

# An Act

ENROLLED SENATE  
BILL NO. 672

By: Murdock, Bullard and  
Bergstrom of the Senate

and

Patzkowsky, McDugle, Gann  
and Roberts (Sean) of the  
House

An Act relating to the transportation of firearms; amending 21 O.S. 2011, Section 1272, as last amended by Section 1, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1272), which relates to unlawful carry; allowing certain transport; amending 21 O.S. 2011, Section 1289.7, as last amended by Section 5, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.7), which relates to firearms in vehicles; clarifying language; removing certain license allowances; amending 21 O.S. 2011, Section 1289.13A, as last amended by Section 7, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.13A), which relates to improper transportation of firearms; clarifying language; repealing 21 O.S. 2011, Section 1289.13, as last amended by Section 6, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.13), which relates to transporting a loaded firearm; and providing an effective date.

SUBJECT: Stating provisions for the transport of firearms by certain individuals

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1272, as last amended by Section 1, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1272), is amended to read as follows:

Section 1272.

#### UNLAWFUL CARRY

A. Notwithstanding any other provision of law, it shall be unlawful for any person to carry upon or about his or her person, or in a purse or other container belonging to the person, any pistol, revolver, shotgun or rifle whether loaded or unloaded or any blackjack, loaded cane, hand chain, metal knuckles, or any other offensive weapon, whether such weapon be concealed or unconcealed, except this section shall not prohibit:

1. The proper use of guns and knives for self-defense, hunting, fishing, educational or recreational purposes;

2. The carrying or use of weapons in a manner otherwise permitted by statute or authorized by the Oklahoma Self-Defense Act;

3. The carrying, possession and use of any weapon by a peace officer or other person authorized by law to carry a weapon in the performance of official duties and in compliance with the rules of the employing agency;

4. The carrying or use of weapons in a courthouse by a district judge, associate district judge or special district judge within this state, who is in possession of a valid handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act and whose name appears on a list maintained by the Administrative Director of the Courts;

5. The carrying and use of firearms and other weapons provided in this subsection when used for the purpose of living history reenactment. For purposes of this paragraph, "living history reenactment" means depiction of historical characters, scenes, historical life or events for entertainment, education, or historical documentation through the wearing or use of period, historical, antique or vintage clothing, accessories, firearms, weapons, and other implements of the historical period; or

6. The transporting by vehicle on a public roadway or the carrying of a firearm, concealed or unconcealed, loaded or unloaded, by a person who is twenty-one (21) years of age or older or by a person who is eighteen (18) years of age but not yet twenty-one (21) years of age and the person is a member or veteran of the United States Armed Forces, Reserves or National Guard or was discharged under honorable conditions from the United States Armed Forces, Reserves or National Guard, and the person is otherwise not disqualified from the possession or purchase of a firearm under state or federal law and is not carrying the firearm in furtherance of a crime.

Except as provided in subsection B of Section 1283 of this title, a person who has been convicted of any one of the following offenses in this state or a violation of the equivalent law of another state:

- a. assault and battery pursuant to the provisions of Section 644 of this title which caused serious physical injury to the victim,
- b. aggravated assault and battery pursuant to the provisions of Section 646 of this title,
- c. assault and battery that qualifies as domestic abuse as defined in Section 644 of this title,
- d. stalking pursuant to the provisions of Section 1173 of this title,
- e. a violation of an order issued under the Protection from Domestic Abuse Act or a domestic abuse protection order issued by another state, or
- f. a violation relating to illegal drug use or possession under the provisions of the Uniform Controlled Dangerous Substances Act,

shall be prohibited from carrying a firearm under the provisions of this paragraph. Any person who carries a firearm in the manner provided for in this paragraph shall be prohibited from carrying the

firearm into any of the places prohibited in subsection A of Section 1277 of this title or any other place currently prohibited by law. Nothing in this section shall modify or otherwise change where a person may legally carry a firearm.

B. Any person convicted of violating the foregoing provision shall be guilty of a misdemeanor punishable as provided in Section 1276 of this title.

SECTION 2. AMENDATORY 21 O.S. 2011, Section 1289.7, as last amended by Section 5, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.7), is amended to read as follows:

Section 1289.7.

#### FIREARMS IN VEHICLES

A. Any person who is not otherwise prohibited by law from possessing or purchasing a firearm and is not carrying or transporting a firearm in the furtherance of a crime may transport in or on a ~~motor~~ vehicle a pistol or handgun firearm, loaded or unloaded, at any time.

B. Any person, eighteen (18) to twenty (20) years of age, who is not otherwise prohibited by law from possessing or purchasing a firearm and is not carrying or transporting a firearm in the furtherance of a crime may transport in or on a ~~motor~~ vehicle a rifle or shotgun, open or concealed, ~~provided the rifle or shotgun is transported pursuant to the requirements of Section 1289.13 of this title~~ an unloaded firearm at any time.

~~C. Any person who is the operator of a motor vehicle or is a passenger in any motor vehicle wherein another person who is licensed pursuant to the Oklahoma Self-Defense Act or is otherwise permitted by law to carry a handgun, concealed or unconcealed, and is carrying a handgun or has the handgun in such vehicle, shall not be deemed in violation of the provisions of this section provided the licensee or person permitted by law is in or near the motor vehicle.~~

~~D.~~ It shall be unlawful for any person transporting a firearm in or on a ~~motor~~ vehicle to fail or refuse to identify that the

person is in actual possession of a firearm when ~~asked to do so demanded~~ by a law enforcement officer of this state during any arrest, detainment or routine traffic stop. Any person who violates the provisions of this subsection may be issued a citation for an amount not to exceed One Hundred Dollars (\$100.00).

SECTION 3. AMENDATORY 21 O.S. 2011, Section 1289.13A, as last amended by Section 7, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.13A), is amended to read as follows:

Section 1289.13A.

#### IMPROPER TRANSPORTATION OF FIREARMS

A. ~~Notwithstanding the provisions of Section 1272 or 1289.7 of this title, any~~ Any person stopped pursuant to a moving traffic violation who is transporting a ~~loaded pistol~~ firearm ~~in or on the motor vehicle without a valid handgun license~~ as authorized by the Oklahoma Self-Defense Act or using a valid license from another state, ~~or~~ and is in violation of any law related to the carrying or transporting of firearms, ~~whether the loaded firearm is concealed or unconcealed~~ in the vehicle, may be issued a traffic citation in the amount of Seventy Dollars (\$70.00), plus court costs for transporting a firearm improperly. In addition to the traffic citation provided in this section, the person may also be arrested for any other violation of law.

B. Any firearm lawfully carried or transported as permitted pursuant to state law shall not be confiscated, unless:

1. The person is arrested for violating another provision of law other than a violation of subsection A of this section; provided, however, if the person is never charged with an offense pursuant to this paragraph or if the charges are dismissed or the person is acquitted, the weapon and ammunition shall be returned to the person; or

2. The officer has probable cause to believe the weapon is:
- a. contraband, or

b. a firearm used in the commission of a crime other than a violation of subsection A of this section.

C. Nothing in this section shall be construed to require confiscation of any firearm.

SECTION 4. REPEALER 21 O.S. 2011, Section 1289.13, as last amended by Section 6, Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1289.13), is hereby repealed.

SECTION 5. This act shall become effective November 1, 2021.

Passed the Senate the 9th day of March, 2021.

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Presiding Officer of the Senate

Passed the House of Representatives the 21st day of April, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_