

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1294

By: Boren

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5  
6 AS INTRODUCED

7 An Act relating to manufacture, sale, and wearing of  
8 weapons; amending 21 O.S. 2021, Section 1273, which  
9 relates to minors possessing firearms; broadening  
10 possible liable entities; modifying persons  
11 prohibited from permitting children to possess  
12 certain arms and weapons; removing certain criminal  
13 intent; providing certain exceptions; providing  
14 certain prohibition; modifying definition; creating  
15 definition; and providing an effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1273, is  
18 amended to read as follows:

19 Section 1273.

20 ALLOWING MINORS TO POSSESS FIREARMS

21 A. It shall be unlawful for any person within this state to  
22 sell or give to any child any of the arms or weapons designated in  
23 Section 1272 of this title; provided, the provisions of this section  
24 shall not prohibit a parent of a child or legal guardian of a child,  
or a person acting with the permission of the parent of the child or  
legal guardian of the child, from giving the child a firearm for

1 participation in hunting animals or fowl, hunter safety classes,  
2 education and training in the safe use and handling of firearms,  
3 target shooting, skeet, trap or other sporting events or  
4 competitions, except as provided in subsection B of this section.

5 B. It shall be unlawful for any ~~parent or guardian~~ person to  
6 ~~intentionally, knowingly, or recklessly~~ permit his or her a child to  
7 possess any of the arms or weapons designated in Section 1272 of  
8 this title, ~~including any firearm, if such parent is aware of a~~  
9 ~~substantial risk that the child will use the weapon~~ for a purpose  
10 other than participation in hunting animals or fowl, hunter safety  
11 classes, education and training in the safe use and handling of  
12 firearms, target shooting, skeet, trap, or other sporting events or  
13 competitions, or as provided for in Section 1289.6 of this title.

14 C. It shall be unlawful for any person to permit a child to  
15 possess any of the arms or weapons designated in Section 1272 of  
16 this title, including a firearm, if such person is aware of the  
17 risks that the child will use the weapon or firearm to commit a  
18 criminal offense or if the child has either been adjudicated a  
19 delinquent or has been convicted as an adult for any criminal  
20 offense that contains as an element the threat or use of physical  
21 force against the person of another.

22 ~~C.~~ D. It shall be unlawful for any child to possess any of the  
23 arms or weapons designated in Section 1272 of this title, except  
24 firearms used for participation in hunting animals or fowl, hunter

1 safety classes, education and training in the safe use and handling  
2 of firearms, target shooting, skeet, trap or other sporting events  
3 or competitions. Provided, this section shall not authorize the  
4 possession of such weapons by any person who is subject to the  
5 provisions of Section 1283 of this title.

6 ~~D.~~ E. Any person violating the provisions of this section  
7 shall, upon conviction, be punished as provided in Section 1276 of  
8 this title, and, any child violating the provisions of this section  
9 shall be subject to adjudication as a delinquent. In addition, any  
10 person violating the provisions of subsection A or B of this section  
11 shall be liable for civil damages for any injury or death to any  
12 person and for any damage to property, as provided in Section 10 of  
13 Title 23 of the Oklahoma Statutes, resulting from any discharge of a  
14 firearm by the child or use of any other weapon that the person had  
15 given to the child or permitted the child to possess. Any person  
16 convicted of violating the provisions of this section after having  
17 been issued a handgun license pursuant to the provisions of the  
18 Oklahoma Self-Defense Act may be liable for an administrative  
19 violation as provided in Section 1276 of this title.

20 ~~E.~~ F. As used in this section ~~r~~:

21 ~~"child"~~ 1. "Child" means a person under eighteen (18) years of  
22 age. For purposes of this section a child shall also include a  
23 person under nineteen (19) years of age who is currently enrolled in  
24

1 a high school or a high school equivalency program, and who has yet  
2 to graduate or complete the program.

3 2. "To permit a child to possess" means:

4 a. the act of a firearm owner intentionally giving or  
5 selling a firearm to a child; or

6 b. the act of a firearm owner intentionally or  
7 negligently leaving a firearm unsecured and accessible  
8 for a child to take, obtain, or possess.

9 SECTION 2. This act shall become effective November 1, 2022.

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