

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2823

By: Steagall

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5
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2021,
8 Section 1290.8, as amended by Section 4, Chapter 160,
9 O.S.L. 2023 (21 O.S. Supp. 2024, Section 1290.8),
10 which relates to the Oklahoma Self-Defense Act;
11 providing for the display of state photo
12 identification or valid driver license upon demand of
13 law enforcement; deleting exception; deleting
14 circumstance that requires the dismissal of certain
15 charges; and providing an effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1290.8, as
18 amended by Section 4, Chapter 160, O.S.L. 2023 (21 O.S. Supp. 2024,
19 Section 1290.8), is amended to read as follows:

20 Section 1290.8.

21 POSSESSION OF LICENSE REQUIRED
22 NOTIFICATION TO POLICE OF GUN

23 A. Except as otherwise prohibited by law, an eligible person
24 shall have authority to carry a concealed or unconcealed firearm in
this state when:

1 1. The person is in compliance with the provisions of the
2 Oklahoma Self-Defense Act; or

3 2. The person is authorized pursuant to the provisions of
4 Section 1272 of this title.

5 B. A person in possession of a valid state photo identification
6 card, driver license, or valid handgun license or who presents a
7 valid military identification card and is in compliance with the
8 provisions of the Oklahoma Self-Defense Act shall be authorized to
9 carry such concealed or unconcealed firearm while scouting as it
10 relates to hunting or fishing or while hunting or fishing.

11 C. The person shall be required to have possession of his or
12 her valid handgun license, valid military identification card, valid
13 driver license, or state photo identification card at all times when
14 in possession of a firearm. The person shall display ~~either~~ a valid
15 handgun license, valid military identification card, valid driver
16 license, or valid state photo identification card as provided for
17 qualified persons in this section on demand of a law enforcement
18 officer during an arrest or routine traffic stop; provided, however,
19 that in the absence of reasonable and articulable suspicion of other
20 criminal activity, an individual carrying an unconcealed or
21 concealed firearm or other lawful firearm shall not be disarmed or
22 physically restrained ~~unless the individual fails to display one of~~
23 ~~the following:~~

24 1. ~~A valid handgun license;~~

1 ~~2. A valid military identification card;~~

2 ~~3. A valid driver license; or~~

3 ~~4. A valid state photo identification card,~~

4 ~~as provided for qualified persons in this section~~ in response to
5 that demand. Any violation of the provisions of this subsection may
6 be punishable as a criminal offense as authorized by Section 1272 of
7 this title or pursuant to any other applicable provision of law.

8 ~~Upon the arrest of any person for a violation of the provisions~~
9 ~~of this subsection, the person may show proof to the court that a~~
10 ~~valid handgun license, a valid military identification card, a valid~~
11 ~~driver license, or a valid state photo identification card has been~~
12 ~~issued to such person and the person may state any reason why the~~
13 ~~valid handgun license, valid military identification card, valid~~
14 ~~driver license, or valid state photo identification card as provided~~
15 ~~for qualified persons in this section was not carried by the person~~
16 ~~as required by the Oklahoma Self-Defense Act. The court shall~~
17 ~~dismiss an alleged violation of Section 1272 of this title upon~~
18 ~~payment of court costs, if proof of a valid handgun license, a valid~~
19 ~~military identification card, a valid driver license, or valid state~~
20 ~~photo identification card is shown to the court within ten (10) days~~
21 ~~of the arrest of the person.~~

22 D. It shall be unlawful for any person to fail or refuse to
23 identify the fact that the person is in actual possession of a
24 concealed or unconcealed firearm pursuant to the authority of the

1 Oklahoma Self-Defense Act during the course of any arrest,
2 ~~detainment~~, or routine traffic stop. Said identification shall be
3 required upon demand by the law enforcement officer. No person
4 shall be required to identify himself or herself as lawfully in
5 possession of any other firearm if the law enforcement officer does
6 not demand the information. No person shall be required to identify
7 himself or herself as being in possession of a firearm when no
8 firearm is in the possession of the person or in any vehicle in
9 which the person is driving or is a passenger. Any violator of the
10 provisions of this subsection may be issued a citation for an amount
11 not exceeding One Hundred Dollars (\$100.00).

12 E. Any law enforcement officer coming in contact with a person
13 whose handgun license is suspended or revoked, or who is in
14 possession of a handgun license which has not been lawfully issued
15 to that person, shall confiscate the license and return it to the
16 Oklahoma State Bureau of Investigation for appropriate
17 administrative proceedings against the licensee when the license is
18 no longer needed as evidence in any criminal proceeding.

19 F. Nothing in this section shall be construed to authorize a
20 law enforcement officer to inspect any weapon properly concealed or
21 unconcealed without probable cause that a crime has been committed.

22 SECTION 2. This act shall become effective November 1, 2025.

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24 60-1-10803 GRS 01/07/25