

1 ENGROSSED SENATE  
2 BILL NO. 36

By: Bergstrom, David, Brecheen  
and Simpson of the Senate

3 and

4 Cleveland, Calvey and Coody  
5 of the House

6  
7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1289.3, which relates to definitions for  
9 Firearms Act; modifying certain definitions; amending  
10 21 O.S. 2011, Section 1290.2, as last amended by  
11 Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.  
12 2016, Section 1290.2), which relates to definitions;  
13 modifying certain definitions; and providing an  
14 effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.3, is  
17 amended to read as follows:

18 Section 1289.3.

19 DEFINITIONS FOR FIREARMS ACT

20 "Pistols" or "handguns" as used in the Oklahoma Firearms Act of  
21 1971, ~~Sections 1289.1 through 1289.17 of this title,~~ shall mean any  
22 firearm capable of discharging a ~~projectile~~ single or multiple  
23 projectiles from a single round of ammunition composed of any  
24 material which may reasonably be expected to be able to cause lethal  
injury, with a barrel or barrels less than sixteen (16) inches in  
length, and using ~~either gunpowder, gas or any means of rocket~~

1 ~~propulsion~~ a combustible propellant charge, but not to include flare  
2 guns, underwater fishing guns or blank pistols.

3 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.2, as  
4 last amended by Section 2, Chapter 366, O.S.L. 2013 (21 O.S. Supp.  
5 2016, Section 1290.2), is amended to read as follows:

6 Section 1290.2.

7 DEFINITIONS

8 A. As used in the Oklahoma Self-Defense Act:

9 1. "Concealed handgun" means a loaded or unloaded pistol, ~~the~~  
10 ~~presence of which is~~ or handgun not openly ~~discernible~~ visible to  
11 the ordinary observation of a reasonable person;

12 2. "Unconcealed handgun" or "open carry" means a loaded or  
13 unloaded pistol or handgun carried upon the person in a ~~belt holster~~  
14 ~~or shoulder holster that is wholly or partially~~ where the firearm is  
15 visible, or carried upon the person ~~in~~ using a scabbard, sling or  
16 case designed for carrying firearms ~~that is wholly or partially~~  
17 ~~visible~~; and

18 3. "Pistol" or "handgun" means any derringer, revolver or  
19 semiautomatic firearm which:

20 a. has an overall barrel or barrels length of less than  
21 sixteen (16) inches,

22 b. is capable of discharging ~~a projectile~~ single or  
23 multiple projectiles from a single round of ammunition

24

1 composed of any material which may reasonably be  
2 expected to be able to cause lethal injury,

3 c. ~~is designed to~~ can be held and fired by the use of a  
4 ~~single hand~~ one or both hands, and

5 d. uses ~~either gunpowder, gas or any means of rocket~~  
6 ~~propulsion~~ a combustible propellant charge to  
7 ~~discharge~~ propel the projectile or projectiles.

8 B. The definition of pistol or handgun for purposes of the  
9 Oklahoma Self-Defense Act shall not apply to ~~homemade or~~ imitation  
10 pistols, flare guns, underwater fishing guns or blank pistols.

11 SECTION 3. This act shall become effective November 1, 2017.

12 Passed the Senate the 8th day of March, 2017.

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14 \_\_\_\_\_  
15 Presiding Officer of the Senate

16 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
17 2017.

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19 \_\_\_\_\_  
20 Presiding Officer of the House  
21 of Representatives  
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