





1 certificate of successful completion of a firearms safety and  
2 training course and an original certificate of successful  
3 demonstration of competency and qualification to carry and handle a  
4 pistol shall be submitted with the application for a handgun  
5 license. No duplicate, copy, facsimile or other reproduction of the  
6 certificate of training, certificate of competency and qualification  
7 or exemption from training shall be acceptable as proof of training  
8 as required by the provisions of the Oklahoma Self-Defense Act. A  
9 person exempt from the training requirements as provided in Section  
10 1290.15 of this title must show the required proof of such exemption  
11 to the firearms instructor to receive an exemption certificate. The  
12 original exemption certificate must be submitted with the  
13 application for a handgun license when the person claims an  
14 exemption from training and qualification;

15 3. The application form shall be completed and delivered by the  
16 applicant, in person, to the sheriff of the county wherein the  
17 applicant resides;

18 4. The person shall deliver to the sheriff at the time of  
19 delivery of the completed application form a fee of One Hundred  
20 Dollars (\$100.00) for processing the application through the  
21 Oklahoma State Bureau of Investigation and processing the required  
22 fingerprints through the Federal Bureau of Investigation. The  
23 processing fee shall be in the form of:

24

- 1 a. a money order or a cashier's check made payable to the  
2 Oklahoma State Bureau of Investigation,
- 3 b. by a nationally recognized credit card issued to the  
4 applicant. For purposes of this paragraph,  
5 "nationally recognized credit card" means any  
6 instrument or device, whether known as a credit card,  
7 credit plate, charge plate, or by any other name,  
8 issued with or without fee by the issuer for the use  
9 of the cardholder in obtaining goods, services, or  
10 anything else of value on credit which is accepted by  
11 over one thousand merchants in the state. The  
12 Oklahoma State Bureau of Investigation shall determine  
13 which nationally recognized credit cards will be  
14 accepted by the Bureau, or
- 15 c. by electronic funds transfer.

16 The processing fee shall not be refundable in the event of a  
17 denial of a handgun license or any suspension or revocation  
18 subsequent to the issuance of a license. Persons making application  
19 for a firearms instructor shall not be required to pay the  
20 application fee as provided in this section, but shall be required  
21 to pay the costs provided in paragraphs 6 and 8 of this subsection;

22 5. The completed application form shall be signed by the  
23 applicant in person before the sheriff. The signature shall be  
24 given voluntarily upon a sworn oath that the person knows the

1 contents of the application and that the information contained in  
2 the application is true and correct. Any person making any false or  
3 misleading statement on an application for a handgun license shall,  
4 upon conviction, be guilty of perjury as defined by Section 491 of  
5 this title. Any conviction shall be punished as provided in Section  
6 500 of this title. In addition to a criminal conviction, the person  
7 shall be denied the right to have a handgun license pursuant to the  
8 provisions of Section 1290.10 of this title and the Oklahoma State  
9 Bureau of Investigation shall revoke the handgun license, if issued;

10 6. Two passport size photographs of the applicant shall be  
11 submitted with the completed application. The cost of the  
12 photographs shall be the responsibility of the applicant. The  
13 sheriff is authorized to take the photograph of the applicant for  
14 purposes of the Oklahoma Self-Defense Act and, if such photographs  
15 are taken by the sheriff the cost of the photographs shall not  
16 exceed Ten Dollars (\$10.00) for the two photos. All money received  
17 by the sheriff from photographing applicants pursuant to the  
18 provisions of this paragraph shall be retained by the sheriff and  
19 deposited into the Sheriff's Service Fee Account;

20 7. The sheriff shall witness the signature of the applicant and  
21 review or take the photographs of the applicant and shall verify  
22 that the person making application for a handgun license is the same  
23 person in the photographs submitted and the same person who signed  
24 the application form. Proof of a valid Oklahoma driver license with

1 a photograph of the applicant or an Oklahoma State photo  
2 identification for the applicant shall be required to be presented  
3 by the applicant to the sheriff for verification of the person's  
4 identity;

5 8. Upon verification of the identity of the applicant, the  
6 sheriff shall take two complete sets of fingerprints of the  
7 applicant. Both sets of fingerprints shall be submitted by the  
8 sheriff with the completed application, certificate of training or  
9 an exemption certificate, photographs and processing fee to the  
10 Oklahoma State Bureau of Investigation within fourteen (14) days of  
11 taking the fingerprints. The cost of the fingerprints shall be paid  
12 by the applicant and shall not exceed Twenty-five Dollars (\$25.00)  
13 for the two sets. All fees collected by the sheriff from taking  
14 fingerprints pursuant to the provisions of this paragraph shall be  
15 retained by the sheriff and deposited into the Sheriff's Service Fee  
16 Account;

17 9. The sheriff shall submit to the Oklahoma State Bureau of  
18 Investigation within the fourteen-day period, together with the  
19 completed application, including the certificate of training,  
20 certificate of competency and qualification or exemption  
21 certificate, photographs, processing fee and legible fingerprints  
22 meeting the Oklahoma State Bureau of Investigation's Automated  
23 Fingerprint Identification System (AFIS) submission standards, and a  
24 report of information deemed pertinent to an investigation of the

1 applicant for a handgun license. The sheriff shall make a  
2 preliminary investigation of pertinent information about the  
3 applicant and the court clerk shall assist the sheriff in locating  
4 pertinent information in court records for this purpose. If no  
5 pertinent information is found to exist either for or against the  
6 applicant, the sheriff shall so indicate in the report;

7 10. The Oklahoma State Bureau of Investigation, upon receipt of  
8 the application and required information from the sheriff, shall  
9 forward one full set of fingerprints of the applicant to the Federal  
10 Bureau of Investigation for a national criminal history records  
11 search. The cost of processing the fingerprints nationally shall be  
12 paid from the processing fee collected by the Oklahoma State Bureau  
13 of Investigation;

14 11. Notwithstanding the provisions of the Oklahoma Self-Defense  
15 Act, or any other provisions of law, any person who has been granted  
16 a permanent victim's protective order by the court, as provided for  
17 in the Protection from Domestic Abuse Act, may be issued a temporary  
18 handgun license for a period not to exceed six (6) months. A  
19 temporary handgun license may be issued if the person has  
20 successfully passed the required weapons course, completed the  
21 application process for the handgun license, passed the preliminary  
22 investigation of the person by the sheriff and court clerk, and  
23 provided the sheriff proof of a certified permanent victim  
24 protection order and a valid Oklahoma state photo identification

1 card or driver license. The sheriff shall issue a temporary handgun  
2 license on a form approved by the Oklahoma State Bureau of  
3 Investigation, at no cost. Any person who has been issued a  
4 temporary license shall carry the temporary handgun license and a  
5 valid Oklahoma state photo identification on his or her person at  
6 all times, and shall be subject to all the requirements of the  
7 Oklahoma Self-Defense Act when carrying a handgun. The person may  
8 proceed with the handgun licensing process. In the event the  
9 victim's protection order is no longer enforceable, the temporary  
10 handgun license shall cease to be valid;

11 12. The Oklahoma State Bureau of Investigation shall make a  
12 reasonable effort to investigate the information submitted by the  
13 applicant and the sheriff, to ascertain whether or not the issuance  
14 of a handgun license would be in violation of the provisions of the  
15 Oklahoma Self-Defense Act. The investigation by the Bureau of an  
16 applicant shall include, but shall not be limited to: a statewide  
17 criminal history records search, a national criminal history records  
18 search, a Federal Bureau of Investigation fingerprint search, and if  
19 applicable, an investigation of medical records or other records or  
20 information deemed by the Bureau to be relevant to the application.

21 a. In the course of the investigation by the Bureau, it  
22 shall present the name of the applicant along with any  
23 known aliases, the address of the applicant and the  
24 social security number of the applicant to the



1 Department of Mental Health and Substance Abuse  
2 Services. The Department of Mental Health and  
3 Substance Abuse Services shall respond within ten (10)  
4 days of receiving such information to the Bureau as  
5 follows:

- 6 (1) with a "Yes" answer, if the records of the  
7 Department indicate that the person was  
8 involuntarily committed to a mental institution  
9 in Oklahoma,
- 10 (2) with a "No" answer, if there are no records  
11 indicating the name of the person as a person  
12 involuntarily committed to a mental institution  
13 in Oklahoma, or
- 14 (3) with an "Inconclusive" answer if the records of  
15 the Department suggest the applicant may be a  
16 formerly committed person. In the case of an  
17 inconclusive answer, the Bureau shall ask the  
18 applicant whether he or she was involuntarily  
19 committed. If the applicant states under penalty  
20 of perjury that he or she has not been  
21 involuntarily committed, the Bureau shall  
22 continue processing the application for a  
23 license.

1           b.    In the course of the investigation by the Bureau, it  
2               shall check the name of any applicant who is twenty-  
3               eight (28) years of age or younger along with any  
4               known aliases, the address of the applicant and the  
5               social security number of the applicant against the  
6               records in the Juvenile Online Tracking System (JOLTS)  
7               of the Office of Juvenile Affairs. The Office of  
8               Juvenile Affairs shall provide the Bureau direct  
9               access to check the applicant against the records  
10              available on JOLTS.

11           (1)  If the Bureau finds a record on the JOLTS that  
12               indicates the person was adjudicated a delinquent  
13               for an offense that would constitute a felony  
14               offense if committed by an adult within the last  
15               ten (10) years the Bureau shall deny the license,

16           (2)  If the Bureau finds no record on the JOLTS  
17               indicating the named person was adjudicated  
18               delinquent for an offense that would constitute a  
19               felony offense if committed by an adult within  
20               the last ten (10) years, or

21           (3)  If the records suggest the applicant may have  
22               been adjudicated delinquent for an offense that  
23               would constitute a felony offense if committed by  
24               an adult but such record is inconclusive, the

1 Bureau shall ask the applicant whether he or she  
2 was adjudicated a delinquent for an offense that  
3 would constitute a felony offense if committed by  
4 an adult within the last ten (10) years. If the  
5 applicant states under penalty of perjury that he  
6 or she was not adjudicated a delinquent within  
7 ten (10) years, the Bureau shall continue  
8 processing the application for a license; and

9 13. If the background check set forth in paragraph ~~11~~ 12 of  
10 this subsection reveals no records pertaining to the applicant, the  
11 Oklahoma State Bureau of Investigation shall either issue a handgun  
12 license or deny the application within sixty (60) days of the date  
13 of receipt of the applicant's completed application and the required  
14 information from the sheriff. In all other cases, the Oklahoma  
15 State Bureau of Investigation shall either issue a handgun license  
16 or deny the application within ninety (90) days of the date of the  
17 receipt of the applicant's completed application and the required  
18 information from the sheriff. The Bureau shall approve an applicant  
19 who appears to be in full compliance with the provisions of the  
20 Oklahoma Self-Defense Act, if completion of the federal fingerprint  
21 search is the only reason for delay of the issuance of the handgun  
22 license to that applicant. Upon receipt of the federal fingerprint  
23 search information, if the Bureau receives information which  
24 precludes the person from having a handgun license, the Bureau shall

1 revoke the handgun license previously issued to the applicant. The  
2 Bureau shall deny a license when the applicant fails to properly  
3 complete the application form or application process or is  
4 determined not to be eligible as specified by the provisions of  
5 Section 1290.9, 1290.10 or 1290.11 of this title. The Bureau shall  
6 approve an application in all other cases. If an application is  
7 denied, the Bureau shall notify the applicant in writing of its  
8 decision. The notification shall state the grounds for the denial  
9 and inform the applicant of the right to an appeal as may be  
10 provided by the provisions of the Administrative Procedures Act.  
11 All notices of denial shall be mailed by first-class mail to the  
12 address of the applicant listed in the application. Within sixty  
13 (60) calendar days from the date of mailing a denial of application  
14 to an applicant, the applicant shall notify the Bureau in writing of  
15 the intent to appeal the decision of denial or the right of the  
16 applicant to appeal shall be deemed waived. Any administrative  
17 hearing on a denial which may be provided shall be conducted by a  
18 hearing examiner appointed by the Bureau. The decision of the  
19 hearing examiner shall be a final decision appealable to a district  
20 court in accordance with the Administrative Procedures Act. When an  
21 application is approved, the Bureau shall issue the license and  
22 shall mail the license by first-class mail to the address of the  
23 applicant listed in the application.

24

1 B. Nothing contained in any provision of the Oklahoma Self-  
2 Defense Act shall be construed to require or authorize the  
3 registration, documentation or providing of serial numbers with  
4 regard to any firearm. For purposes of the Oklahoma Self-Defense  
5 Act, the sheriff may designate a person to receive, fingerprint,  
6 photograph or otherwise process applications for handgun licenses.

7 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.14, as  
8 last amended by Section 1, Chapter 123, O.S.L. 2014 (21 O.S. Supp.  
9 2014, Section 1290.14), is amended to read as follows:

10 Section 1290.14

11 SAFETY AND TRAINING COURSE

12 A. Each applicant for a license to carry a concealed or  
13 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must  
14 successfully complete a firearms safety and training course in this  
15 state conducted by a registered and approved firearms instructor as  
16 provided by the provisions of this section or from an interactive  
17 online firearms safety and training course available electronically  
18 via the Internet approved and certified by the Council on Law  
19 Enforcement Education and Training. The applicant must further  
20 demonstrate competence and qualification with an authorized pistol  
21 of the type or types that the applicant desires to carry as a  
22 concealed or unconcealed handgun pursuant to the provisions of the  
23 Oklahoma Self-Defense Act, except certain persons may be exempt from  
24

1 such training requirement as provided by the provisions of Section  
2 1290.15 of this title.

3 B. The Council on Law Enforcement Education and Training  
4 (CLEET) shall establish criteria for approving firearms instructors  
5 and interactive online firearms safety and training courses  
6 available electronically via the Internet for purposes of training  
7 and qualifying individuals for a handgun license pursuant to the  
8 provisions of the Oklahoma Self-Defense Act. Prior to submitting an  
9 application for CLEET approval as a firearms instructor, applicants  
10 shall attend a firearms instructor school, meeting the following  
11 minimum requirements:

12 1. Firearms instructor training conducted by one of the  
13 following entities:

- 14 a. Council on Law Enforcement Education and Training,
- 15 b. National Rifle Association,
- 16 c. Oklahoma Rifle Association,
- 17 d. federal law enforcement agencies, or
- 18 e. other professionally recognized organizations;

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

20 3. Upon completion of the course, the applicant shall be  
21 qualified to provide instruction on revolvers, semiautomatic  
22 pistols, or both; and

23 4. Receive a course completion certificate.

24

1 All firearms instructors shall be required to meet the  
2 eligibility requirements for a handgun license as provided in  
3 Sections 1290.9, 1290.10, and 1290.11 of this title, and the  
4 application shall be processed as provided for applicants in Section  
5 1290.12 of this title, including the state and national criminal  
6 history records search and fingerprint search. A firearms  
7 instructor shall be required to pay a fee of One Hundred Dollars  
8 (\$100.00) to the Council on Law Enforcement Education and Training  
9 (CLEET) each time the person makes application for CLEET approval as  
10 a firearms instructor pursuant to the provisions of the Oklahoma  
11 Self-Defense Act. The fee shall be retained by CLEET and shall be  
12 deposited into the Firearms Instructors Revolving Fund. CLEET shall  
13 promulgate the rules, forms and procedures necessary to implement  
14 the approval of firearms instructors as authorized by the provisions  
15 of this subsection. CLEET shall periodically review each approved  
16 instructor during a training and qualification course to assure  
17 compliance with the rules and course contents. Any violation of the  
18 rules may result in the revocation or suspension of CLEET and  
19 Oklahoma State Bureau of Investigation approval. Unless the  
20 approval has been revoked or suspended, a firearms instructor's  
21 CLEET approval shall be for a term of five (5) years. Beginning on  
22 July 1, 2003, any firearms instructor who has been issued a four-  
23 year CLEET approval shall not be eligible for the five-year approval  
24 until the expiration of the approval previously issued. CLEET shall

1 be responsible for notifying all approved firearms instructors of  
2 statutory and policy changes related to the Oklahoma Self-Defense  
3 Act. A firearms instructor shall not be required to submit his or  
4 her fingerprints for a fingerprint search when renewing a firearms  
5 instructor's CLEET approval.

6 C. 1. All firearms instructors approved by CLEET to train and  
7 qualify individuals for a handgun license shall be required to apply  
8 for registration with the Oklahoma State Bureau of Investigation  
9 after receiving CLEET approval. All firearms instructors teaching  
10 the approved course for a handgun license must display their  
11 registration certificate during each training and qualification  
12 course. Each approved firearms instructor shall complete a  
13 registration form provided by the Bureau and shall have the option  
14 to pay a registration fee of either One Hundred Dollars (\$100.00)  
15 for a five-year registration certificate or Two Hundred Dollars  
16 (\$200.00) for a ten-year registration certificate to the Bureau at  
17 the time of each application for registration, except as provided in  
18 paragraph 2 of this subsection. Registration certificates issued by  
19 the Bureau shall be valid for a period of five (5) years or ten (10)  
20 years from the date of issuance. The Bureau shall issue a five-year  
21 or ten-year handgun license to an approved firearms instructor at  
22 the time of issuance of a registration certificate and no additional  
23 fee shall be required or charged. The Bureau shall maintain a  
24 current listing of all registered firearms instructors in this



1 state. Nothing in this paragraph shall be construed to eliminate  
2 the requirement for registration and training with CLEET as provided  
3 in subsection B of this section. Failure to register or be trained  
4 as required shall result in a revocation or suspension of the  
5 instructor certificate by the Bureau.

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

- 17 a. an active duty law enforcement officer of this state  
18 or any of its political subdivisions or of the federal  
19 government who has a valid CLEET approval as a  
20 firearms instructor pursuant to the Oklahoma Self-  
21 Defense Act, and
- 22 b. a retired law enforcement officer authorized to carry  
23 a firearm pursuant to Section 1289.8 of this title who  
24

1 has a valid CLEET approval as a firearms instructor  
2 pursuant to the Oklahoma Self-Defense Act.

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

13 E. The required firearms safety and training course and the  
14 actual demonstration of competency and qualification required of the  
15 applicant shall be designed and conducted in such a manner that the  
16 course can be reasonably completed by the applicant within an eight-  
17 hour period. CLEET shall establish the course content and  
18 promulgate rules, procedures and forms necessary to implement the  
19 provisions of this subsection. For the training and qualification  
20 course, an applicant may be charged a fee which shall be determined  
21 by the instructor or entity that is conducting the course. The  
22 maximum class size shall be determined by the instructor conducting  
23 the course; provided, however, practice shooting sessions shall not  
24 have more than ten participating students at one time. CLEET may

1 establish criteria for assistant instructors and any other  
2 requirements deemed necessary to conduct a safe and effective  
3 training and qualification course. The course content shall include  
4 a safety inspection of the firearm to be used by the applicant in  
5 the training course; instruction on pistol handling, safety and  
6 storage; dynamics of ammunition and firing; methods or positions for  
7 firing a pistol; information about the criminal provisions of the  
8 Oklahoma law relating to firearms; the requirements of the Oklahoma  
9 Self-Defense Act as it relates to the applicant; self-defense and  
10 the use of appropriate force; a practice shooting session; and a  
11 familiarization course. The firearms instructor shall refuse to  
12 train or qualify any person when the pistol to be used or carried by  
13 the person is either deemed unsafe or unfit for firing or is a  
14 weapon not authorized by the Oklahoma Self-Defense Act. The course  
15 shall provide an opportunity for the applicant to qualify himself or  
16 herself on either a derringer, a revolver, a semiautomatic pistol or  
17 any combination of a derringer, a revolver and a semiautomatic  
18 pistol, provided no pistol shall be capable of firing larger than  
19 .45 caliber ammunition. Any applicant who successfully trains and  
20 qualifies himself or herself with a semiautomatic pistol may be  
21 approved by the firearms instructor on the training certificate for  
22 a semiautomatic pistol, a revolver and a derringer upon request of  
23 the applicant. Any person who qualifies on a derringer or revolver  
24 shall not be eligible for a semiautomatic rating until the person

1 has demonstrated competence and qualifications on a semiautomatic  
2 pistol. Upon successful completion of the training and  
3 qualification course, a certificate of training and a certificate of  
4 competency and qualification shall be issued to each applicant who  
5 successfully completes the course. The certificate of training and  
6 certificate of competency and qualification shall comply with the  
7 ~~form~~ forms established by CLEET and shall be submitted with an  
8 application for a handgun license pursuant to the provisions of  
9 paragraph 2 of subsection A of Section 1290.12 of this title. The  
10 certificate of ~~completion~~ training and certificate of competency and  
11 qualification issued to an applicant shall be valid for a period of  
12 three (3) years.

13 F. There is hereby created a revolving fund for the Council on  
14 Law Enforcement Education and Training (CLEET), to be designated the  
15 "Firearms Instructors Revolving Fund". The fund shall be a  
16 continuing fund, not subject to fiscal year limitations, and shall  
17 consist of all funds received for approval of firearms instructors  
18 for purposes of the Oklahoma Self-Defense Act. All funds received  
19 shall be deposited to the fund. All monies accruing to the credit  
20 of said fund are hereby appropriated and may be budgeted and  
21 expended by the Council on Law Enforcement Education and Training,  
22 for implementation of the training and qualification course  
23 contents, approval of firearms instructors and any other CLEET  
24 requirement pursuant to the provisions of the Oklahoma Self-Defense

1 Act or as may otherwise be deemed appropriate by CLEET.  
2 Expenditures from said fund shall be made upon warrants issued by  
3 the State Treasurer against claims filed as prescribed by law with  
4 the Director of the Office of Management and Enterprise Services for  
5 approval and payment.

6 G. Firearms instructors shall keep on file for a period of not  
7 less than three (3) years a roster of each training class, the  
8 safety test score of each individual, the caliber and type of weapon  
9 each individual used when qualifying and whether or not each  
10 individual successfully completed the training course. Firearms  
11 instructors shall be authorized to destroy all training documents  
12 and records upon expiration of the three-year time period.

13 SECTION 3. This act shall become effective November 1, 2015.

14  
15 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/24/2015 -  
16 DO PASS, As Amended and Coauthored.

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