

# An Act

ENROLLED SENATE  
BILL NO. 36

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

and

Cleveland, Calvey and Coody  
of the House

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

SUBJECT: Firearms

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

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

Section 1289.3.

## DEFINITIONS FOR FIREARMS ACT

"Pistols" or "handguns" as used in the Oklahoma Firearms Act of 1971, ~~Sections 1289.1 through 1289.17 of this title,~~ shall mean any firearm capable of discharging a projectile single or multiple projectiles from a single round of ammunition composed of any 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 propulsion~~ a combustible propellant charge, but not to include flare guns, underwater fishing guns or blank pistols.

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

Section 1290.2.

#### DEFINITIONS

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

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

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

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

- a. has an overall barrel or barrels length of less than sixteen (16) inches,
- b. is capable of discharging ~~a projectile~~ single or multiple projectiles from a single round of ammunition composed of any material which may reasonably be expected to be able to cause lethal injury,
- c. ~~is designed to~~ can be held and fired by the use of a ~~single hand~~ one or both hands, and
- d. uses ~~either gunpowder, gas or any means of rocket propulsion~~ a combustible propellant charge to ~~discharge~~ propel the projectile or projectiles.

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

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

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

\_\_\_\_\_  
Presiding Officer of the Senate

Passed the House of Representatives the 3rd day of April, 2017.

\_\_\_\_\_  
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: \_\_\_\_\_