

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 934

By: Boren

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2021, Section 1273, which relates to minors possessing firearms; stating certain criminal negligence; providing certain affirmative defense; authorizing delay of arrest in certain circumstances; defining terms; amending 23 O.S. 2021, Section 10, which relates to recovery of damages; updating statutory language; updating statutory reference; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1273, is amended to read as follows:

Section 1273.

ALLOWING MINORS TO POSSESS FIREARMS

A. It shall be unlawful for any person within this state to sell or give to any ~~child~~ minor any of the arms or weapons designated in Section 1272 of this title; provided, the provisions of this section shall not prohibit a parent of a ~~child~~ minor or legal guardian of a ~~child~~ minor, or a person acting with the permission of the parent of the ~~child~~ minor or legal guardian of the ~~child~~ minor, from giving the ~~child~~ minor a firearm for participation in hunting animals or fowl, hunter safety classes, education, and

1 training in the safe use and handling of firearms, target shooting,
2 skeet, trap, or other sporting events or competitions, except as
3 provided in subsection B of this section.

4 B. It shall be unlawful for any ~~parent or guardian~~ person to
5 intentionally, knowingly, or recklessly permit ~~his or her child~~ a
6 minor to possess any of the arms or weapons designated in Section
7 1272 of this title, including any firearm, if such ~~parent~~ person is
8 aware of a substantial risk that the ~~child~~ minor will use the weapon
9 to commit a criminal offense or if the ~~child~~ minor has either been
10 adjudicated a delinquent or has been convicted as an adult for any
11 criminal offense that contains as an element the threat or use of
12 physical force against the person of another.

13 C. It shall be unlawful for any ~~child~~ minor to possess any of
14 the arms or weapons designated in Section 1272 of this title, except
15 firearms used for participation in hunting animals or fowl, hunter
16 safety classes, education, and training in the safe use and handling
17 of firearms, target shooting, skeet, trap, or other sporting events
18 or competitions. Provided, this section shall not authorize the
19 possession of such weapons by any person who is subject to the
20 provisions of Section 1283 of this title.

21 D. It shall be criminal negligence for a firearm owner to
22 permit a minor to gain access to a readily dischargeable firearm and
23 use it to inflict injury or death upon himself or herself or any
24 other person if the firearm owner:

1 1. Failed to secure the firearm; or

2 2. Left the firearm in a place where the owner knew or should
3 have known the minor could gain access to the firearm.

4 E. Any person violating the provisions of this section shall,
5 upon conviction, be punished as provided in Section 1276 of this
6 title, and, any ~~child~~ minor violating the provisions of this section
7 shall be subject to adjudication as a delinquent.

8 F. It is an affirmative defense to prosecution under this
9 section that:

10 1. The firearm was stored or left in a securely locked box or
11 container or in a location that would prevent access to the firearm
12 by a minor;

13 2. The firearm was temporarily rendered inoperable by a trigger
14 lock or other means;

15 3. The minor's access to the firearm was supervised by a person
16 older than eighteen (18) years of age and was for hunting, sporting,
17 or other lawful purpose;

18 4. The minor's access to the firearm consisted of lawful
19 defense of people or property by the minor;

20 5. Injuries resulted from an accident related to target or
21 sport shooting or hunting;

22 6. The minor's access to the firearm was in connection to
23 training or service with members of the Armed Forces, National
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1 Guard, or state militia, or to police or other law enforcement
2 officers incidental to the performance of their official duties;

3 7. The minor's access to the firearm was gained by unlawfully
4 entering property; or

5 8. The minor's access to the firearm occurred during a time
6 when the adult firearm owner was engaged in an agricultural
7 enterprise.

8 G. A peace officer may delay the arrest of the adult firearm
9 owner suspected of violating the provisions of this section in order
10 to permit sufficient time for family to care for a deceased or
11 injured family member.

12 H. In addition, any person violating the provisions of
13 subsection A or B of this section shall be liable for civil damages
14 for any injury or death to any person and for any damage to
15 property, as provided in Section 10 of Title 23 of the Oklahoma
16 Statutes, resulting from any discharge of a firearm by the ~~child~~
17 minor or use of any other weapon that the person had given to the
18 ~~child~~ minor or permitted the ~~child~~ minor to possess. Any person
19 convicted of violating the provisions of this section after having
20 been issued a handgun license pursuant to the provisions of the
21 Oklahoma Self-Defense Act may be liable for an administrative
22 violation as provided in Section 1276 of this title.

23 ~~E. I.~~ As used in this section, "child":

24 1. "Minor" means a person under eighteen (18) years of age; and
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1 2. "Readily dischargeable firearm" means a firearm that is
2 loaded with ammunition, whether or not a round is in the chamber.

3 SECTION 2. AMENDATORY 23 O.S. 2021, Section 10, is
4 amended to read as follows:

5 Section 10. A. The state or any county, city, town, municipal
6 corporation or school district, or any person, corporation, or
7 organization, shall be entitled to recover damages in a court of
8 competent jurisdiction from a parent or parents of any child under
9 the age of eighteen (18) years when the child is living with the
10 parent or parents at the time of the act, and commits any criminal
11 or delinquent act resulting in bodily injury to any person or damage
12 to or larceny of any property, real, personal, or mixed, belonging
13 to the state or a county, city, town, municipal corporation, school
14 district, person, corporation, or organization. The amount of
15 damages awarded pursuant to this subsection shall not exceed Two
16 Thousand Five Hundred Dollars (\$2,500.00).

17 B. Any victim, or the victim's representative in the event of
18 the victim's death, shall be entitled to recover damages in a court
19 of competent jurisdiction from any person convicted of a violation
20 of subsection ~~B~~ C of Section 1273 of Title 21 of the Oklahoma
21 Statutes or as otherwise allowed by law.

22 SECTION 3. This act shall become effective November 1, 2025.
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