

1 **SENATE FLOOR VERSION**

2 March 2, 2017

3 SENATE BILL NO. 36

By: Bergstrom, David and
Brecheen of the Senate

4 and

5 Cleveland of the House

6
7
8 An Act relating to firearms; amending 21 O.S. 2011,
9 Section 1289.3, which relates to definitions for
10 Firearms Act; modifying certain definitions; amending
11 21 O.S. 2011, Section 1290.2, as last amended by
12 Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.
13 2016, Section 1290.2), which relates to definitions;
14 modifying certain definitions; 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. 2011, Section 1289.3, is
18 amended to read as follows:

19 Section 1289.3.

20 DEFINITIONS FOR FIREARMS ACT

21 "Pistols" or "handguns" as used in the Oklahoma Firearms Act of
22 1971, ~~Sections 1289.1 through 1289.17 of this title,~~ shall mean any
23 firearm capable of discharging a projectile single or multiple
24 projectiles from a single round of ammunition composed of any
material which may reasonably be expected to be able to cause lethal
injury, with a barrel or barrels less than sixteen (16) inches in

1 length, and using ~~either gunpowder, gas or any means of rocket~~
2 ~~propulsion~~ a combustible propellant charge, but not to include flare
3 guns, underwater fishing guns or blank pistols.

4 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.2, as
5 last amended by Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.
6 2016, Section 1290.2), is amended to read as follows:

7 Section 1290.2.

8 DEFINITIONS

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

10 1. "Concealed handgun" means a loaded or unloaded pistol, ~~the~~
11 ~~presence of which is~~ or handgun not openly ~~discernible~~ visible to
12 the ordinary observation of a reasonable person;

13 2. "Unconcealed handgun" or "open carry" means a loaded or
14 unloaded pistol or handgun carried upon the person in a ~~belt holster~~
15 ~~or shoulder~~ holster ~~that is wholly or partially~~ where the firearm is
16 visible, or carried upon the person ~~in~~ using a scabbard, sling or
17 case designed for carrying firearms ~~that is wholly or partially~~
18 ~~visible~~; and

19 3. "Pistol" or "handgun" means any derringer, revolver or
20 semiautomatic firearm which:

21 a. has an overall barrel or barrels length of less than
22 sixteen (16) inches,

23 b. is capable of discharging a ~~projectile~~ single or
24 multiple projectiles from a single round of ammunition

1 composed of any material which may reasonably be
2 expected to be able to cause lethal injury,

3 c. ~~is designed to~~ can be held and fired by the use of a
4 ~~single hand~~ one or both hands, and

5 d. uses ~~either gunpowder, gas or any means of rocket~~
6 ~~propulsion~~ a combustible propellant charge to
7 ~~discharge~~ propel the projectile or projectiles.

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

11 SECTION 3. This act shall become effective November 1, 2017.

12 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
13 March 2, 2017 - DO PASS