

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 1404

By: Provenzano

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5
6 AS INTRODUCED

7 An Act relating to firearms; creating the Voluntary
8 Firearm Restriction Act; defining terms; authorizing
9 individuals to voluntarily place themselves on a
10 firearm restriction list; describing contents of
11 different restriction lists; directing the Oklahoma
12 State Bureau of Investigation to develop processes
13 and restriction list forms; directing the Bureau to
14 maintain forms and publish forms on its website;
15 providing contents of forms; providing procedures for
16 requesting inclusion on restricted lists; directing
17 law enforcement agencies to verify identity and
18 transmit forms electronically to the Bureau;
19 directing the Bureau to add names to restricted lists
20 within certain time frame; providing procedures and
21 limitations when seeking removal from the restricted
22 lists; providing for extension requests; providing
23 for the suspension and reinstatement of handgun
24 licenses under certain circumstances; providing
acknowledgment statements for restricted list request
forms; establishing procedures when seeking removal
from the restricted lists; directing the Bureau to
remove individuals from restricted lists upon receipt
of verified removal form; providing notification
requirements; directing law enforcement agencies to
maintain restricted list forms and destroy files upon
receipt of certain notification; providing time
limitations for destroying files; deeming forms and
records confidential; authorizing the Bureau to
promulgate certain policies and procedures;
authorizing health care providers to deliver
inclusion form upon request to the Bureau; directing
the Bureau to create and publish certain form on its
website; providing contents of forms; requiring
completion of forms in the presence of health care
providers; directing health care providers to verify

1 identities, complete forms, and electronically
2 deliver forms to the Bureau; providing acknowledgment
3 statements for certain forms; authorizing the Bureau
4 to promulgate certain policies and procedures;
5 providing for codification; and providing an
6 effective date.

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

7 SECTION 1. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 1289.31 of Title 21, unless
9 there is created a duplication in numbering, reads as follows:

10 Sections 1 through 4 of this act shall be known and may be cited
11 as the "Voluntary Firearm Restriction Act".

12 SECTION 2. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 1289.31a of Title 21, unless
14 there is created a duplication in numbering, reads as follows:

15 As used in the Voluntary Firearm Restriction Act:

- 16 1. "Bureau" means the Oklahoma State Bureau of Investigation;
- 17 2. "Firearm" means a pistol, handgun, rifle or shotgun, or a
18 device that could be used as a dangerous weapon from which is
19 expelled a projectile by action of an explosive;
- 20 3. "Health care provider" means a person:
 - 21 a. who provides health care or professional services
22 related to health care, and
 - 23 b. is acting within the scope of his or her license,
24 certification, practice, education, or training; and

1 4. "Law enforcement agency" means any state, county or
2 municipal agency or department which maintains custody of persons
3 accused of, charged with or convicted of any criminal offense.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 1289.31b of Title 21, unless
6 there is created a duplication in numbering, reads as follows:

7 A. An individual may voluntarily request to be restricted from
8 the purchase or possession of firearms.

9 B. An individual requesting to be restricted under subsection A
10 of this section may request placement on one of the following
11 restricted lists:

12 1. A restricted list that:

13 a. restricts the individual from purchasing or possessing
14 a firearm for one hundred eighty (180) days with
15 automatic removal of the individual from the
16 restricted list at the end of the one hundred eighty
17 (180) days, and

18 b. allows the individual to request removal thirty (30)
19 days after the day on which the individual is added to
20 the restricted list; or

21 2. A restricted list that:

22 a. restricts the individual from purchasing or possessing
23 a firearm indefinitely, and

24

1 b. allows the individual to request removal ninety (90)
2 days after the day on which the individual is added to
3 the restricted list.

4 C. 1. Subject to subsections H and I of this section, the
5 Oklahoma State Bureau of Investigation shall develop a process and
6 forms for inclusion on, and removal from, a restricted list as
7 described in subsection B of this section to be maintained by the
8 Bureau.

9 2. The Bureau shall make the forms for inclusion and removal
10 available by download through the website of the Bureau and require,
11 at a minimum, the following information for the individual described
12 in subsection A of this section:

- 13 a. name,
- 14 b. address,
- 15 c. date of birth,
- 16 d. contact information,
- 17 e. signature, and
- 18 f. (1) if the individual is entered on the restricted
19 list as described in paragraph 1 of subsection B
20 of this section, an acknowledgment of the
21 statement provided for in paragraph 1 of
22 subsection H of this section, or
23 (2) if the individual is entered on the restricted
24 list as described in paragraph 2 of subsection B

1 of this section, an acknowledgment of the
2 statement provided for in paragraph 2 of
3 subsection H of this section.

4 D. 1. An individual requesting inclusion on a restricted list
5 under subsection B of this section shall:

- 6 a. deliver the completed form in person to a law
7 enforcement agency, or
- 8 b. direct the health care provider of the individual
9 under Section 4 of this act to electronically deliver
10 the request of the individual to the Bureau.

11 2. If the completed form is delivered to the law enforcement
12 agency, the law enforcement agency:

- 13 a. shall verify the identity of the individual before
14 accepting the form,
- 15 b. may not accept a form from someone other than the
16 individual named on the form, and
- 17 c. shall transmit the form electronically to the Bureau.

18 E. Upon receipt of a verified form provided under this section
19 or pursuant to the provisions of Section 4 of this act requesting
20 inclusion on a restricted list, the Bureau shall, within twenty-four
21 (24) hours, add the name of the individual to the restricted list
22 and submit the name of the individual to the National Instant
23 Criminal Background Check System (NICS).
24

1 F. 1. For an individual added to the restricted list described
2 in paragraph 1 of subsection B of this section:

3 a. the individual may not request removal from the
4 restricted list unless the individual has been on the
5 restricted list for at least thirty (30) days,

6 b. the Bureau shall remove the individual from the
7 restricted list one hundred eighty (180) days after
8 the day on which the individual was added to the
9 restricted list, unless the individual:

10 (1) requests to be removed from the restricted list
11 after thirty (30) days;

12 (2) requests to remain on the restricted list, or

13 (3) directs the health care provider of the
14 individual to request that he or she remain on
15 the restricted list,

16 c. a request for an extension shall be made in the same
17 manner as the original request, and

18 d. the individual may continue to request, or direct the
19 health care provider of the individual to continue to
20 request, extensions every one hundred eighty (180)
21 days.

22 2. For an individual added to a restricted list described in
23 paragraph 2 of subsection B of this section, the individual:
24

1 a. may not request removal from the restricted list
2 unless the individual has been on the restricted list
3 for at least ninety (90) days, and

4 b. shall remain on the restricted list, unless the Bureau
5 receives a request from the individual to have his or
6 her name removed from the restricted list.

7 G. If an individual restricted under this section is licensed
8 to carry a handgun pursuant to the provisions of the Oklahoma Self-
9 Defense Act, the handgun license of the individual shall be:

10 1. Suspended upon entry on the restricted list; and

11 2. Reinstated upon removal from the restricted list, unless the
12 permit has been revoked, been suspended for a reason other than
13 under the provisions of this section, or has expired.

14 H. 1. The form for an individual seeking to be placed on the
15 restricted list described in paragraph 1 of subsection B of this
16 section shall have the following language prominently displayed
17 before the signature:

18 "ACKNOWLEDGMENT

19 By presenting this completed form to a law enforcement agency, I
20 understand that I am requesting that my name be placed on a
21 restricted list that restricts my ability to purchase or possess
22 firearms for a minimum of thirty (30) days, and up to six (6)
23 months. I understand that by voluntarily making myself a
24 temporarily restricted person, I may not have a firearm in my

1 possession and any attempt to purchase a firearm while I am on the
2 restricted list will be declined. I also understand that any time
3 after thirty (30) days, I may request removal from the restricted
4 list and all previous rights will be restored. In addition, if I am
5 in possession of a valid handgun license, my handgun license will be
6 suspended during the time I am on the restricted list, but will be
7 reinstated upon my removal, unless the permit has expired, been
8 revoked, been suspended for another reason, or I become ineligible
9 to possess a firearm. Additionally, I acknowledge that if I possess
10 a firearm or attempt to purchase a firearm while outside the State
11 of Oklahoma, I will be subject to the law of that location regarding
12 restricted persons."

13 2. The form for an individual seeking to be placed on the
14 restricted list described in paragraph 2 of subsection B of this
15 section shall have the following language prominently displayed
16 before the signature:

17 "ACKNOWLEDGMENT

18 By presenting this completed form to a law enforcement agency, I
19 understand that I am requesting that my name be placed on a
20 restricted list that restricts my ability to purchase or possess
21 firearms indefinitely. I understand that by voluntarily making
22 myself a temporarily restricted person, I may not have a firearm in
23 my possession and any attempt to purchase a firearm while I am on
24 the restricted list will be declined. I also understand that any

1 time after ninety (90) days, I may request removal from the
2 restricted list and all previous rights will be restored. In
3 addition, if I am in possession of a valid handgun license, my
4 handgun license will be suspended during the time I am on the
5 restricted list, but will be reinstated upon my removal, unless the
6 permit has expired, been revoked, been suspended for another reason,
7 or I become ineligible to possess a firearm. Additionally, I
8 acknowledge that if I possess a firearm or attempt to purchase a
9 firearm while outside the State of Oklahoma, I will be subject to
10 the law of that location regarding restricted persons."

11 I. 1. An individual requesting removal from a restricted list
12 shall deliver a completed removal form in person to:

13 a. the law enforcement agency that processed the
14 inclusion form if the individual was placed on the
15 restricted list pursuant to subparagraph a of
16 paragraph 1 of subsection D of this section, or

17 b. the local law enforcement agency of the individual if
18 the individual was placed on the restricted list
19 pursuant to subparagraph b of paragraph 1 of
20 subsection D of this section.

21 2. The law enforcement agency described in paragraph 1 of this
22 subsection:

23 a. shall verify the identity of the individual before
24 accepting the form,

1 b. may not accept a removal form from someone other than
2 the individual named on the form, and

3 c. shall transmit the removal form electronically to the
4 Bureau.

5 J. Upon receipt of a verified removal form, the Bureau shall,
6 after three (3) business days, remove the individual from the
7 restricted list and remove the information from the National Instant
8 Criminal Background Check System (NICS).

9 K. For an individual added to the restricted list under
10 paragraph 1 of subsection B of this section, within thirty (30) days
11 before the 180-day removal deadline, the Bureau shall notify the
12 individual at the address listed on the inclusion form and, if
13 applicable, the law enforcement agency that processed the inclusion
14 form, that the individual is due to be removed from the restricted
15 list, and the date on which the removal will occur, unless the
16 individual requests an extension of up to one hundred eighty (180)
17 days.

18 L. 1. A law enforcement agency that receives a request for
19 inclusion shall:

20 a. maintain the completed form and all subsequent
21 completed forms in a separate file, and

22 b. for an individual added to the restricted list under
23 paragraph 1 of subsection B of this section, destroy
24 the entire file within five (5) days after the date

1 indicated in the notification if the individual does
2 not request an extension after notification in
3 accordance with subsection K of this section.

4 2. A law enforcement agency that receives a removal request
5 under subsection I of this section shall destroy the entire file
6 associated with the individual within five (5) days after the date
7 on which the information is transmitted to the Bureau.

8 3. Upon removal of an individual from a restricted list, the
9 Bureau shall destroy all records related to the inclusion and
10 removal of the individual within five (5) days after the date on
11 which the individual was removed.

12 4. All forms and records created in accordance with the
13 provisions of this section shall be deemed confidential. The
14 handling of any records maintained by the Bureau shall comply with
15 all applicable state and federal privacy laws.

16 M. The Bureau shall be authorized to promulgate policies and
17 procedures to implement the provisions of this act.

18 SECTION 4. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1289.31c of Title 21, unless
20 there is created a duplication in numbering, reads as follows:

21 A. An individual who is seeking inclusion on a restricted list
22 under Section 3 of this act may direct the health care provider of
23 the individual to electronically deliver the inclusion request of
24 the individual described in Section 3 of this act to the Bureau.

1 B. In addition to the inclusion form described in Section 3 of
2 this act, the Bureau shall create a form, available by download
3 through the website of the Bureau, for:

4 1. An individual who is directing a health care provider to
5 electronically deliver the inclusion request of the individual and
6 require, at a minimum, the following information:

7 a. the signature of the individual,

8 b. the name of the health care provider of the
9 individual, and

10 c. the acknowledgment of the individual of the statement
11 as provided for in paragraph 1 of subsection D of this
12 section; and

13 2. A health care provider who is delivering an inclusion form
14 for an individual and require, at a minimum, the following
15 information for the health care provider:

16 a. the name of the health care provider,

17 b. the name of the organization of the health care
18 provider,

19 c. the license or certification of the health care
20 provider, including the license or certification
21 number,

22 d. the signature of the health care provider, and
23
24

1 e. the acknowledgment of the health care provider of the
2 statement in paragraph 2 of subsection D of this
3 section.

4 C. 1. An individual who is directing a health care provider to
5 electronically deliver his or her request to be included on a
6 restricted list shall, in the presence of the health care provider,
7 complete the forms described in Section 3 of this act and as
8 provided for in paragraph 1 of subsection B of this section.

9 2. The health care provider:

10 a. shall verify the identity of the individual before
11 accepting the forms,

12 b. shall not accept forms from someone other than the
13 individual named on the forms,

14 c. shall complete the form described in paragraph 2 of
15 subsection B of this section, and

16 d. shall deliver the request to the Bureau electronically
17 and maintain a copy of the completed request in the
18 health record of the individual.

19 D. 1. The form described in paragraph 1 of subsection B of
20 this section shall have the following language prominently displayed
21 before the signature:

22 "ACKNOWLEDGMENT

23 By presenting this completed form to my health care provider, I
24 understand that I am requesting that my health care provider present

1 my name to the Oklahoma State Bureau of Investigation to be placed
2 on a restricted list that restricts my ability to purchase or
3 possess firearms."

4 2. The form described in paragraph 2 of subsection B of this
5 section shall have the following language prominently displayed
6 before the signature:

7 "ACKNOWLEDGMENT

8 By presenting this completed form to the Oklahoma State Bureau
9 of Investigation, I understand that I am acknowledging that I have
10 verified the identity of [name of individual seeking inclusion on a
11 restricted list] and have witnessed [name of individual] sign the
12 form requesting that [name of individual] be placed on a restricted
13 list that restricts the ability of [name of individual] to purchase
14 or possess firearms. I affirm that [name of individual] is
15 currently my patient, and I am a licensed health care provider
16 acting within the scope of my license, certification, practice,
17 education, or training."

18 E. The Bureau shall be authorized to promulgate policies and
19 procedures to implement the provisions of this act.

20 SECTION 5. This act shall become effective November 1, 2025.

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