

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 63

By: Sharp

4
5
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,
8 Section 1290.5, as last amended by Section 1, Chapter
9 122, O.S.L. 2014 (21 O.S. Supp. 2016, Section
10 1290.5), which relates to term of license and
11 renewal; modify background check procedure; modifying
12 term of license; amending 21 O.S. 2011, Section
13 1290.12, as last amended by Section 2, Chapter 256,
14 O.S.L. 2016 (21 O.S. Supp. 2016, Section 1290.12),
15 which relates to the procedure for application;
16 modifying inclusions; amending 21 O.S. 2011, Section
17 1290.14, as last amended by Section 2, Chapter 207,
18 O.S.L. 2015 (21 O.S. Supp. 2016, Section 1290.14),
19 which relates to safety and training course;
20 modifying inclusions; modifying term of license; and
21 providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.5, as
last amended by Section 1, Chapter 122, O.S.L. 2014 (21 O.S. Supp.
2016, Section 1290.5), is amended to read as follows:

Section 1290.5.

TERM OF LICENSE AND RENEWAL

A. A handgun license when issued shall authorize the person to
whom the license is issued to carry a loaded or unloaded handgun,

1 concealed or unconcealed, as authorized by the provisions of the
2 Oklahoma Self-Defense Act, and any future modifications thereto.
3 The license shall be valid in this state for a period of five (5) ~~or~~
4 ~~ten (10)~~ years, unless subsequently surrendered, suspended or
5 revoked as provided by law. The person shall have no authority to
6 continue to carry a concealed or unconcealed handgun in this state
7 pursuant to the Oklahoma Self-Defense Act when a license is expired
8 or when a license has been voluntarily surrendered or suspended or
9 revoked for any reason.

10 B. A license may be renewed any time within ninety (90) days
11 prior to the expiration date as provided in this subsection. The
12 Bureau shall send a renewal application to each eligible licensee
13 with a return address requested. There shall be a ninety-day grace
14 period on license renewals beginning on the date of expiration,
15 thereafter the license is considered expired. However, any
16 applicant shall have three (3) years from the expiration of the
17 license to comply with the renewal requirements of this section.

18 1. To renew a handgun license, the licensee must first obtain a
19 renewal form from the Oklahoma State Bureau of Investigation.

20 2. The applicant must complete the renewal form, attach two
21 current passport size photographs of the applicant, and submit a
22 renewal fee in the amount of Eighty-five Dollars (\$85.00) to the
23 Bureau. The renewal fee may be paid with a nationally recognized
24 credit card as provided in subparagraph b of paragraph 4 of

1 subsection A of Section 1290.12 of this title, by electronic funds
2 transfer, or by a cashier's check or money order made payable to the
3 Oklahoma State Bureau of Investigation.

4 3. Upon receipt of the renewal application, photographs and
5 fee, the Bureau will conduct a criminal history records name search,
6 a background check of the applicant using the National Instant
7 Criminal Background Check System (NICS) of the Federal Bureau of
8 Investigation, an investigation of medical records or other records
9 or information deemed by the Bureau to be relevant to the renewal
10 application. If the applicant appears not to have any prohibition
11 to renewing the handgun license, the Bureau shall issue the renewed
12 license for a period of five (5) ~~or ten (10)~~ years.

13 ~~C. Beginning November 1, 2007, any person making application~~
14 ~~for a handgun license or any licensee seeking to renew a handgun~~
15 ~~license shall have the option to request that said license be valid~~
16 ~~for a period of ten (10) years. The fee for any handgun license~~
17 ~~issued for a period of ten (10) years shall be double the amount of~~
18 ~~the fee provided for in paragraph 4 of subsection A of Section~~
19 ~~1290.12 of this title. The renewal fee for a handgun license issued~~
20 ~~for a period of ten (10) years shall be double the amount of the fee~~
21 ~~provided for in paragraph 2 of subsection B of this section.~~

22 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.12, as
23 last amended by Section 2, Chapter 256, O.S.L. 2016 (21 O.S. Supp.
24 2016, Section 1290.12), is amended to read as follows:

1 Section 1290.12.

2 PROCEDURE FOR APPLICATION

3 A. Except as provided in paragraph 11 of this subsection, the
4 procedure for applying for a handgun license and processing the
5 application shall be as follows:

6 1. An eligible person may request an application packet for a
7 handgun license from the Oklahoma State Bureau of Investigation or
8 the county sheriff's office either in person or by mail. The Bureau
9 may provide application packets to each sheriff not exceeding two
10 hundred packets per request. The Bureau shall provide the following
11 information in the application packet:

- 12 a. an application form,
- 13 b. procedures to follow to process the application form,
- 14 and
- 15 c. a copy of the Oklahoma Self-Defense Act with any
16 modifications thereto;

17 2. The person shall be required to successfully complete a
18 firearms safety and training course from a firearms instructor who
19 is approved and registered in this state as provided in Section
20 1290.14 of this title or from an interactive online firearms safety
21 and training course available electronically via the Internet which
22 has been approved as to curriculum by the Council on Law Enforcement
23 Education and Training, and the person shall be required to
24 demonstrate competency and qualification with a pistol authorized

1 for concealed or unconcealed carry by the Oklahoma Self-Defense Act.
2 The original certificate of successful completion of a firearms
3 safety and training course and an original certificate of successful
4 demonstration of competency and qualification to carry and handle a
5 pistol shall be submitted with the application for a handgun
6 license. No duplicate, copy, facsimile or other reproduction of the
7 certificate of training, certificate of competency and qualification
8 or exemption from training shall be acceptable as proof of training
9 as required by the provisions of the Oklahoma Self-Defense Act. A
10 person exempt from the training requirements as provided in Section
11 1290.15 of this title must show the required proof of such exemption
12 to the firearms instructor to receive an exemption certificate. The
13 original exemption certificate must be submitted with the
14 application for a handgun license when the person claims an
15 exemption from training and qualification;

16 3. The application form shall be completed and delivered by the
17 applicant, in person, to the sheriff of the county wherein the
18 applicant resides;

19 4. The person shall deliver to the sheriff at the time of
20 delivery of the completed application form a fee of One Hundred
21 Dollars (\$100.00) for processing the application through the
22 Oklahoma State Bureau of Investigation and processing the required
23 fingerprints through the Federal Bureau of Investigation. The
24 processing fee shall be in the form of:

- 1 a. a money order or a cashier's check made payable to the
2 Oklahoma State Bureau of Investigation,
- 3 b. a nationally recognized credit card issued to the
4 applicant. For purposes of this paragraph,
5 "nationally recognized credit card" means any
6 instrument or device, whether known as a credit card,
7 credit plate, charge plate, or by any other name,
8 issued with or without fee by the issuer for the use
9 of the cardholder in obtaining goods, services, or
10 anything else of value on credit which is accepted by
11 over one thousand merchants in the state. The
12 Oklahoma State Bureau of Investigation shall determine
13 which nationally recognized credit cards will be
14 accepted by the Bureau, or
- 15 c. electronic funds transfer.

16 Any person paying application fees to the Oklahoma State Bureau of
17 Investigation by means of a nationally recognized credit card or by
18 means of an electronic funds transfer shall be required to complete
19 and submit his or her application through the online application
20 process of the Bureau.

21 The processing fee shall not be refundable in the event of a
22 denial of a handgun license or any suspension or revocation
23 subsequent to the issuance of a license. Persons making application
24 for a firearms instructor shall not be required to pay the

1 application fee as provided in this section, but shall be required
2 to pay the costs provided in paragraphs 6 and 8 of this subsection;

3 5. The completed application form shall be signed by the
4 applicant in person before the sheriff. The signature shall be
5 given voluntarily upon a sworn oath that the person knows the
6 contents of the application and that the information contained in
7 the application is true and correct. Any person making any false or
8 misleading statement on an application for a handgun license shall,
9 upon conviction, be guilty of perjury as defined by Section 491 of
10 this title. Any conviction shall be punished as provided in Section
11 500 of this title. In addition to a criminal conviction, the person
12 shall be denied the right to have a handgun license pursuant to the
13 provisions of Section 1290.10 of this title and the Oklahoma State
14 Bureau of Investigation shall revoke the handgun license, if issued;

15 6. Two passport-size photographs of the applicant shall be
16 submitted with the completed application. The cost of the
17 photographs shall be the responsibility of the applicant. The
18 sheriff is authorized to take the photograph of the applicant for
19 purposes of the Oklahoma Self-Defense Act and, if such photographs
20 are taken by the sheriff, the cost of the photographs shall not
21 exceed Ten Dollars (\$10.00) for the two photos. All money received
22 by the sheriff from photographing applicants pursuant to the
23 provisions of this paragraph shall be retained by the sheriff and
24 deposited into the Sheriff's Service Fee Account;

1 7. The sheriff shall witness the signature of the applicant and
2 review or take the photographs of the applicant and shall verify
3 that the person making application for a handgun license is the same
4 person in the photographs submitted and the same person who signed
5 the application form. Proof of a valid Oklahoma driver license with
6 a photograph of the applicant or an Oklahoma state photo
7 identification for the applicant shall be required to be presented
8 by the applicant to the sheriff for verification of the person's
9 identity;

10 8. Upon verification of the identity of the applicant, the
11 sheriff shall take two complete sets of fingerprints of the
12 applicant. Both sets of fingerprints shall be submitted by the
13 sheriff with the completed application, certificate of training or
14 an exemption certificate, photographs and processing fee to the
15 Oklahoma State Bureau of Investigation within fourteen (14) days of
16 taking the fingerprints. The cost of the fingerprints shall be paid
17 by the applicant and shall not exceed Twenty-five Dollars (\$25.00)
18 for the two sets. All fees collected by the sheriff from taking
19 fingerprints pursuant to the provisions of this paragraph shall be
20 retained by the sheriff and deposited into the Sheriff's Service Fee
21 Account;

22 9. The sheriff shall submit to the Oklahoma State Bureau of
23 Investigation within the fourteen-day period, together with the
24 completed application, including the certificate of training,

1 certificate of competency and qualification or exemption
2 certificate, photographs, processing fee and legible fingerprints
3 meeting the Oklahoma State Bureau of Investigation's Automated
4 Fingerprint Identification System (AFIS) submission standards, and a
5 report of information deemed pertinent to an investigation of the
6 applicant for a handgun license. The sheriff shall make a
7 preliminary investigation of pertinent information about the
8 applicant and the court clerk shall assist the sheriff in locating
9 pertinent information in court records for this purpose. If no
10 pertinent information is found to exist either for or against the
11 applicant, the sheriff shall so indicate in the report;

12 10. The Oklahoma State Bureau of Investigation, upon receipt of
13 the application and required information from the sheriff, shall
14 forward one full set of fingerprints of the applicant to the Federal
15 Bureau of Investigation for a national criminal history records
16 search. The cost of processing the fingerprints nationally shall be
17 paid from the processing fee collected by the Oklahoma State Bureau
18 of Investigation;

19 11. Notwithstanding the provisions of the Oklahoma Self-Defense
20 Act, or any other provisions of law, any person who has been granted
21 a permanent victim protective order by the court, as provided for in
22 the Protection from Domestic Abuse Act, may be issued a temporary
23 handgun license for a period not to exceed six (6) months. A
24 temporary handgun license may be issued if the person has

1 successfully passed the required weapons course, completed the
2 application process for the handgun license, passed the preliminary
3 investigation of the person by the sheriff and court clerk, and
4 provided the sheriff proof of a certified permanent victim
5 protective order and a valid Oklahoma state photo identification
6 card or driver license. The sheriff shall issue a temporary handgun
7 license on a form approved by the Oklahoma State Bureau of
8 Investigation, at no cost. Any person who has been issued a
9 temporary license shall carry the temporary handgun license and a
10 valid Oklahoma state photo identification on his or her person at
11 all times, and shall be subject to all the requirements of the
12 Oklahoma Self-Defense Act when carrying a handgun. The person may
13 proceed with the handgun licensing process. In the event the victim
14 protective order is no longer enforceable, the temporary handgun
15 license shall cease to be valid;

16 12. The Oklahoma State Bureau of Investigation shall make a
17 reasonable effort to investigate the information submitted by the
18 applicant and the sheriff, to ascertain whether or not the issuance
19 of a handgun license would be in violation of the provisions of the
20 Oklahoma Self-Defense Act. The investigation by the Bureau of an
21 applicant shall include, but shall not be limited to: a statewide
22 criminal history records search, a national criminal history records
23 search, a background check of the applicant using the National
24 Instant Criminal Background Check System (NICS) of the Federal

1 Bureau of Investigation, a Federal Bureau of Investigation
2 fingerprint search, and if applicable, an investigation of medical
3 records or other records or information deemed by the Bureau to be
4 relevant to the application.

5 a. In the course of the investigation by the Bureau, it
6 shall present the name of the applicant along with any
7 known aliases, the address of the applicant and the
8 social security number of the applicant to the
9 Department of Mental Health and Substance Abuse
10 Services. The Department of Mental Health and
11 Substance Abuse Services shall respond within ten (10)
12 days of receiving such information to the Bureau as
13 follows:

14 (1) with a "Yes" answer, if the records of the
15 Department indicate that the person was
16 involuntarily committed to a mental institution
17 in Oklahoma,

18 (2) with a "No" answer, if there are no records
19 indicating the name of the person as a person
20 involuntarily committed to a mental institution
21 in Oklahoma, or

22 (3) with an "Inconclusive" answer if the records of
23 the Department suggest the applicant may be a
24 formerly committed person. In the case of an

1 inconclusive answer, the Bureau shall ask the
2 applicant whether he or she was involuntarily
3 committed. If the applicant states under penalty
4 of perjury that he or she has not been
5 involuntarily committed, the Bureau shall
6 continue processing the application for a
7 license.

8 b. In the course of the investigation by the Bureau, it
9 shall check the name of any applicant who is twenty-
10 eight (28) years of age or younger along with any
11 known aliases, the address of the applicant and the
12 social security number of the applicant against the
13 records in the Juvenile Online Tracking System (JOLTS)
14 of the Office of Juvenile Affairs. The Office of
15 Juvenile Affairs shall provide the Bureau direct
16 access to check the applicant against the records
17 available on JOLTS:

- 18 (1) if the Bureau finds a record on the JOLTS that
19 indicates the person was adjudicated a delinquent
20 for an offense that would constitute a felony
21 offense if committed by an adult within the last
22 ten (10) years the Bureau shall deny the license,
23 (2) if the Bureau finds no record on the JOLTS
24 indicating the named person was adjudicated

1 delinquent for an offense that would constitute a
2 felony offense if committed by an adult within
3 the last ten (10) years, or

4 (3) if the records suggest the applicant may have
5 been adjudicated delinquent for an offense that
6 would constitute a felony offense if committed by
7 an adult but such record is inconclusive, the
8 Bureau shall ask the applicant whether he or she
9 was adjudicated a delinquent for an offense that
10 would constitute a felony offense if committed by
11 an adult within the last ten (10) years. If the
12 applicant states under penalty of perjury that he
13 or she was not adjudicated a delinquent within
14 ten (10) years, the Bureau shall continue
15 processing the application for a license; and

16 13. If the background check set forth in paragraph 12 of this
17 subsection reveals no records pertaining to the applicant, the
18 Oklahoma State Bureau of Investigation shall either issue a handgun
19 license or deny the application within sixty (60) days of the date
20 of receipt of the applicant's completed application and the required
21 information from the sheriff. In all other cases, the Oklahoma
22 State Bureau of Investigation shall either issue a handgun license
23 or deny the application within ninety (90) days of the date of the
24 receipt of the applicant's completed application and the required

1 information from the sheriff. The Bureau shall approve an applicant
2 who appears to be in full compliance with the provisions of the
3 Oklahoma Self-Defense Act, if completion of the federal fingerprint
4 search is the only reason for delay of the issuance of the handgun
5 license to that applicant. Upon receipt of the federal fingerprint
6 search information, if the Bureau receives information which
7 precludes the person from having a handgun license, the Bureau shall
8 revoke the handgun license previously issued to the applicant. The
9 Bureau shall deny a license when the applicant fails to properly
10 complete the application form or application process or is
11 determined not to be eligible as specified by the provisions of
12 Section 1290.9, 1290.10 or 1290.11 of this title. The Bureau shall
13 approve an application in all other cases. If an application is
14 denied, the Bureau shall notify the applicant in writing of its
15 decision. The notification shall state the grounds for the denial
16 and inform the applicant of the right to an appeal as may be
17 provided by the provisions of the Administrative Procedures Act.
18 All notices of denial shall be mailed by first-class mail to the
19 address of the applicant listed in the application. Within sixty
20 (60) calendar days from the date of mailing a denial of application
21 to an applicant, the applicant shall notify the Bureau in writing of
22 the intent to appeal the decision of denial or the right of the
23 applicant to appeal shall be deemed waived. Any administrative
24 hearing on a denial which may be provided shall be conducted by a

1 hearing examiner appointed by the Bureau. The decision of the
2 hearing examiner shall be a final decision appealable to a district
3 court in accordance with the Administrative Procedures Act. When an
4 application is approved, the Bureau shall issue the license and
5 shall mail the license by first-class mail to the address of the
6 applicant listed in the application.

7 B. Nothing contained in any provision of the Oklahoma Self-
8 Defense Act shall be construed to require or authorize the
9 registration, documentation or providing of serial numbers with
10 regard to any firearm. For purposes of the Oklahoma Self-Defense
11 Act, the sheriff may designate a person to receive, fingerprint,
12 photograph or otherwise process applications for handgun licenses.

13 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1290.14, as
14 last amended by Section 2, Chapter 207, O.S.L. 2015 (21 O.S. Supp.
15 2016, Section 1290.14), is amended to read as follows:

16 Section 1290.14.

17 SAFETY AND TRAINING COURSE

18 A. Each applicant for a license to carry a concealed or
19 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must
20 successfully complete a firearms safety and training course in this
21 state conducted by a registered and approved firearms instructor as
22 provided by the provisions of this section or from an interactive
23 online firearms safety and training course available electronically
24 via the Internet approved and certified by the Council on Law

1 Enforcement Education and Training. The applicant must further
2 demonstrate competence and qualification with an authorized pistol
3 of the type or types that the applicant desires to carry as a
4 concealed or unconcealed handgun pursuant to the provisions of the
5 Oklahoma Self-Defense Act, except certain persons may be exempt from
6 such training requirement as provided by the provisions of Section
7 1290.15 of this title.

8 B. The Council on Law Enforcement Education and Training
9 (CLEET) shall establish criteria for approving firearms instructors
10 and interactive online firearms safety and training courses
11 available electronically via the Internet for purposes of training
12 and qualifying individuals for a handgun license pursuant to the
13 provisions of the Oklahoma Self-Defense Act. Prior to submitting an
14 application for CLEET approval as a firearms instructor, applicants
15 shall attend a firearms instructor school, meeting the following
16 minimum requirements:

17 1. Firearms instructor training conducted by one of the
18 following entities:

- 19 a. Council on Law Enforcement Education and Training,
- 20 b. National Rifle Association,
- 21 c. Oklahoma Rifle Association,
- 22 d. federal law enforcement agencies, or
- 23 e. other professionally recognized organizations;

24 2. The course shall be at least sixteen (16) hours in length;

1 3. Upon completion of the course, the applicant shall be
2 qualified to provide instruction on revolvers, semiautomatic
3 pistols, or both; and

4 4. Receive a course completion certificate.

5 All firearms instructors shall be required to meet the
6 eligibility requirements for a handgun license as provided in
7 Sections 1290.9, 1290.10, and 1290.11 of this title and the
8 application shall be processed as provided for applicants in Section
9 1290.12 of this title, including the state and national criminal
10 history records search, a background check of the applicant using
11 the National Instant Criminal Background Check System (NICS) of the
12 Federal Bureau of Investigation and fingerprint search. A firearms
13 instructor shall be required to pay a fee of One Hundred Dollars
14 (\$100.00) to the Council on Law Enforcement Education and Training
15 (CLEET) each time the person makes application for CLEET approval as
16 a firearms instructor pursuant to the provisions of the Oklahoma
17 Self-Defense Act. The fee shall be retained by CLEET and shall be
18 deposited into the Firearms Instructors Revolving Fund. CLEET shall
19 promulgate the rules, forms and procedures necessary to implement
20 the approval of firearms instructors as authorized by the provisions
21 of this subsection. CLEET shall periodically review each approved
22 instructor during a training and qualification course to assure
23 compliance with the rules and course contents. Any violation of the
24 rules may result in the revocation or suspension of CLEET and

1 Oklahoma State Bureau of Investigation approval. Unless the
2 approval has been revoked or suspended, a firearms instructor's
3 CLEET approval shall be for a term of five (5) years. Beginning on
4 July 1, 2003, any firearms instructor who has been issued a four-
5 year CLEET approval shall not be eligible for the five-year approval
6 until the expiration of the approval previously issued. CLEET shall
7 be responsible for notifying all approved firearms instructors of
8 statutory and policy changes related to the Oklahoma Self-Defense
9 Act. A firearms instructor shall not be required to submit his or
10 her fingerprints for a fingerprint search when renewing a firearms
11 instructor's CLEET approval.

12 C. 1. All firearms instructors approved by CLEET to train and
13 qualify individuals for a handgun license shall be required to apply
14 for registration with the Oklahoma State Bureau of Investigation
15 after receiving CLEET approval. All firearms instructors teaching
16 the approved course for a handgun license must display their
17 registration certificate during each training and qualification
18 course. Each approved firearms instructor shall complete a
19 registration form provided by the Bureau and shall ~~have the option~~
20 ~~to~~ pay a registration fee of ~~either~~ One Hundred Dollars (\$100.00)
21 for a five-year registration certificate ~~or Two Hundred Dollars~~
22 ~~(\$200.00) for a ten-year registration certificate~~ to the Bureau at
23 the time of each application for registration, except as provided in
24 paragraph 2 of this subsection. Registration certificates issued by

1 the Bureau shall be valid for a period of five (5) years ~~or ten (10)~~
2 ~~years~~ from the date of issuance. The Bureau shall issue a five-year
3 ~~or ten-year~~ handgun license to an approved firearms instructor at
4 the time of issuance of a registration certificate and no additional
5 fee shall be required or charged. The Bureau shall maintain a
6 current listing of all registered firearms instructors in this
7 state. Nothing in this paragraph shall be construed to eliminate
8 the requirement for registration and training with CLEET as provided
9 in subsection B of this section. Failure to register or be trained
10 as required shall result in a revocation or suspension of the
11 instructor certificate by the Bureau.

12 2. On or after July 1, 2003, the registered instructors listed
13 in subparagraphs a and b of this paragraph shall not be required to
14 renew the firearms instructor registration certificate with the
15 Oklahoma State Bureau of Investigation at the expiration of the
16 registration term, provided the instructor is not subject to any
17 suspension or revocation of the firearms instructor certificate.
18 The firearms instructor registration with the Oklahoma State Bureau
19 of Investigation shall automatically renew together with the handgun
20 license authorized in paragraph 1 of this subsection for an
21 additional five-year term and no additional cost or fee may be
22 charged for the following individuals:

23 a. an active duty law enforcement officer of this state
24 or any of its political subdivisions or of the federal

1 government who has a valid CLEET approval as a
2 firearms instructor pursuant to the Oklahoma Self-
3 Defense Act, and

4 b. a retired law enforcement officer authorized to carry
5 a firearm pursuant to Section 1289.8 of this title who
6 has a valid CLEET approval as a firearms instructor
7 pursuant to the Oklahoma Self-Defense Act.

8 D. The Oklahoma State Bureau of Investigation shall approve
9 registration for a firearms instructor applicant who is in full
10 compliance with CLEET rules regarding firearms instructors and the
11 provisions of subsection B of this section, if completion of the
12 federal fingerprint search is the only reason for delay of
13 registration of that firearms instructor applicant. Upon receipt of
14 the federal fingerprint search information, if the Bureau receives
15 information which precludes the person from having a handgun
16 license, the Bureau shall revoke both the registration and the
17 handgun license previously issued to the firearms instructor.

18 E. The required firearms safety and training course and the
19 actual demonstration of competency and qualification required of the
20 applicant shall be designed and conducted in such a manner that the
21 course can be reasonably completed by the applicant within an eight-
22 hour period. CLEET shall establish the course content and
23 promulgate rules, procedures and forms necessary to implement the
24 provisions of this subsection. For the training and qualification

1 course, an applicant may be charged a fee which shall be determined
2 by the instructor or entity that is conducting the course. The
3 maximum class size shall be determined by the instructor conducting
4 the course; provided, however, practice shooting sessions shall not
5 have more than ten participating students at one time. CLEET may
6 establish criteria for assistant instructors and any other
7 requirements deemed necessary to conduct a safe and effective
8 training and qualification course. The course content shall include
9 a safety inspection of the firearm to be used by the applicant in
10 the training course; instruction on pistol handling, safety and
11 storage; dynamics of ammunition and firing; methods or positions for
12 firing a pistol; information about the criminal provisions of the
13 Oklahoma law relating to firearms; the requirements of the Oklahoma
14 Self-Defense Act as it relates to the applicant; self-defense and
15 the use of appropriate force; a practice shooting session; and a
16 familiarization course. The firearms instructor shall refuse to
17 train or qualify any person when the pistol to be used or carried by
18 the person is either deemed unsafe or unfit for firing or is a
19 weapon not authorized by the Oklahoma Self-Defense Act. The course
20 shall provide an opportunity for the applicant to qualify himself or
21 herself on either a derringer, a revolver, a semiautomatic pistol or
22 any combination of a derringer, a revolver and a semiautomatic
23 pistol, provided no pistol shall be capable of firing larger than
24 .45 caliber ammunition. Any applicant who successfully trains and

1 | qualifies himself or herself with a semiautomatic pistol may be
2 | approved by the firearms instructor on the training certificate for
3 | a semiautomatic pistol, a revolver and a derringer upon request of
4 | the applicant. Any person who qualifies on a derringer or revolver
5 | shall not be eligible for a semiautomatic rating until the person
6 | has demonstrated competence and qualifications on a semiautomatic
7 | pistol. Upon successful completion of the training and
8 | qualification course, a certificate of training and a certificate of
9 | competency and qualification shall be issued to each applicant who
10 | successfully completes the course. The certificate of training and
11 | certificate of competency and qualification shall comply with the
12 | forms established by CLEET and shall be submitted with an
13 | application for a handgun license pursuant to the provisions of
14 | paragraph 2 of subsection A of Section 1290.12 of this title. The
15 | certificate of training and certificate of competency and
16 | qualification issued to an applicant shall be valid for a period of
17 | three (3) years.

18 | F. There is hereby created a revolving fund for the Council on
19 | Law Enforcement Education and Training (CLEET), to be designated the
20 | "Firearms Instructors Revolving Fund". The fund shall be a
21 | continuing fund, not subject to fiscal year limitations, and shall
22 | consist of all funds received for approval of firearms instructors
23 | for purposes of the Oklahoma Self-Defense Act. All funds received
24 | shall be deposited to the fund. All monies accruing to the credit

1 of ~~said~~ the fund are hereby appropriated and may be budgeted and
2 expended by the Council on Law Enforcement Education and Training,
3 for implementation of the training and qualification course
4 contents, approval of firearms instructors and any other CLEET
5 requirement pursuant to the provisions of the Oklahoma Self-Defense
6 Act or as may otherwise be deemed appropriate by CLEET.
7 Expenditures from ~~said~~ the fund shall be made upon warrants issued
8 by the State Treasurer against claims filed as prescribed by law
9 with the Director of the Office of Management and Enterprise
10 Services for approval and payment.

11 G. Firearms instructors shall keep on file for a period of not
12 less than three (3) years a roster of each training class, the
13 safety test score of each individual, the caliber and type of weapon
14 each individual used when qualifying and whether or not each
15 individual successfully completed the training course. Firearms
16 instructors shall be authorized to destroy all training documents
17 and records upon expiration of the three-year time period.

18 SECTION 4. This act shall become effective November 1, 2017.
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20 56-1-114 BH 1/2/2017 4:10:05 PM
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