

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1616

By: Garvin

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2021, Section 1289.16, which relates to felony pointing firearms; defining term; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1289.16, is amended to read as follows:

Section 1289.16.

FELONY POINTING FIREARMS

A. For purposes of this section, "firearm" shall mean any shotgun, rifle, pistol, imitation or homemade pistol, altered air or toy pistol, machine gun, sawed-off shotgun or rifle, or any other device capable of expelling a projectile by use of some type of force.

B. Except for an act of self-defense, it shall be unlawful for any person to willfully or without lawful cause point a ~~shotgun, rifle or pistol, or any deadly weapon~~ firearm, whether loaded or not, at any person or persons for the purpose of threatening or with

1 the intention of discharging the firearm or with any malice or for  
2 any purpose of injuring, either through physical injury or mental or  
3 emotional intimidation or for purposes of whimsy, humor or prank, or  
4 in anger or otherwise, but not to include the pointing of ~~shotguns,~~  
5 ~~rifles or pistols~~ a firearm by law enforcement authorities in the  
6 performance of their duties, armed security guards licensed by the  
7 Council on Law Enforcement Education and Training pursuant to the  
8 Oklahoma Security Guard and Private Investigator Act in the  
9 performance of their duties, members of the state military forces in  
10 the performance of their duties, members of the federal military  
11 reserve and active military components in the performance of their  
12 duties, or any federal government law enforcement officer in the  
13 performance of any duty, or in the performance of a play on stage,  
14 rodeo, television or on film, or in defense of any person, one's  
15 home, or property. Any person convicted of a violation of the  
16 provisions of this section shall be punished as provided in Section  
17 1289.17 of this title.

18 C. Any person convicted of a violation of the provisions of  
19 this section after having been issued a handgun license pursuant to  
20 the Oklahoma Self-Defense Act shall have the license revoked and  
21 shall be subject to an administrative fine of One Thousand Dollars  
22 (\$1,000.00), upon a hearing and determination by the Oklahoma State  
23 Bureau of Investigation that the person is in violation of the  
24 provisions of this section.

1 SECTION 2. This act shall become effective November 1, 2024.

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