

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2015

By: Ranson

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5
6 AS INTRODUCED

7 An Act relating to protective orders; creating the
8 Oklahoma Extreme Risk Protective Order Act; defining
9 terms; providing procedures for filing petition for
10 firearms restraining order; prohibiting assessment of
11 filing fee; declaring jurisdiction of courts;
12 providing procedures for serving summons and notice
13 of hearings; authorizing requests for ex parte orders
14 and emergency hearings for firearms restraining
15 orders; providing guidelines and procedures for
16 filing and issuing emergency firearms restraining
17 orders; providing for the seizure of firearms and
18 handgun licenses upon finding of probable cause;
19 stating parameters of firearms restraining order;
20 providing procedures for the return of firearms and
21 handgun license upon expiration of order; authorizing
22 transfer of firearms under certain circumstances;
23 providing for six-month restraining orders under
24 certain circumstances; establishing guidelines and
procedures; making certain acts unlawful; directing
court to consider certain evidence prior to issuing
order; authorizing issuance of search warrants;
stating parameters of six-month restraining order;
providing procedures for the return of firearms and
handgun licenses upon expiration of order;
authorizing transfer of firearms under certain
circumstances; providing for the dissolution of
emergency firearms restraining order; allowing
subject of order to request termination hearing;
providing procedures for termination hearing
requests; directing court clerks to enter order on
records of the court and file copies with certain
entities; directing sheriff or law enforcement to
serve order upon respondent; directing sheriffs and
law enforcement to submit documents to the Oklahoma
State Bureau of Investigation; requiring Bureau to

1 maintain records of firearms restraining orders;
2 authorizing out-of-state orders to be filed by court
3 clerks; making certain acts unlawful; providing
4 penalty; permitting law enforcement to remove weapons
5 when deemed appropriate; providing exemption from
6 civil liability; providing an exception; authorizing
7 the expungement of firearms restraining orders under
8 certain circumstances; repealing 21 O.S. 2021,
9 Sections 1289.24b and 1289.24c, which relates to the
10 Anti-Red Flag Act; providing for codification; and
11 providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 62 of Title 22, unless there is
created a duplication in numbering, reads as follows:

Sections 1 through 14 of this act shall be known and may be
cited as the "Oklahoma Extreme Risk Protective Order Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 62.1 of Title 22, unless there
is created a duplication in numbering, reads as follows:

As used in this act:

1. "Family or household members" means:
 - a. spouses,
 - b. ex-spouses,
 - c. present spouses of ex-spouses,

- 1 d. parents, including grandparents, stepparents, adoptive
2 parents, and foster parents,
3 e. children, including grandchildren, stepchildren,
4 adopted children, and foster children,
5 f. persons otherwise related by blood or marriage,
6 g. persons living in the same household or who formerly
7 lived in the same household, and
8 h. persons who are the biological parents of the same
9 child, regardless of their marital status, or whether
10 they have lived together at any time. This shall
11 include the elderly and handicapped;

12 2. "Firearms restraining order" means an order issued by the
13 court, prohibiting and enjoining a named person from having in his
14 or her custody or control, purchasing, possessing or receiving any
15 firearms;

16 3. "Intimate partner" means a person with whom the respondent
17 has a courtship or engagement relationship. For purposes of this
18 act, a casual acquaintance or ordinary fraternization between
19 persons in a business or social context shall not constitute a
20 courtship or engagement relationship;

21 4. "Petitioner" means:

- 22 a. intimate partner or a family or household member of
23 the respondent as defined in this act, or
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1 b. a law enforcement officer, who files a petition
2 alleging that the respondent poses a danger of causing
3 personal injury to himself, herself, or another by
4 having in his or her custody or control a firearm or
5 the respondent is purchasing, possessing, or receiving
6 a firearm; and

7 5. "Respondent" means the person alleged in the petition to
8 pose a danger of causing personal injury to himself, herself, or
9 another by having in his or her custody or control a firearm or by
10 purchasing, possessing, or receiving a firearm.

11 SECTION 3. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 62.2 of Title 22, unless there
13 is created a duplication in numbering, reads as follows:

14 A. Actions for a firearms restraining order are commenced by
15 filing a verified petition for a firearms restraining order in any
16 district court.

17 B. A petition for a firearms restraining order may be filed in
18 any county where the respondent resides.

19 C. No fee shall be charged by the clerk for filing, amending,
20 vacating, certifying, or photocopying petitions or orders. Nor
21 shall any fee be charged for issuing alias summonses or for any
22 related filing service.

23 D. No fee shall be charged by the sheriff or other law
24 enforcement for service by the sheriff or other law enforcement of a

1 petition, rule, motion, or order in an action commenced under the
2 provisions of this act.

3 E. The court shall provide, through the office of the court
4 clerk, simplified forms and clerical assistance to help with the
5 writing and filing of a petition under this act by any person not
6 represented by counsel. In addition, that assistance may be
7 provided by the office of the district attorney.

8 SECTION 4. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 62.3 of Title 22, unless there
10 is created a duplication in numbering, reads as follows:

11 A. Each of the district courts shall have the power to issue
12 firearms restraining orders.

13 B. The district courts of this state have jurisdiction to bind
14 state residents and nonresidents having minimum contacts with this
15 state.

16 C. The summons shall require respondent to answer or appear
17 within seven (7) days. Attachments to the summons or notice shall
18 include the petition for the firearms restraining order and
19 supporting affidavits, if any, and any emergency firearms
20 restraining order that has been issued. The enforcement of an order
21 under Section 5 of this act shall not be affected by the lack of
22 service, delivery, or notice, provided the requirements of
23 subsection F of Section 5 of this act are otherwise met.

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1 D. Except as provided in subsection C of this section, notice
2 of hearings on petitions or motions shall be served in accordance
3 with Title 12 O.S., Rule 2 of the District Courts, unless notice is
4 excused by Section 5 of this act, or by the Code of Civil Procedure,
5 Supreme Court rules, or local rules.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 62.4 of Title 22, unless there
8 is created a duplication in numbering, reads as follows:

9 A. A petitioner may request an emergency firearms restraining
10 order by filing an affidavit or verified pleading alleging that the
11 respondent poses an immediate and present danger of causing personal
12 injury to himself, herself, or another by having in his or her
13 custody or control a firearm or by purchasing, possessing, or
14 receiving a firearm. The petition shall also describe the type and
15 location of any firearm or firearms presently believed by the
16 petitioner to be possessed or controlled by the respondent.

17 B. If the respondent is alleged to pose an immediate and
18 present danger of causing personal injury to an intimate partner, or
19 an intimate partner is alleged to have been the target of a threat
20 or act of violence by the respondent, petitioner shall make a good-
21 faith effort to provide notice to any and all intimate partners of
22 the respondent. The notice must include that the petitioner intends
23 to petition the court for an emergency firearms restraining order,
24 and, if petitioner is a law enforcement officer, referral to

1 relevant domestic violence or stalking advocacy or counseling
2 resources, if appropriate. The petitioner shall attest to having
3 provided the notice in the filed affidavit or verified pleading. If
4 after making a good-faith effort petitioner is unable to provide
5 notice to any or all intimate partners, the affidavit or verified
6 pleading should describe what efforts were made.

7 C. Every person who files a petition for an emergency firearms
8 restraining order, knowing the information provided to the court at
9 any hearing or in the affidavit or verified pleading to be false, is
10 guilty of perjury under Section 491 of Title 21 of the Oklahoma
11 Statutes.

12 D. An emergency firearms restraining order shall be issued on
13 an ex parte basis, that is, without notice to the respondent.

14 E. An emergency hearing held on an ex parte basis shall be held
15 the same day that the petition is filed or the next day that the
16 court is in session.

17 F. 1. If a judge finds probable cause to believe that the
18 respondent poses an immediate and present danger of causing personal
19 injury to himself, herself, or another by having in his or her
20 custody or control a firearm or by purchasing, possessing, or
21 receiving a firearm the judge shall issue an emergency order.
22 Furthermore, the court shall provide the respondent with information
23 and resource options for community-based mental health treatment.

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1 2. If the court issues an emergency firearms restraining order,
2 it shall, upon a finding of probable cause that the respondent
3 possesses firearms, issue a search warrant directing a law
4 enforcement agency to seize the firearms of the respondent. The
5 court may, as part of that warrant, direct the law enforcement
6 agency to search the residence of the respondent and other places
7 where the court finds there is probable cause to believe he or she
8 is likely to possess the firearms.

9 G. An emergency firearms restraining order shall require:

10 1. The respondent to refrain from having in his or her custody
11 or control a firearm or from purchasing, possessing, or receiving
12 additional firearms for the duration of the order; and

13 2. The respondent to turn over to the local law enforcement
14 agency any handgun license issued pursuant to the Oklahoma Self-
15 Defense Act in his or her possession. The local law enforcement
16 agency shall immediately mail the handgun license to the Oklahoma
17 State Bureau of Investigation for safekeeping. The firearm and
18 handgun license, if unexpired, shall be returned to the respondent
19 after the firearms restraining order is terminated or expired.

20 H. 1. Except as otherwise provided in paragraph 2 of this
21 subsection, upon expiration of the period of safekeeping, if the
22 firearm or handgun license cannot be returned to respondent because
23 respondent cannot be located, the respondent fails to respond to
24 requests to retrieve the firearms, or the respondent is not lawfully

1 eligible to possess a firearm, upon petition from the local law
2 enforcement agency, the court may order the local law enforcement
3 agency to destroy the firearm, use the firearm for training
4 purposes, or for any other application as deemed appropriate by the
5 local law enforcement agency.

6 2. A respondent may petition the court, if the petitioner is
7 present in court or has notice of the petition, to transfer the
8 firearm of the respondent to a person who is lawfully able to
9 possess the firearm if the person does not reside at the same
10 address as the respondent. Notice of the petition shall be served
11 upon the person protected by the emergency firearms restraining
12 order. While the order is in effect, the transferee who receives
13 the firearm of the respondent must swear or affirm by affidavit that
14 he or she shall not transfer the firearm to the respondent or to
15 anyone residing in the same residence as the respondent.

16 3. If a person other than the respondent claims title to any
17 firearm surrendered under this section, he or she may petition the
18 court, if the petitioner is present in court or has notice of the
19 petition, to have the firearm returned to him or her. If the court
20 determines that person to be the lawful owner of the firearm, the
21 firearm shall be returned to him or her, provided that:

22 a. the firearm is removed from the custody, control, or
23 possession of the respondent and the lawful owner
24 agrees to store the firearm in a manner such that the

1 respondent does not have access to or control of the
2 firearm, and

3 b. the firearm is not otherwise unlawfully possessed by
4 the owner.

5 4. The person petitioning for the return of his or her firearm
6 must swear or affirm by affidavit that he or she:

7 a. is the lawful owner of the firearm,

8 b. will not transfer the firearm to the respondent, and

9 c. will store the firearm in a manner that the respondent
10 does not have access to or control of the firearm.

11 I. In accordance with subsection E of this section, the court
12 shall schedule a full hearing as soon as possible, but no longer
13 than fourteen (14) days from the issuance of an ex parte firearms
14 restraining order, to determine if a six-month firearms restraining
15 order shall be issued. The court may extend an ex parte order as
16 needed, but not to exceed fourteen (14) days, to effectuate service
17 of the order or if necessary to continue protection. The court may
18 extend the order for a greater length of time by mutual agreement of
19 the parties.

20 SECTION 6. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 62.5 of Title 22, unless there
22 is created a duplication in numbering, reads as follows:

23 A. A petitioner may request a six-month firearms restraining
24 order by filing an affidavit or verified pleading alleging that the

1 respondent poses a significant danger of causing personal injury to
2 himself, herself, or another in the near future by having in his or
3 her custody or control a firearm or by purchasing, possessing, or
4 receiving a firearm. The petition shall also describe the number,
5 types, and locations of any firearms presently believed by the
6 petitioner to be possessed or controlled by the respondent.

7 B. If the respondent is alleged to pose a significant danger of
8 causing personal injury to an intimate partner, or an intimate
9 partner is alleged to have been the target of a threat or act of
10 violence by the respondent, petitioner shall make a good-faith
11 effort to provide notice to any and all intimate partners of the
12 respondent. The notice must include that the petitioner intends to
13 petition the court for a six-month firearms restraining order, and,
14 if petitioner is a law enforcement officer, referral to relevant
15 domestic violence or stalking advocacy or counseling resources, if
16 appropriate. The petitioner shall attest to having provided the
17 notice in the filed affidavit or verified pleading. If after making
18 a good-faith effort petitioner is unable to provide notice to any or
19 all intimate partners, the affidavit or verified pleading should
20 describe what efforts were made.

21 C. Every person who files a petition for a six-month firearms
22 restraining order, knowing the information provided to the court at
23 any hearing or in the affidavit or verified pleading to be false, is
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1 guilty of perjury under Section 491 of Title 21 of the Oklahoma
2 Statutes.

3 D. Upon receipt of a petition for a six-month firearms
4 restraining order, the court shall order a hearing within thirty
5 (30) days.

6 E. In determining whether to issue a firearms restraining order
7 under this section, the court shall consider evidence including, but
8 not limited to, the following:

9 1. The unlawful and reckless use, display, or brandishing of a
10 firearm by the respondent;

11 2. The history of use, attempted use, or threatened use of
12 physical force by the respondent against another person;

13 3. Any prior arrest of the respondent for a felony offense;

14 4. Evidence of the abuse of controlled substances or alcohol by
15 the respondent;

16 5. A recent threat of violence or act of violence by the
17 respondent directed toward himself, herself, or another;

18 6. A violation of an emergency order of protection or order of
19 protection issued under the Protection from Domestic Abuse Act; or

20 7. A pattern of violent acts or violent threats including, but
21 not limited to, threats of violence or acts of violence by the
22 respondent directed toward himself, herself, or another.

23 F. At the hearing, the petitioner shall have the burden of
24 proving by clear and convincing evidence that the respondent poses a

1 significant danger of personal injury to himself, herself, or
2 another by having in his or her custody or control a firearm, or by
3 purchasing, possessing, or receiving a firearm.

4 G. If the court finds that there is clear and convincing
5 evidence to issue a firearms restraining order, the court shall
6 issue a firearms restraining order that shall be in effect for six
7 (6) months subject to renewal or termination under Section 7 of this
8 act. Furthermore, the court shall provide the respondent with
9 information and resource options for community-based mental health
10 treatment. If the court issues a six-month firearms restraining
11 order, it shall, upon a finding of probable cause that the
12 respondent possesses firearms, issue a search warrant directing a
13 law enforcement agency to seize the firearms of the respondent. The
14 court may, as part of that warrant, direct the law enforcement
15 agency to search the residence of the respondent and other places
16 where the court finds there is probable cause to believe he or she
17 is likely to possess the firearms.

18 H. A six-month firearms restraining order shall require:

19 1. The respondent to refrain from having in his or her custody
20 or control a firearm, or from purchasing, possessing or receiving
21 additional firearms for the duration of the order; and

22 2. The respondent to turn over to the local law enforcement
23 agency any firearm or handgun license issued pursuant to the
24 Oklahoma Self-Defense Act in his or her possession. The local law

1 enforcement agency shall immediately mail the handgun license to the
2 Oklahoma State Bureau of Investigation for safekeeping. The firearm
3 and handgun license, if unexpired, shall be returned to the
4 respondent after the firearms restraining order is terminated or
5 expired.

6 I. 1. Except as otherwise provided in paragraph 2 of this
7 subsection, upon expiration of the period of safekeeping, if the
8 firearm or handgun license cannot be returned to respondent because
9 respondent cannot be located, the respondent fails to respond to
10 requests to retrieve the firearm, or the respondent is not lawfully
11 eligible to possess a firearm, upon petition from the local law
12 enforcement agency, the court may order the local law enforcement
13 agency to destroy the firearm, use the firearm for training
14 purposes, or for any other application as deemed appropriate by the
15 local law enforcement agency.

16 2. A respondent may petition the court, if the petitioner is
17 present in court or has notice of the petition, to transfer the
18 firearm of the respondent to a person who is lawfully able to
19 possess the firearm if the person does not reside at the same
20 address as the respondent. Notice of the petition shall be served
21 upon the person protected by the emergency firearms restraining
22 order. While the order is in effect, the transferee who receives
23 the firearm of the respondent must swear or affirm by affidavit that
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1 he or she shall not transfer the firearm to the respondent or to
2 anyone residing in the same residence as the respondent.

3 3. If a person other than the respondent claims title to any
4 firearms surrendered under this section, he or she may petition the
5 court, if the petitioner is present in court or has notice of the
6 petition, to have the firearm returned to him or her. If the court
7 determines that person to be the lawful owner of the firearm, the
8 firearm shall be returned to him or her, provided that:

- 9 a. the firearm is removed from the custody, control, or
10 possession of the respondent and the lawful owner
11 agrees to store the firearm in a manner such that the
12 respondent does not have access to or control of the
13 firearm, and
14 b. the firearm is not otherwise unlawfully possessed by
15 the owner.

16 4. The person petitioning for the return of his or her firearm
17 must swear or affirm by affidavit that he or she:

- 18 a. is the lawful owner of the firearm,
19 b. will not transfer the firearm to the respondent, and
20 c. will store the firearm in a manner that the respondent
21 does not have access to or control of the firearm.

22 J. If the court does not issue a firearms restraining order at
23 the hearing, the court shall dissolve any emergency firearms
24 restraining order then in effect.

1 K. When the court issues a firearms restraining order under
2 this section, the court shall inform the respondent that he or she
3 is entitled to one hearing during the period of the order to request
4 a termination of the order, under Section 7 of this act, and shall
5 provide the respondent with a form to request a hearing.

6 SECTION 7. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 62.6 of Title 22, unless there
8 is created a duplication in numbering, reads as follows:

9 A. A person subject to a firearms restraining order issued
10 under this act may submit one written request at any time during the
11 effective period of the order for a hearing to terminate the order.

12 1. The respondent shall have the burden of proving by a
13 preponderance of the evidence that the respondent does not pose a
14 danger of causing personal injury to himself, herself, or another in
15 the near future by having in his or her custody or control a
16 firearm, or by purchasing, possessing, or receiving a firearm.

17 2. If the court finds after the hearing that the respondent has
18 met his or her burden, the court shall terminate the order.

19 B. A petitioner may request a renewal of a firearms restraining
20 order at any time within the three (3) months before the expiration
21 of a firearms restraining order.

22 1. A court shall, after notice and a hearing, renew a firearms
23 restraining order issued under this section if the petitioner
24 proves, by clear and convincing evidence, that the respondent

1 continues to pose a danger of causing personal injury to himself,
2 herself, or another in the near future by having in his or her
3 custody or control a firearm, or by purchasing, possessing, or
4 receiving a firearm.

5 2. In determining whether to renew a firearms restraining order
6 issued under this act, the court shall consider evidence of the
7 facts identified in subsection E of Section 6 of this act and any
8 other evidence of an increased risk for violence.

9 3. At the hearing, the petitioner shall have the burden of
10 proving, by clear and convincing evidence, that the respondent
11 continues to pose a danger of causing personal injury to himself,
12 herself, or another in the near future by having in his or her
13 custody or control a firearm, or by purchasing, possessing, or
14 receiving a firearm.

15 4. The renewal of a firearms restraining order issued under
16 this section shall be in effect for six (6) months, subject to
17 termination by further order of the court at a hearing held under
18 this section and further renewal by further order of the court under
19 this section.

20 SECTION 8. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 62.7 of Title 22, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Upon issuance of any firearms restraining order, the clerk
24 shall immediately, or on the next court day if an emergency firearms

1 restraining order is issued in accordance with Section 5 of this
2 act:

3 1. Enter the order on the record and file it in accordance with
4 the district court procedures; and

5 2. Provide a file-stamped copy of the order to respondent, if
6 present, and to petitioner.

7 B. The clerk shall, or the petitioner may, on the same day that
8 a firearms restraining order is issued, file a certified copy of
9 that order with the sheriff or other law enforcement officials
10 charged with maintaining law enforcement records or charged with
11 serving the order upon respondent. If the order was issued in
12 accordance with Section 5 of this act, the clerk shall on the next
13 court day, file a certified copy of the order with the sheriff or
14 other law enforcement officials charged with maintaining law
15 enforcement records.

16 C. Unless respondent was present in court when the order was
17 issued, the sheriff or other law enforcement official shall promptly
18 serve that order upon respondent and file proof of the service, in
19 the manner provided for service of process in civil proceedings.

20 D. Any order renewing or terminating any firearms restraining
21 order shall be promptly recorded, issued, and served as provided in
22 this section.

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1 SECTION 9. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 62.8 of Title 22, unless there
3 is created a duplication in numbering, reads as follows:

4 A. All sheriffs shall furnish to the Oklahoma State Bureau of
5 Investigation, daily, in the form and detail the Bureau requires,
6 copies of any recorded firearms restraining order issued by the
7 court and transmitted to the sheriff by the court clerk under
8 Section 8 of this act. Each firearms restraining order shall be
9 entered in the Uniform Crime Reporting System on the same day it is
10 issued by the court. If an emergency firearms restraining order was
11 issued in accordance with Section 5 of this act, the order shall be
12 entered in the Uniform Crime Reporting System as soon as possible
13 after receipt from the clerk.

14 B. The Oklahoma State Bureau of Investigation shall maintain a
15 complete and systematic record and index of all valid and recorded
16 firearms restraining orders issued or filed under this act. The
17 data shall be used to inform all dispatchers and law enforcement
18 officers at the scene of a violation of the firearms restraining
19 order of the effective dates and terms of any recorded order of
20 protection.

21 C. The data, records, and transmittals required under this
22 section shall pertain to any valid emergency or six-month firearms
23 restraining order, whether issued in a civil or criminal proceeding
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1 or authorized under the laws of another state, tribe, or United
2 States territory.

3 SECTION 10. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 62.9 of Title 22, unless there
5 is created a duplication in numbering, reads as follows:

6 A. A person who has sought a firearms restraining order or
7 similar order issued by the court of another state, tribe, or United
8 States territory may file a certified copy of the firearms
9 restraining order with the court clerk in a judicial district in
10 which the person believes that enforcement may be necessary.

11 B. The clerk shall:

12 1. Treat the foreign firearms restraining order in the same
13 manner as a judgment of the district court for any county of this
14 state in accordance with the provisions of the Uniform Enforcement
15 of Foreign Judgments Act, except that the clerk shall not mail
16 notice of the filing of the foreign order to the respondent named in
17 the order; and

18 2. On the same day that a foreign firearms restraining order is
19 filed, file a certified copy of that order with the sheriff or other
20 law enforcement officials charged with maintaining law enforcement
21 records as set forth in Section 9 of this act.

22 C. Neither residence in this state nor filing of a foreign
23 firearms restraining order shall be required for enforcement of the
24 order by this state. Failure to file the foreign order shall not be

1 an impediment to its treatment in all respects as an Oklahoma
2 firearms restraining order.

3 D. The clerk shall not charge a fee to file a foreign firearms
4 restraining order under this section.

5 SECTION 11. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 62.10 of Title 22, unless there
7 is created a duplication in numbering, reads as follows:

8 A respondent who knowingly violates a firearms restraining order
9 is guilty of a misdemeanor. Prosecution for a violation of a
10 firearms restraining order shall not bar concurrent prosecution for
11 any other crime, including any crime that may have been committed at
12 the time of the violation of the firearms restraining order.

13 SECTION 12. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 62.11 of Title 22, unless there
15 is created a duplication in numbering, reads as follows:

16 Nothing in this act shall preclude a petitioner or law
17 enforcement officer from removing weapons under other authority, or
18 filing criminal charges when probable cause exists.

19 SECTION 13. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 62.12 of Title 22, unless there
21 is created a duplication in numbering, reads as follows:

22 Any act of omission or commission by any law enforcement officer
23 acting in good faith in rendering emergency assistance or otherwise
24 enforcing this act shall not impose civil liability upon the law

1 enforcement officer or his or her supervisor or employer, unless the
2 act is a result of willful or wanton misconduct.

3 SECTION 14. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 62.13 of Title 22, unless there
5 is created a duplication in numbering, reads as follows:

6 If the court denies issuance of a firearms restraining order
7 against the respondent, all records of the proceeding shall be
8 immediately expunged from the court records. If the firearms
9 restraining order is granted, all records of the proceeding shall,
10 three (3) years after the expiration of the firearms restraining
11 order, be sealed.

12 SECTION 15. REPEALER 21 O.S. 2021, Sections 1289.24b and
13 1289.24c, are hereby repealed.

14 SECTION 16. This act shall become effective November 1, 2023.

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16 59-1-5025 GRS 01/17/23

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