

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB4120 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: David Hardin

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 4120

By: Hardin

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to firearms; amending 21 O.S. 2021,
10 Section 1289.8, which relates to the Oklahoma
11 Firearms Act of 1971; modifying procedures for
12 renewing identification cards; providing for
13 automatic renewal; deleting nonrefundable fee
14 requirement; and providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1289.8, is
17 amended to read as follows:

18 Section 1289.8.

19 CARRYING WEAPON

20 A. Any fire marshal inspector who is retired, state, county or
21 municipal peace officer of this state who is retired, or any state,
22 county or municipal peace officer classified as a reserve who is
23 retired, or any federal law enforcement officer who is retired may
24 retain their status as a peace officer, retired, in the State of

1 Oklahoma, and as such may carry a firearm pursuant to the provisions
2 of subsection B of this section. A retired state, county or
3 municipal peace officer may in times of great emergency or danger
4 serve to enforce the law, keep the peace or to protect the public in
5 keeping with their availability and ability at the request of the
6 Governor, the sheriff or the mayor of their retirement jurisdiction.
7 If a retired fire marshal is activated for duty, the peace officer
8 powers of the retired fire marshal are limited to the duties granted
9 prior to retirement.

10 B. The Council on Law Enforcement Education and Training
11 (CLEET) shall issue an identification card to eligible retired
12 federal, state, county, and municipal peace officers which
13 authorizes the retired peace officer to carry a firearm throughout
14 the State of Oklahoma. The identification card shall bear the full
15 name of the retired officer, the signature of the retired officer,
16 the date of issuance, and such other information as may be deemed
17 appropriate by CLEET. The identification card shall ~~expire every~~ be
18 valid for a period of ten (10) years and may be denied, suspended or
19 revoked as provided by the rules promulgated by CLEET or upon the
20 discovery of any preclusion prescribed in Section 1290.10 or 1290.11
21 of this title. ~~In order to renew~~ Prior to expiration of the permit
22 identification card, the Council on Law Enforcement Education and
23 Training shall request, pursuant to Section 150.9 of Title 74 of the
24 Oklahoma Statutes, the Oklahoma State Bureau of Investigation to

1 conduct a state and national criminal history records search on each
2 retired peace officer authorized to carry a firearm pursuant to the
3 provisions of this section; and unless a preclusion prescribed in
4 Section 1290.10 or 1290.11 of this title is found to exist, no
5 action shall be necessary and the identification card shall
6 automatically renew for an additional ten (10) years. ~~A retired~~
7 ~~peace officer requesting a renewal of his or her permit shall submit~~
8 ~~to the Council a nonrefundable fee for a national criminal history~~
9 ~~record with fingerprint analysis, as provided in Section 150.9 of~~
10 ~~Title 74 of the Oklahoma Statutes.~~ When a preclusion is discovered,
11 the Council shall notify the retired peace officer and shall hold a
12 hearing before taking any action to suspend or revoke the authority
13 to carry a firearm.

14 C. The retired peace officer shall be required to submit the
15 following information to the Council on Law Enforcement Education
16 and Training (CLEET) and any other information requested by CLEET:

17 1. A statement from the appropriate law enforcement agency
18 verifying the status of the person as a retired peace officer of
19 that jurisdiction; and

20 2. A notarized statement, signed by the retired peace officer,
21 stating that the officer:

22 a. has not been convicted of and is currently not subject
23 to any pending criminal prosecution for any preclusion
24

1 prescribed in Section 1290.10 or 1290.11 of this
2 title,

3 b. has not been forced into retirement due to any mental
4 disorder, and

5 c. has not suffered any injury or any physical or mental
6 impairment which would render the person unsafe to
7 carry a firearm.

8 D. A retired peace officer, who has made application for the
9 CLEET identification card authorized in subsection B of this
10 section, shall be authorized to carry a firearm as an off-duty peace
11 officer, pursuant to Section 1289.23 of this title, until the
12 authority to carry a firearm as a retired officer is finally
13 approved or denied by CLEET.

14 E. The Council on Law Enforcement Education and Training shall
15 promulgate rules and procedures necessary to implement the
16 provisions of this section.

17 F. Any peace officer, retired, who carries any firearm in
18 violation of the provisions of this section shall be deemed to be in
19 violation of Section 1272 of this title and may be prosecuted as
20 provided by law for a violation of that section.

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