

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1380

By: Gann

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5
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2021,
8 Sections 1290.14 and 1290.15, which relate to the
9 Oklahoma Self-Defense Act; clarifying training
10 requirements when qualifying for a handgun license;
11 removing eligibility restriction for firearm
12 instructors; deleting obsolete language; directing
13 firearms instructors to approve applicants under
14 certain circumstances; removing eligibility
15 restriction for semiautomatic rating; deleting
16 specific qualifications for honorably discharged
17 military personnel who may be exempt from training
18 courses; deleting certain restriction that delays the
19 issuance of a handgun license; and providing an
20 effective date.

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

22 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1290.14, is
23 amended to read as follows:

24 Section 1290.14

SAFETY AND TRAINING COURSE

A. Each applicant for a license to carry a concealed or
unconcealed handgun pursuant to the Oklahoma Self-Defense Act must
successfully complete a firearms safety and training course in this
state conducted by a registered and approved firearms instructor as

1 provided by the provisions of this section or from an interactive
2 online firearms safety and training course available electronically
3 via the Internet approved and certified by the Council on Law
4 Enforcement Education and Training. The applicant must further
5 demonstrate competence and qualification with an authorized pistol
6 ~~of the type or types that the applicant desires to carry as a~~
7 concealed or unconcealed handgun pursuant to the provisions of the
8 Oklahoma Self-Defense Act, except certain persons may be exempt from
9 such training requirement as provided by the provisions of Section
10 1290.15 of this title.

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

20 1. Firearms instructor training conducted by one of the
21 following entities:

- 22 a. Council on Law Enforcement Education and Training,
- 23 b. National Rifle Association,
- 24 c. Oklahoma Rifle Association,

1 d. federal law enforcement agencies, or

2 e. other professionally recognized organizations;

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

4 3. Upon completion of the course, the applicant shall be
5 qualified to provide instruction on ~~revolvers, semiautomatic~~
6 ~~pistols, or both~~; and

7 4. Receive a course completion certificate.

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

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

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

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

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

24

1 a. an active duty law enforcement officer of this state
2 or any of its political subdivisions or of the federal
3 government who has a valid CLEET approval as a
4 firearms instructor pursuant to the Oklahoma Self-
5 Defense Act, and

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

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

20 E. The required firearms safety and training course and the
21 actual demonstration of competency and qualification required of the
22 applicant shall be designed and conducted in such a manner that the
23 course can be reasonably completed by the applicant within an eight-
24 hour period. CLEET shall establish the course content and

1 promulgate rules, procedures and forms necessary to implement the
2 provisions of this subsection. For the training and qualification
3 course, an applicant may be charged a fee which shall be determined
4 by the instructor or entity that is conducting the course. The
5 maximum class size shall be determined by the instructor conducting
6 the course; provided, however, practice shooting sessions shall not
7 have more than ten participating students at one time. CLEET may
8 establish criteria for assistant instructors and any other
9 requirements deemed necessary to conduct a safe and effective
10 training and qualification course. The course content shall include
11 a safety inspection of the firearm to be used by the applicant in
12 the training course; instruction on pistol handling, safety and
13 storage; dynamics of ammunition and firing; methods or positions for
14 firing a pistol; information about the criminal provisions of the
15 Oklahoma law relating to firearms; the requirements of the Oklahoma
16 Self-Defense Act as it relates to the applicant; self-defense and
17 the use of appropriate force; a practice shooting session; and a
18 familiarization course. The firearms instructor shall refuse to
19 train or qualify any person when the pistol to be used or carried by
20 the person is either deemed unsafe or unfit for firing or is a
21 weapon not authorized by the Oklahoma Self-Defense Act. The course
22 shall provide an opportunity for the applicant to qualify himself or
23 herself ~~on either a derringer, a revolver,~~ with a semiautomatic
24 ~~pistol or any combination of a derringer, a revolver and a~~

1 ~~semiautomatic pistol,~~ provided, no pistol shall be capable of
2 firing larger than .45 caliber ammunition. Any applicant who
3 successfully trains and qualifies himself or herself with a
4 ~~semiautomatic pistol may~~ shall be approved by the firearms
5 instructor on the training certificate ~~for a semiautomatic pistol, a~~
6 ~~revolver and a derringer upon request of the applicant. Any person~~
7 ~~who qualifies on a derringer or revolver shall not be eligible for a~~
8 ~~semiautomatic rating until the person has demonstrated competence~~
9 ~~and qualifications on a semiautomatic pistol.~~ Upon successful
10 completion of the training and qualification course, a certificate
11 of training and a certificate of competency and qualification shall
12 be issued to each applicant who successfully completes the course.
13 The certificate of training and certificate of competency and
14 qualification shall comply with the forms established by CLEET and
15 shall be submitted with an application for a handgun license
16 pursuant to the provisions of paragraph 2 of subsection A of Section
17 1290.12 of this title. The certificate of training and certificate
18 of competency and qualification issued to an applicant shall be
19 valid for a period of three (3) years.

20 F. There is hereby created a revolving fund for the Council on
21 Law Enforcement Education and Training (CLEET), to be designated the
22 "Firearms Instructors Revolving Fund". The fund shall be a
23 continuing fund, not subject to fiscal year limitations, and shall
24 consist of all funds received for approval of firearms instructors

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

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

20 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1290.15, is
21 amended to read as follows:

22 Section 1290.15

23 PERSONS EXEMPT FROM TRAINING COURSE

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1 A. The following individuals may be exempt from all or part of
2 the required training and qualification course established pursuant
3 to the provisions of Section 1290.14 of this title:

4 1. A firearms instructor registered with the Oklahoma State
5 Bureau of Investigation for purposes of the Oklahoma Self-Defense
6 Act;

7 2. An active duty or reserve duty law enforcement officer of
8 this state or any of its political subdivisions or of the federal
9 government;

10 3. A retired law enforcement officer authorized by this state
11 pursuant to Section 1289.8 of this title to carry a firearm;

12 4. A Council on Law Enforcement Education and Training (CLEET)
13 certified armed security officer, armed guard, correctional officer,
14 or any other person having a CLEET certification to carry a firearm
15 in the course of their employment;

16 5. A person on active military duty, National Guard duty or
17 regular military reserve duty who is a legal resident of this state
18 and who is trained and qualified in the use of handguns;

19 6. A person honorably discharged from active military duty,
20 National Guard duty or military reserves ~~within twenty (20) years~~
21 ~~preceding the date of the application for a handgun license pursuant~~
22 ~~to the provisions of the Oklahoma Self-Defense Act,~~ who is a legal
23 resident of this state, ~~and who has been trained and qualified in~~
24 ~~the use of handguns;~~

1 7. A person retired as a peace officer in good standing from a
2 law enforcement agency located in another state, who is a legal
3 resident of this state, and who has received training equivalent to
4 the training required for CLEET certification in this state; and

5 8. Any person who is otherwise deemed qualified for a training
6 exemption by CLEET.

7 B. ~~No person who is determined to be exempt from training or~~
8 ~~qualification may carry a concealed or unconcealed firearm pursuant~~
9 ~~to the authority of the Oklahoma Self-Defense Act until issued a~~
10 ~~valid handgun license or possesses a valid military identification~~
11 ~~card as provided for qualified persons in Section 1290.8 of this~~
12 ~~title.~~

13 ~~C.~~ Nothing contained in any provision of the Oklahoma Self-
14 Defense Act shall be construed to alter, amend, or modify the
15 authority of any active duty law enforcement officer, or any person
16 certified by the Council on Law Enforcement Education and Training
17 to carry a pistol during the course of their employment, to carry
18 any pistol in any manner authorized by law or authorized by the
19 employing agency.

20 SECTION 3. This act shall become effective November 1, 2023.

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22 59-1-6256 GRS 12/19/22
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