

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB925 _____
 Page 1 Section 1 Lines 20
 Of the printed Bill
 Of the Engrossed Bill

By inserting a new "SECTION 1." and "SECTION 2." to read as follows:

(SEE ATTACHED)

and by renumbering the subsequent sections of the bill.

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Rande Worthen _____

Reading Clerk

"SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.16, as last amended by Section 1, Chapter 266, O.S.L. 2017 (21 O.S. Supp. 2020, Section 1289.16), is amended to read as follows:

Section 1289.16.

FELONY POINTING FIREARMS

A. Except for an act of self-defense, it shall be unlawful for any person to ~~willfully~~:

1. Point any firearm or any other deadly weapon, whether loaded or not, at any other person or persons; or

2. Willfully or without lawful cause point ~~a shotgun, rifle or pistol,~~ any firearm or any deadly weapon, whether loaded or not, at any other person or persons for the purpose of threatening or with the intention of discharging the firearm or with any malice or for any purpose of injuring, either through physical injury or mental or emotional intimidation or for purposes of whimsy, humor or prank, or in anger or otherwise, ~~but not to.~~

B. The provisions of this section shall not include the pointing of shotguns, rifles or pistols a firearm or other deadly weapon by law:

1. Law enforcement authorities in the performance of their duties, ~~armed;~~

2. Armed security guards licensed by the Council on Law Enforcement Education and Training pursuant to the Oklahoma Security Guard and Private Investigator Act in the performance of their duties, ~~members;~~

3. Members of the state military forces in the performance of their duties, ~~members;~~

4. Members of the federal military reserve and active military components in the performance of their duties, ~~or any federal~~

5. Federal government law enforcement ~~officer~~ officers in the performance of ~~any duty, or~~ their duties;

6. Any person in the performance of a play on stage, at a rodeo, on television or on film, ~~or in defense of any;~~ and

7. Any person, one's home or property in the defensive display of a firearm or other deadly weapon as provided for in subsection K of Section 1289.25 of this title.

C. Any person convicted of a violation of the provisions of this section shall be punished as provided in Section 1289.17 of this title.

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

SECTION 2. AMENDATORY 21 O.S. 2011, Section 1289.17, is amended to read as follows:

Section 1289.17.

PENALTIES FOR 1289.16

Any ~~violation~~ person who violates the provisions of Section 1289.16 of this title ~~shall constitute a felony, for which a person convicted thereof shall, upon conviction, be sentenced to~~ punished by imprisonment in the State Penitentiary custody of the Department of Corrections for not less

than one (1) year nor more than ten (10) years, or punished as a misdemeanor by imprisonment in the county jail for not more than one (1) year, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment."