

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 625

By: Boren

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5
6 AS INTRODUCED

7 An Act relating to possession of firearms by minors;
8 amending 21 O.S. 2021, Section 1273, which relates to
9 minors possessing firearms; broadening possible
10 liable entities; modifying persons prohibited from
11 permitting children to possess certain arms and
12 weapons; removing certain criminal intent; providing
13 certain exceptions; providing certain prohibition;
14 modifying definition; defining term; and providing an
15 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~~ person is aware of
9 a substantial risk or substantial likelihood that ~~the~~ a child will
10 use the weapon for a purpose other than participation in hunting
11 animals or fowl, hunter safety classes, education and training in
12 the safe use and handling of firearms, target shooting, skeet, trap,
13 or other sporting events or competitions, or as provided for in
14 Section 1289.6 of this title.

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

23 ~~C.~~ D. It shall be unlawful for any child to possess any of the
24 arms or weapons designated in Section 1272 of this title, except

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

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

21 ~~E.~~ F. As used in this section, ~~"child"~~ "child":

22 1. "Child" means a person under eighteen (18) years of age;

23 and

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

1 a. the act of a firearm owner intentionally giving or
2 selling a firearm to a child, or

3 b. the act of a person leaving a firearm unsecured and
4 accessible to a child who takes, obtains, or possesses
5 the firearm that harms the child or another person.

6 SECTION 2. This act shall become effective November 1, 2023.

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8 59-1-1019 JES 1/17/2023 8:33:39 PM
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