

1 **SENATE FLOOR VERSION**

2 February 28, 2022

3 SENATE BILL NO. 1118

By: Bergstrom of the Senate

4 and

5 Gann of the House

6
7
8 An Act relating to firearm training; amending 21 O.S.
9 2021, Sections 1290.14 and 1290.15, which relate to
10 safety and training course and persons exempt from
11 training course; clarifying language; directing
12 certain approval; removing certain time inclusion;
13 removing certain exemption requirement; and providing
14 an effective date.

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

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

18 Section 1290.14.

19 SAFETY AND TRAINING COURSE

20 A. Each applicant for a license to carry a concealed or
21 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must
22 successfully complete a firearms safety and training course in this
23 state conducted by a registered and approved firearms instructor as
24 provided by the provisions of this section or from an interactive
online firearms safety and training course available electronically

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

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

18 1. Firearms instructor training conducted by one of the
19 following entities:

- 20 a. Council on Law Enforcement Education and Training,
- 21 b. National Rifle Association,
- 22 c. Oklahoma Rifle Association,
- 23 d. federal law enforcement agencies, or
- 24 e. other professionally recognized organizations;

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

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

5 4. Receive a course completion certificate.

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

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

11 C. 1. All firearms instructors approved by CLEET to train and
12 qualify individuals for a handgun license shall be required to apply
13 for registration with the Oklahoma State Bureau of Investigation
14 after receiving CLEET approval. All firearms instructors teaching
15 the approved course for a handgun license must display their
16 registration certificate during each training and qualification
17 course. Each approved firearms instructor shall complete a
18 registration form provided by the Bureau and shall have the option
19 to pay a registration fee of either One Hundred Dollars (\$100.00)
20 for a five-year registration certificate or Two Hundred Dollars
21 (\$200.00) for a ten-year registration certificate to the Bureau at
22 the time of each application for registration, except as provided in
23 paragraph 2 of this subsection. Registration certificates issued by
24 the Bureau shall be valid for a period of five (5) years or ten (10)

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

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

22 a. an active duty law enforcement officer of this state
23 or any of its political subdivisions or of the federal
24 government who has a valid CLEET approval as a

1 firearms instructor pursuant to the Oklahoma Self-
2 Defense Act, and

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

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

17 E. The required firearms safety and training course and the
18 actual demonstration of competency and qualification required of the
19 applicant shall be designed and conducted in such a manner that the
20 course can be reasonably completed by the applicant within an eight-
21 hour period. CLEET shall establish the course content and
22 promulgate rules, procedures and forms necessary to implement the
23 provisions of this subsection. For the training and qualification
24 course, an applicant may be charged a fee which shall be determined

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

1 ~~semiautomatic~~ pistol ~~may~~ shall be approved by the firearms
2 instructor on the training certificate ~~for a semiautomatic pistol, a~~
3 ~~revolver and a derringer upon request of the applicant. Any person~~
4 ~~who qualifies on a derringer or revolver shall not be eligible for a~~
5 ~~semiautomatic rating until the person has demonstrated competence~~
6 ~~and qualifications on a semiautomatic pistol.~~ Upon successful
7 completion of the training and qualification course, a certificate
8 of training and a certificate of competency and qualification shall
9 be issued to each applicant who successfully completes the course.
10 The certificate of training and certificate of competency and
11 qualification shall comply with the forms established by CLEET and
12 shall be submitted with an application for a handgun license
13 pursuant to the provisions of paragraph 2 of subsection A of Section
14 1290.12 of this title. The certificate of training and certificate
15 of competency and qualification issued to an applicant shall be
16 valid for a period of three (3) years.

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

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

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

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

19 Section 1290.15.

20 PERSONS EXEMPT FROM TRAINING COURSE

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

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

4 2. An active duty or reserve duty law enforcement officer of
5 this state or any of its political subdivisions or of the federal
6 government;

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

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

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

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

22 7. A person retired as a peace officer in good standing from a
23 law enforcement agency located in another state, who is a legal
24

1 resident of this state, and who has received training equivalent to
2 the training required for CLEET certification in this state; and

3 8. Any person who is otherwise deemed qualified for a training
4 exemption by CLEET.

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

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

18 SECTION 3. This act shall become effective November 1, 2022.

19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
February 28, 2022 - DO PASS

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