a private school. Except for acts of gross negligence or
6 willful or wanton misconduct, a governing entity of a private school
7 that adopts a policy which authorizes the possession of a weapon on
8 private school property, a school bus or vehicle used by the private
9 school shall be immune from liability for any injuries arising from
10 the adoption of the policy. The provisions of this subsection shall
11 not apply to claims pursuant to the Administrative Workers'
12 Compensation Act.

13 D. Notwithstanding paragraph 3 of subsection A of this section,
14 a board of education of a school district may adopt a policy
15 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
16 authorize the carrying of a handgun onto school property by school
17 personnel specifically designated by the board of education,
18 provided such personnel either:

19 1. Possess a valid armed security guard license as provided for
20 in Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes; or

21 2. Hold a valid reserve peace officer certification as provided
22 for in Section 3311 of Title 70 of the Oklahoma Statutes.

23 Nothing in this subsection shall be construed to restrict authority
24 granted elsewhere in law to carry firearms.

1 E. In any property designated by a municipality as a municipal
2 zoo or park, by statute, ordinance, resolution, policy or use, of
3 any size that is owned, leased, operated or managed by:

4 1. A public trust created pursuant to the provisions of Section
5 176 of Title 60 of the Oklahoma Statutes; or

6 2. A nonprofit entity,
7 an individual shall be allowed to carry a concealed handgun but not
8 openly carry a handgun on the property; provided, however, an
9 individual may openly carry a handgun or other firearm on the
10 property with permission from the public trust or nonprofit entity.

11 F. Any person violating the provisions of paragraph 2 or 3 of
12 subsection A of this section shall, upon conviction, be guilty of a
13 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
14 Dollars (\$250.00). A person violating any other provision of
15 subsection A of this section may be denied entrance onto the
16 property or removed from the property. If the person refuses to
17 leave the property and a peace officer is summoned, the person may
18 be issued a citation for an amount not to exceed Two Hundred Fifty
19 Dollars (\$250.00).

20 G. No person in possession of a valid handgun license issued
21 pursuant to the provisions of the Oklahoma Self-Defense Act or who
22 is carrying or in possession of a firearm as otherwise permitted by
23 law or who is carrying or in possession of a machete, blackjack,
24 loaded cane, hand chain or metal knuckles shall be authorized to

1 carry the firearm, machete, blackjack, loaded cane, hand chain or
2 metal knuckles into or upon any college, university or technology
3 center school property, except as provided in this subsection. For
4 purposes of this subsection, the following property shall not be
5 construed to be college, university or technology center school
6 property:

7 1. Any property set aside for the use or parking of any motor
8 vehicle, whether attended or unattended, provided the firearm,
9 machete, blackjack, loaded cane, hand chain or metal knuckles are
10 carried or stored as required by law and the firearm, machete,
11 blackjack, loaded cane, hand chain or metal knuckles are not removed
12 from the motor vehicle without the prior consent of the college or
13 university president or technology center school administrator while
14 the vehicle is on any college, university or technology center
15 school property;

16 2. Any property authorized for possession or use of firearms,
17 machetes, blackjacks, loaded canes, hand chains or metal knuckles by
18 college, university or technology center school policy; and

19 3. Any property authorized by the written consent of the
20 college or university president or technology center school
21 administrator, provided the written consent is carried with the
22 firearm, machete, blackjack, loaded cane, hand chain or metal
23 knuckles and the valid handgun license while on college, university
24 or technology center school property.

1 The college, university or technology center school may notify
2 the Oklahoma State Bureau of Investigation within ten (10) days of a
3 violation of any provision of this subsection by a licensee. Upon
4 receipt of a written notification of violation, the Bureau shall
5 give a reasonable notice to the licensee and hold a hearing. At the
6 hearing, upon a determination that the licensee has violated any
7 provision of this subsection, the licensee may be subject to an
8 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may
9 have the handgun license suspended for three (3) months.

10 Nothing contained in any provision of this subsection shall be
11 construed to authorize or allow any college, university or
12 technology center school to establish any policy or rule that has
13 the effect of prohibiting any person in lawful possession of a
14 handgun license or any person in lawful possession of a firearm,
15 machete, blackjack, loaded cane, hand chain or metal knuckles from
16 possession of a firearm, machete, blackjack, loaded cane, hand chain
17 or metal knuckles in places described in paragraphs 1, 2 and 3 of
18 this subsection. Nothing contained in any provision of this
19 subsection shall be construed to limit the authority of any college,
20 university or technology center school in this state from taking
21 administrative action against any student for any violation of any
22 provision of this subsection.

23 H. The provisions of this section shall not apply to the
24 following:

- 1 1. Any peace officer or any person authorized by law to carry a
2 firearm in the course of employment;
- 3 2. District judges, associate district judges and special
4 district judges, who are in possession of a valid handgun license
5 issued pursuant to the provisions of the Oklahoma Self-Defense Act
6 and whose names appear on a list maintained by the Administrative
7 Director of the Courts, when acting in the course and scope of
8 employment within the courthouses of this state;
- 9 3. Private investigators with a firearms authorization when
10 acting in the course and scope of employment;
- 11 4. Elected officials of a county, who are in possession of a
12 valid handgun license issued pursuant to the provisions of the
13 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
14 in the performance of their duties within the courthouses of the
15 county in which he or she was elected. The provisions of this
16 paragraph shall not allow the elected county official to carry the
17 handgun into a courtroom;
- 18 5. The sheriff of any county may authorize certain employees of
19 the county, who possess a valid handgun license issued pursuant to
20 the provisions of the Oklahoma Self-Defense Act, to carry a
21 concealed handgun when acting in the course and scope of employment
22 within the courthouses in the county in which the person is
23 employed. Nothing in the Oklahoma Self-Defense Act shall prohibit
24 the sheriff from requiring additional instruction or training before

1 receiving authorization to carry a concealed handgun within the
2 courthouse. The provisions of this paragraph and of paragraph 6 of
3 this subsection shall not allow the county employee to carry the
4 handgun into a courtroom, sheriff's office, adult or juvenile jail
5 or any other prisoner detention area; and

6 6. The board of county commissioners of any county may
7 authorize certain employees of the county, who possess a valid
8 handgun license issued pursuant to the provisions of the Oklahoma
9 Self-Defense Act, to carry a concealed handgun when acting in the
10 course and scope of employment on county annex facilities or grounds
11 surrounding the county courthouse.

12 I. For the purposes of this section, "motor vehicle" means any
13 automobile, truck, minivan, or sports utility vehicle, or motorcycle
14 as defined in Section 1-135 of Title 47 of the Oklahoma Statutes,
15 equipped with a locked accessory container within or affixed to the
16 motorcycle.

17 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1289.2, is
18 amended to read as follows:

19 Section 1289.2

20 LEGISLATIVE FINDINGS FOR FIREARMS ACT

21 The Legislature finds ~~as a matter of public policy and fact that~~
22 ~~it is necessary for~~ the safe and lawful use of firearms ~~to curb and~~
23 ~~prevent crime wherein weapons are used by enacting legislation~~
24 ~~having the purpose of controlling the use of firearms, and of~~

1 ~~prevention of their use, without unnecessarily denying their lawful~~
2 ~~use~~ when used in defense self-defense of an individual citizen's
3 life, defense of a private home and or personal, business or real
4 property, and ~~their~~ the use of firearms by the United States or
5 state military organizations, law enforcement agencies and other
6 agencies as may otherwise be provided by law, including ~~their~~ the
7 use and transportation for of firearms, is a lawful purposes
8 purpose.

9 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1290.2, as
10 last amended by Section 4, Chapter 63, O.S.L. 2019 (21 O.S. Supp.
11 2019, Section 1290.2), is amended to read as follows:

12 Section 1290.2

13 DEFINITIONS

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

15 1. "Concealed ~~handgun~~ firearm" means a loaded or unloaded
16 ~~pistol or handgun~~ firearm, not openly visible to the ordinary
17 observation of a reasonable person;

18 2. "Unconcealed ~~handgun~~ firearm" or "open carry" means a loaded
19 or unloaded ~~pistol or handgun~~ firearm that is not held in the hand,
20 but rather is carried upon the person in a holster where the firearm
21 is visible, or carried upon the person using a scabbard, or sling
22 in a general vertical position where the barrel of the firearm is
23 safely pointed in an up or down direction, or in a case designed for
24 carrying firearms. The provisions of this paragraph shall not apply

1 while lawfully at a gun range, while lawfully hunting, or during an
2 act of self-defense; and

3 3. "Pistol" or "handgun" shall have the same definition as
4 provided in ~~the Oklahoma Firearms Act of 1971, defined in Section~~
5 1289.3 of this title;

6 4. "Rifle" shall have the same definition as provided in
7 Section 1289.4 of this title; and

8 5. "Shotgun" shall have the same definition as provided in
9 Section 1289.5 of this title.

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

13 C. Pistols, handguns, rifles, shotguns and all other lawful
14 firearms mentioned in the Oklahoma Self-Defense Act may collectively
15 be referred to as "firearms".

16 SECTION 4. AMENDATORY 21 O.S. 2011, Section 1290.4, as
17 amended by Section 25, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2019,
18 Section 1290.4), is amended to read as follows:

19 Section 1290.4

20 ~~UNLAWFUL~~ LAWFUL CARRY OF A FIREARM

21 ~~As~~ Except as provided by Section 1272 of this title, it is
22 ~~unlawful~~ lawful for ~~any person~~ a citizen or permanent resident, who
23 can lawfully purchase or possess a firearm under state and federal
24 law, to carry or transport a concealed or unconcealed ~~handgun~~

1 firearm in this state, ~~except~~ as hereby authorized by the provisions
2 of the Oklahoma Self-Defense Act or as may otherwise be provided by
3 law.

4 SECTION 5. AMENDATORY 21 O.S. 2011, Section 1290.6, as
5 amended by Section 27, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2019,
6 Section 1290.6), is amended to read as follows:

7 Section 1290.6

8 PROHIBITED AMMUNITION

9 Any concealed or unconcealed ~~handgun~~ firearm when carried in a
10 manner authorized by the provisions of the Oklahoma Self-Defense Act
11 and when loaded with any ammunition which is either a restricted
12 bullet as defined by Section 1289.19 of this title ~~or is larger than~~
13 ~~.45-caliber~~ or is otherwise prohibited by law shall be deemed a
14 prohibited weapon for purposes of the Oklahoma Self-Defense Act.
15 Any person violating the provisions of this section shall be
16 punished for a criminal offense as provided by Section 1272 of this
17 title or any other applicable provision of law. In addition to any
18 criminal prosecution for a violation of the provisions of this
19 section, the licensee shall be subject to an administrative fine of
20 Five Hundred Dollars (\$500.00), upon a hearing and determination by
21 the Oklahoma State Bureau of Investigation that the person is in
22 violation of the provisions of this section.

23
24

1 SECTION 6. AMENDATORY 21 O.S. 2011, Section 1290.7, as
2 last amended by Section 10, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
3 2019, Section 1290.7), is amended to read as follows:

4 Section 1290.7

5 CONSTRUING AUTHORITY ~~OF LICENSE~~

6 A. The authority to carry a concealed or unconcealed ~~handgun~~
7 ~~pursuant to a valid handgun license~~ firearm as authorized by the
8 provisions of the Oklahoma Self-Defense Act shall not be construed
9 to authorize any person to:

10 1. Carry or possess any weapon other than an authorized ~~pistol~~
11 firearm as defined by the provisions of Section ~~1290.2~~ 1289.3,
12 1289.4 or 1289.5 of this title, or carry or possess any weapon in
13 violation of federal law;

14 2. Carry or possess any ~~pistol~~ firearm in any manner or in any
15 place otherwise prohibited by law;

16 3. Carry or possess any prohibited ammunition or any illegal,
17 ~~imitation or homemade pistol~~ firearm by definition of state or
18 federal law;

19 4. Carry or possess any ~~pistol~~ firearm when the person is
20 prohibited by state or federal law from carrying or possessing any
21 firearm; or

22 5. Point, discharge or use the ~~pistol~~ firearm in any manner not
23 otherwise authorized by law.

24

1 B. The ~~availability of a license~~ ability to carry pursuant to
2 the provisions of the Oklahoma Self-Defense Act shall not be
3 construed to prohibit the lawful transport or carrying of a ~~handgun~~
4 ~~or pistol~~ firearm in a vehicle or on or about the person whether
5 concealed or unconcealed, loaded or unloaded, ~~and without a valid~~
6 ~~handgun license~~ as permitted by law.

7 SECTION 7. AMENDATORY 21 O.S. 2011, Section 1290.8, as
8 last amended by Section 4, Chapter 406, O.S.L. 2019 (21 O.S. Supp.
9 2019, Section 1290.8), is amended to read as follows:

10 Section 1290.8

11 ~~POSSESSION OF LICENSE REQUIRED~~

12 NOTIFICATION TO POLICE OF GUN

13 A. Except as otherwise prohibited by law, an eligible person
14 shall have authority to carry a concealed or unconcealed ~~handgun~~
15 firearm in this state when:

16 1. The person ~~has been issued a handgun license from the~~
17 ~~Oklahoma State Bureau of Investigation pursuant to the provisions of~~
18 ~~the Oklahoma Self-Defense Act, provided the person is in compliance~~
19 ~~with the provisions of the Oklahoma Self-Defense Act, and the~~
20 ~~license has not expired or been subsequently suspended or revoked;~~
21 or

22 2. The person is ~~twenty-one (21) years of age or older, and is~~
23 ~~either:~~

24 a. ~~active military, or~~

1 ~~b. a member of the Reserve or National Guard to include~~
2 ~~Drill Status Guard and Reserve, Active Guard Reserves~~
3 ~~or Military Technicians,~~
4 and presents a valid military identification card that shall be
5 considered a valid handgun license issued pursuant to the Oklahoma
6 ~~Self-Defense Act~~ authorized pursuant to the provisions of Section
7 1272 of this title.

8 B. A person in possession of a valid state photo identification
9 card, driver license or valid handgun license or who ~~meets the~~
10 ~~criteria and~~ presents a valid military identification card ~~as~~
11 ~~provided for in this section~~ and is in compliance with the
12 provisions of the Oklahoma Self-Defense Act shall be authorized to
13 carry such concealed or unconcealed ~~handgun~~ firearm while scouting
14 as it relates to hunting or fishing or while hunting or fishing.

15 C. The person shall be required to have possession of his or
16 her valid handgun license ~~or,~~ valid military identification card ~~as~~
17 ~~provided for qualified persons in this section~~ and a, valid driver
18 license or state photo identification card at all times when in
19 possession of ~~an authorized pistol~~ a firearm. The person shall
20 display the valid handgun license ~~or a,~~ valid military
21 identification card, valid driver license or state photo
22 identification card as provided for qualified persons in this
23 section on demand of a law enforcement officer; provided, however,
24 that in the absence of reasonable and articulable suspicion of other

1 criminal activity, an individual carrying an unconcealed or
2 concealed ~~handgun~~ firearm shall not be disarmed or physically
3 restrained unless the individual fails to display a valid handgun
4 license ~~or a~~, valid military identification card, valid driver
5 license or state photo identification card as provided for qualified
6 persons in this section in response to that demand. Any violation
7 of the provisions of this subsection may be punishable as a criminal
8 offense as authorized by Section 1272 of this title or pursuant to
9 any other applicable provision of law.

10 Upon the arrest of any person for a violation of the provisions
11 of this subsection, the person may show proof to the court that a
12 valid handgun license ~~and the other required identification~~, valid
13 military identification card, valid driver license or state photo
14 identification card has been issued to such person and the person
15 may state any reason why the handgun license, ~~a~~ valid military
16 identification card, valid driver license or state photo
17 identification card as provided for qualified persons in this
18 section ~~or the other required identification~~ was not carried by the
19 person as required by the Oklahoma Self-Defense Act. The court
20 shall dismiss an alleged violation of Section 1272 of this title
21 upon payment of court costs, if proof of a valid handgun license
22 ~~and~~, valid military identification card, valid driver license or
23 state photo identification card ~~other required identification~~ is
24 shown to the court within ten (10) days of the arrest of the person.

1 ~~The court shall report a dismissal of a charge to the Bureau for~~
2 ~~consideration of administrative proceedings against the licensee.~~

3 D. It shall be unlawful for any person to fail or refuse to
4 identify the fact that the person is in actual possession of a
5 concealed or unconcealed firearm pursuant to the authority of the
6 Oklahoma Self-Defense Act during the course of any arrest,
7 detainment, or routine traffic stop. Said identification to the law
8 enforcement officer shall be required upon the demand of the law
9 enforcement officer. No person shall be required to identify
10 himself or herself ~~as a handgun licensee or~~ as lawfully in
11 possession of any other firearm if the law enforcement officer does
12 not demand the information. No person shall be required to identify
13 himself or herself ~~as a handgun licensee~~ as an owner of a firearm
14 when no ~~handgun~~ firearm is in the possession of the person or in any
15 vehicle in which the person is driving or is a passenger. Any
16 violator of the provisions of this subsection may be issued a
17 citation for an amount not exceeding One Hundred Dollars (\$100.00).

18 E. Any law enforcement officer coming in contact with a person
19 whose handgun license is suspended, revoked, or expired, or who is
20 in possession of a handgun license which has not been lawfully
21 issued to that person, shall confiscate the license and return it to
22 the Oklahoma State Bureau of Investigation for appropriate
23 administrative proceedings against the licensee when the license is
24 no longer needed as evidence in any criminal proceeding.

1 F. Nothing in this section shall be construed to authorize a
2 law enforcement officer to inspect any weapon properly concealed or
3 unconcealed without probable cause that a crime has been committed.

4 SECTION 8. AMENDATORY 21 O.S. 2011, Section 1290.25, as
5 amended by Section 43, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2019,
6 Section 1290.25), is amended to read as follows:

7 Section 1290.25

8 LEGISLATIVE INTENT

9 The Legislature finds as a matter of public policy and fact that
10 it is necessary to provide statewide uniform standards for ~~issuing~~
11 ~~licenses to carry~~ carrying concealed or unconcealed ~~handguns~~
12 firearms for lawful self-defense and self-protection, and further
13 finds it necessary to occupy the field of regulation of the bearing
14 of concealed or unconcealed ~~handguns~~ firearms to ensure that no
15 honest, law-abiding citizen who qualifies pursuant to the provisions
16 of the Oklahoma Self-Defense Act is subjectively or arbitrarily
17 denied his or her rights. The Legislature does not delegate to the
18 Oklahoma State Bureau of Investigation any authority to regulate or
19 restrict the issuing of handgun licenses except as provided by the
20 provisions of this act. Subjective or arbitrary actions or rules
21 which encumber the issuing process by placing burdens on the
22 applicant beyond those requirements detailed in the provisions of
23 the Oklahoma Self-Defense Act or which create restrictions beyond
24 those specified in this act are deemed to be in conflict with the

1 intent of this act and are hereby prohibited. The Oklahoma Self-
2 Defense Act shall be liberally construed to carry out the
3 constitutional right to bear arms for self-defense and self-
4 protection. The provisions of the Oklahoma Self-Defense Act are
5 cumulative to existing rights to bear arms and nothing in the
6 Oklahoma Self-Defense Act shall impair or diminish those rights.

7 However, the conditions that mandate the administrative actions
8 of license denial, suspension, revocation or an administrative fine
9 are intended to protect the health, safety and public welfare of the
10 citizens of this state. The restricting conditions specified in the
11 Oklahoma Self-Defense Act generally involve the criminal history,
12 mental state, alcohol or substance abuse of the applicant or
13 licensee, a hazard of domestic violence, a danger to police
14 officers, or the ability of the Oklahoma State Bureau of
15 Investigation to properly administer the Oklahoma Self-Defense Act.
16 The restricting conditions that establish a risk of injury or harm
17 to the public are tailored to reduce the risks to the benefit of the
18 citizens of this state.

19 SECTION 9. AMENDATORY 21 O.S. 2011, Section 1290.26, as
20 last amended by Section 4, Chapter 298, O.S.L. 2017 (21 O.S. Supp.
21 2019, Section 1290.26), is amended to read as follows:

22 Section 1290.26

23 RECIPROCAL AGREEMENT AUTHORITY
24

1 A. The State of Oklahoma shall hereby ~~recognizes~~ recognize any
2 valid concealed or unconcealed carry weapons permit, valid military
3 identification card, as provided for qualified persons in Section
4 1290.8 of this title, or license issued by another state, or if the
5 state is or is not a nonpermitting carry state, this state shall
6 reciprocate under the permitting law of that state.

7 ~~A.~~ B. Any person entering this state in possession of a firearm
8 authorized for concealed or unconcealed carry upon the authority and
9 license of another state or a valid military identification card, as
10 provided for qualified persons in Section 1290.8 of this title, is
11 authorized to continue to carry a concealed or unconcealed firearm
12 and license in this state; provided the license from the other state
13 or valid military identification card, as provided for qualified
14 persons in Section 1290.8 of this title, remains valid. The firearm
15 must either be carried unconcealed or concealed, and upon coming in
16 contact with any peace officer of this state, the person must
17 disclose the fact that he or she is in possession of a concealed or
18 unconcealed firearm pursuant to a valid concealed or unconcealed
19 carry weapons permit, license or a valid military identification
20 card, as provided for qualified persons in Section 1290.8 of this
21 title, issued in another state.

22 ~~B.~~ C. Any person entering this state in possession of a firearm
23 authorized for concealed carry upon the authority of a state that is
24 a nonpermitted carry state and the person is in compliance with the

1 Oklahoma Self-Defense Act, the person is authorized to carry a
2 concealed or unconcealed firearm in this state. The firearm must be
3 carried fully concealed~~7~~ or unconcealed~~1~~, and upon coming in contact
4 with any peace officer of this state, the person must disclose the
5 fact that he or she is in possession of a concealed or unconcealed
6 firearm only upon the request of a law enforcement officer pursuant
7 to the nonpermitting laws of the state in which he or she is a legal
8 resident. The person shall present proper identification by a valid
9 photo ID as proof that he or she is a legal resident in such a
10 nonpermitting state. ~~The Department of Public Safety shall keep a~~
11 ~~current list of non-permitting states for law enforcement officers~~
12 ~~to confirm that a state is nonpermitting.~~

13 ~~C.~~ D. Any person who is twenty-one (21) years of age or older
14 having a valid firearm license from another state may apply for a
15 handgun license in this state immediately upon establishing a
16 ~~residence~~ residency in this state.

17 SECTION 10. This act shall become effective November 1, 2020.

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19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/20/2020 -
20 DO PASS, As Amended and Coauthored.

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