

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 186

By: Bullard, Hamilton,
Stephens, Bergstrom,
Matthews, Merrick, and Jett
of the Senate

6 and

7
8 Roberts (Sean), McDugle,
and Russ of the House

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11 COMMITTEE SUBSTITUTE

12 An Act relating to firearms; amending 21 O.S. 2021,
13 Section 1283, which relates to convicted felons and
14 delinquents; modifying allowable carry; prohibiting
15 certain carry for persons serving probation;
16 modifying definition; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1283, is
20 amended to read as follows:

Section 1283.

21 CONVICTED FELONS AND DELINQUENTS

22 A. Except as provided in subsection B of this section, it shall
23 be unlawful for any person convicted of any felony in any court of
24 this state or of another state or of the United States to have in

1 his or her possession or under his or her immediate control, or in
2 any vehicle which the person is operating, ~~or in which the person is~~
3 ~~riding as a passenger,~~ or at the residence where the convicted
4 person resides, any pistol, imitation or homemade pistol, altered
5 air or toy pistol, machine gun, sawed-off shotgun or sawed-off
6 rifle, or any other ~~dangerous or deadly~~ firearm.

7 B. Any person who has previously been convicted of a nonviolent
8 felony in any court of this state or of another state or of the
9 United States, and who has received a full and complete pardon from
10 the proper authority and has not been convicted of any other felony
11 offense which has not been pardoned, shall have restored the right
12 to possess any firearm or other weapon prohibited by subsection A of
13 this section, the right to apply for and carry a handgun, concealed
14 or unconcealed, pursuant to the provisions of the Oklahoma Self-
15 Defense Act or as otherwise permitted by law, and have the right to
16 perform the duties of a peace officer, gunsmith, and for firearms
17 repair.

18 C. It shall be unlawful for any person serving a term of
19 probation for any felony in any court of this state or of another
20 state or of the United States or under the jurisdiction of any
21 alternative court program to have in his or her possession or under
22 his or her immediate control, or at his or her residence, or in any
23 passenger vehicle which the person is operating ~~or is riding as a~~
24 ~~passenger,~~ any pistol, shotgun or rifle, including any imitation or

1 homemade pistol, altered air or toy pistol, toy shotgun or toy
2 rifle, while such person is subject to supervision, probation,
3 parole or inmate status.

4 D. It shall be unlawful for any person previously adjudicated
5 as a delinquent child or a youthful offender for the commission of
6 an offense, which would have constituted a felony offense if
7 committed by an adult, to have in the possession of the person or
8 under the immediate control of the person, or have in any vehicle
9 which he or she is driving ~~or in which the person is riding as a~~
10 ~~passenger~~, or at the residence of the person, any pistol, imitation
11 or homemade pistol, altered air or toy pistol, machine gun, sawed-
12 off shotgun or sawed-off rifle, or any other dangerous or deadly
13 firearm within ten (10) years after such adjudication; provided,
14 that nothing in this subsection shall be construed to prohibit the
15 placement of the person in a home with a full-time duly appointed
16 peace officer who is certified by the Council on Law Enforcement
17 Education and Training (CLEET) pursuant to the provisions of Section
18 3311 of Title 70 of the Oklahoma Statutes.

19 E. It shall be unlawful for any person who is an alien
20 illegally or unlawfully in the United States to have in the
21 possession of the person or under the immediate control of the
22 person, or in any vehicle the person is operating, or at the
23 residence where the person resides, any pistol, imitation or
24 homemade pistol, altered air or toy pistol, shotgun, rifle or any

1 other dangerous or deadly firearm; provided, that nothing in this
2 subsection applies to prohibit the transport or detention of the
3 person by law enforcement officers or federal immigration
4 authorities. Any person who violates the provisions of this
5 subsection shall, upon conviction, be guilty of a misdemeanor
6 punishable by a fine of Two Hundred Fifty Dollars (\$250.00).

7 F. Any person having been issued a handgun license pursuant to
8 the provisions of the Oklahoma Self-Defense Act and who ~~thereafter~~
9 knowingly or intentionally allows a convicted felon or adjudicated
10 delinquent or a youthful offender as prohibited by the provisions of
11 subsection A, C, or D of this section to possess or have control of
12 any ~~pistol~~ firearm authorized by the Oklahoma Self-Defense Act
13 shall, upon conviction, be guilty of a felony punishable by a fine
14 not to exceed Five Thousand Dollars (\$5,000.00). In addition, the
15 person shall have the handgun license revoked by the Oklahoma State
16 Bureau of Investigation after a hearing and determination that the
17 person has violated the provisions of this section.

18 G. Any convicted or adjudicated person violating the provisions
19 of this section shall, upon conviction, be guilty of a felony
20 punishable as provided in Section 1284 of this title.

21 H. For purposes of this section, "sawed-off shotgun" or "sawed-
22 off rifle" shall mean any shotgun or rifle which the barrel or
23 barrels ~~has~~ have been illegally shortened ~~to any~~ in length.

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1 I. For purposes of this section, "altered toy pistol" shall
2 mean any toy weapon which has been altered from its original
3 manufactured state to resemble a real weapon.

4 J. For purposes of this section, "altered air pistol" shall
5 mean any air pistol manufactured to propel projectiles by air
6 pressure which has been altered from its original manufactured
7 state.

8 K. For purposes of this section, "alternative court program"
9 shall mean any drug court, Anna McBride or mental health court, DUI
10 court or veterans court.

11 SECTION 2. This act shall become effective November 1, 2022.

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13 58-2-11344 GRS 04/12/22

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