

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

2401 Egypt Road
Ada, Oklahoma 74820-0669
405-239-5100
580-310-0871



APPLICATION FOR RETIRED PEACE OFFICER FIREARMS PERMIT

Dear Applicant,

Please read all information thoroughly before completing the application for Retired Peace Officers Firearms Permit. Preclusions from 21 O. S. Sections 1290.10 and 1290.11 (Self Defense Act) are enclosed. Read carefully and list any arrests, regardless of disposition.

Key Points to Remember:

- ◆ There is no cost for the permit.
- ◆ Permits cannot be issued prior to retirement.
- ◆ You must have been employed or commissioned as a full-time or reserve peace officer prior to retirement, from an Oklahoma state, county, or municipal law enforcement agency, or a federal law enforcement agency.
- ◆ The permit does not expire however eligibility to retain the permit will be reviewed every four (4) years through a state and national criminal record check by OSBI.
- ◆ The permit is only valid when in the retired officer's possession.
- ◆ Financial statements, check stubs, etc. cannot be accepted as proof of retirement.
- ◆ Return your application with the "Statement Form Verifying Retired Peace Officer Status" completed by the appropriate retirement agency. **If you did not participate in a law enforcement retirement system, you must submit a letter from the appropriate law enforcement agency verifying the dates of employment or commissioning, and the reason you did not participate in a retirement system.**
- ◆ The application constitutes a sworn statement and must be notarized. Falsification of any portion of any CLEET application is a felony punishable by imprisonment in the Department of Corrections for a term of not less than two (2) years nor more than five (5) years, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.
- ◆ Applicants must submit updated address and telephone information within 30 days after the change to CLEET.
- ◆ If you have questions, please call the general number (405) 239-5121 and ask for the Retired Officer Permit Desk.
- ◆ Return your application to:
CLEET-RFP
2401 Egypt Road
Ada, Oklahoma 74820-0669

Sincerely,

Steven H. Emmons
Interim Director

By: _____

APPLICATION FOR CONCEALED FIREARM PERMIT - RETIRED OFFICERS

RFP-Form 8/23/11

INSTRUCTIONS FOR APPLICANT:

1. Please type or print form clearly in black ink.
2. The application must be notarized.
3. Return the application with the completed form from your retirement system provided by CLEET, or a letter from your employing agency indicating the effective date of your retirement and your status.
4. Incomplete applications will not be processed.

Social Security Number: _____/_____/_____ Date of Birth: _____/_____/_____
Last Name: _____ First: _____ MI: _____
Address: _____
City: _____ State: _____ Zip: _____
Home Phone:() _____ Work or other Phone: () _____
Sex: Male Female **Race:** White Black American Indian Hispanic Asian Eastern Indian
Height: _____ Weight: _____ Eyes: _____ Hair: _____
Name of law enforcement agency retired from: _____
 Full-time officer Reserve officer

STATEMENT OF ELIGIBILITY

Please answer **each** of the following questions completely. Attach a copy of judgment and sentence from the court if charges were filed.

- YES NO Have you ever been convicted, or are you currently subject to pending criminal prosecution for any felony offense, drug related offense, aggravated assault and battery or offense involving impairment by drugs and alcohol?
 YES NO Have you ever been convicted or are you currently subject to pending prosecution for the preclusion offenses listed 21 O.S. 1290.10 or 1290.11? (See Attachment)
 YES NO Are you a fugitive from justice?
 YES NO Were you forced to retire due to any mental disorder?
 YES NO Have you ever been committed to any mental institution?
 YES NO Have you suffered any injury or any physical or mental impairment which would render you unsafe to carry a concealed pistol?

Date: _____ Charge: _____ Where: _____ Disposition: _____

I, the undersigned, certify that I have received, read, and will abide by the rules and statutes governing this Act. For the purposes of determining my eligibility for this permit, I authorize the release of any information regarding my present and past employment, medical information regarding diagnosis, treatment and status of medical or mental conditions, any information relating to my criminal history, or any other information which is deemed confidential to the Council or its authorized representatives. I further authorize the Council or its authorized representative to release to any law enforcement agency, or other governmental agency, information contained in or related to this application. A copy of this affidavit shall have the same force and effect as the original.

Retired Officer's Signature: _____

Subscribed and sworn before me this _____ day of _____, 2_____. SEAL

_____ My commission expires: _____ Commission number: _____

Notary Signature

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING

**2401 Egypt Road
Ada, Oklahoma 74820-0669
580-310-0871 (Ada #)
405-239-5121 (Okla. City #)**

**INSTRUCTIONS REGARDING THE STATEMENT
FORM VERIFYING RETIRED PEACE OFFICER STATUS**

PLEASE READ CAREFULLY: IF YOU PARTICIPATED IN EITHER THE OKLAHOMA POLICE PENSION AND RETIREMENT SYSTEM OR THE OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM, YOU WILL NOT NEED TO USE THE FORM ON THE NEXT PAGE.

1. For confirmation from OPPRS, Contact their office and request a "Statement Form Verifying Retired Peace Officer Status". They have CLEET's form and will provide it upon request. Their contact information is as follows:

OKLAHOMA POLICE PENSION AND RETIREMENT SYSTEM (OPPRS)
1001 NW 63rd, Ste 305
Oklahoma City, OK 73116-7335
(405) 840-3555

2. OPERS does not utilize our form, but will provide a letter confirming that the officer is participating in this retirement system with normal benefits. Their contact information is as follows:

OKLAHOMA PUBLIC EMPLOYEES RETIREMENT SYSTEM (OPERS)
6601 N Broadway Extension, Ste 129
Oklahoma City, OK 73152
(405) 858-6737

COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
2401 Egypt Road
Ada, Oklahoma 74820-0669

STATEMENT FORM VERIFYING RETIRED PEACE OFFICER STATUS

NOTE: If you did not participate in a law enforcement retirement system, this form will not be submitted with your application. Instead, you must submit a letter from your employing or commissioning agency which verifies the dates of employment or commissioning, and the reason you did not participate in a retirement system.

NOTE: If you participated in either the Oklahoma Police Pension and Retirement System (OPPRS) or the Oklahoma Public Employees Retirement System (OPERS), please refer to page three (3) of this form for further instructions.

ALL OTHERS, PLEASE USE THIS FORM

TO BE COMPLETED BY APPLICANT:

Social Security No: _____ Date Retired: _____

Last Name: _____ First: _____

MI: _____

Agency Retired From:

TO BE COMPLETED BY RETIREMENT SYSTEM PERSONNEL:

Name of Retirement System: _____

Address: _____

City: _____ State: _____ Zip: _____

Name System Administrator or Director: _____

Telephone Number: () _____

Type of Retirement: Federal Civil Service Retirement System
 Oklahoma Law Enforcement Retirement System
 Other _____

This letter is to verify the retirement status of the above listed individual as a retired peace officer to the Council on Law Enforcement Education and Training.

Signature of Retirement System Director or Designee

Date: _____

CLEET USE:	
<input type="checkbox"/> Reviewed/Proceed	By: _____ Date: _____
<input type="checkbox"/> Additional Info:	By: _____ Date: _____
<input type="checkbox"/> Not Approved	By: _____ Date: _____

Instructions: Before applying for the firearms permit, please read the following materials.

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Rules Effective July 1, 2006

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING
CHAPTER 45. RETIRED PEACE OFFICER FIREARMS PERMIT**

Section

- 390:45-1-1. Purpose
- 390:45-1-2. Statutory Authority
- 390:45-1-3. Definitions
- 390:45-1-4. Compliance with Laws and Rules
- 390:45-1-5. Eligibility Requirements
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- 390:45-1-9. Denial, Suspension and Revocation
- 390:45-1-10. Administrative Hearings for Violations
- 390:45-1-11. Preclusions
- Appendix A. Preclusions [SUPERSEDED by 390:45-1-11]

390:45-1-1. Purpose

The purpose of the rules of this Chapter is to set forth the requirements and guidelines needed to efficiently and effectively implement and enforce the statutory provisions regarding the issuance of permits for retired federal, state, county or municipal peace officers to carry concealed firearms.

390:45-1-2. Statutory authority

Pursuant to the authority vested in the Council on Law Enforcement Education and Training by the Oklahoma Firearms Act Title 21 O.S., Section 1289.8 and the Oklahoma Self-Defense Act Title 21 O.S., Sections 1290.1 et seq., the rules of this Chapter have been promulgated. These rules and regulations supplement existing state and federal laws, and being properly promulgated, the rules and regulations contained in this Chapter shall have the force and effect of law.

390:45-1-3. Definitions

The following words or terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"**Act**" means the Oklahoma Firearms Act Title 21 O.S., Section 1289.8. and applicable sections of the Oklahoma Self-Defense Act Title 21 O.S., Sections 1290.1 et seq.

"**Applicant**" means a person applying for a retired peace officer's firearms permit under the provisions of the Act.

"CLEET" means the Council on Law Enforcement Education and Training, and its administrative officers and personnel.

"Concealed handgun" means a loaded or unloaded pistol carried hidden from the detection and view of another person either upon or about the person, in a purse or other container belonging to the person, or in a vehicle which is operated by the person or in which the person is riding as a passenger.

"Council" means the appointed members of the Council on Law Enforcement Education and Training, as defined in Title 70 O.S., Section 3311.

"Director" means the Director of the Council on Law Enforcement Education and Training, or his designated agent.

"Peace Officer" means any peace officer as defined in 21 O.S. Section 99, and who is authorized to carry a firearm in the performance of official duties. The term does not include auxiliary, private security, private investigators or military police.

"Pistol" means any derringer, revolver, or semi-automatic firearm which:

(A) has an overall length of less than sixteen (16) inches and is able to be fully concealed from detection and view,

(B) is capable of discharging a projectile composed of any material which may reasonably be expected to be able to cause lethal injury,

(C) is designed to be held and fired by the use of a single hand, and

(D) uses either gunpowder, gas or any means of rocket propulsion to discharge the projectile.

"Retired" means any fire marshal inspector, state, county, or municipal peace officer of this state or any federal law enforcement officer who meets the criteria and definition in 21 O.S. Section 1289.8.

"SDA" means the Oklahoma Self-Defense Act.

"State" means the State of Oklahoma.

390:45-1-4. Compliance with laws and rules

(a) All permit holders shall be knowledgeable of and conduct operations in accordance with all federal, state, and local laws; and rules and regulations of CLEET.

(b) Any statute of the United States or of the State of Oklahoma now existent, or duly enacted in the future, shall supersede any conflicting provision of this Chapter to the extent of such conflict, but shall not affect the remaining provisions herein.

(c) Any violation of this Chapter and applicable Laws of the State of Oklahoma may result in denial, suspension, cancellation or revocation of the permit.

(d) Interested parties may obtain information or submit comments related to this Chapter by writing to CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669.

390:45-1-5. Eligibility requirements

(a) Each retiree shall meet the following criteria to obtain and retain a firearms permit:

(1) State, county, or municipal peace officer of this state or any federal law enforcement officer.

(2) Have obtained retired peace officer status:

(A) From an appropriate retirement system; or

(B) If the applicant did not participate in a retirement system, the officer must have worked for the minimum number of years required to vest in the retirement system appropriate for the type of law enforcement agency from which the officer retired or served.

(3) Possess no physical or mental impairment which would preclude proper and safe handling of a sidearm.

(4) Not have a conviction or currently be subject to any pending criminal prosecution for any felony offense, drug related offense, aggravated assault and battery or any offense involvement involving impairment by drugs or alcohol.

(5) Have no preclusions listed in 21 O.S. Section 1290.10 or 1290.11.

(b) A state and national criminal history search will be conducted by the OSBI every four (4) years to verify the applicant still meets the requirements for the permit.

390:45-1-6. Application procedure

- (a) Any person who wishes to apply for a permit under the Act, may do so in writing to CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669.
- (b) The completed application form shall constitute a sworn affidavit signed by the applicant attesting to eligibility requirements and notarized.
- (c) All applicants must submit a statement from the appropriate retirement system verifying the status of the person as a retired peace officer of the jurisdiction and effective date of retirement or if the retired officer does not participate in a retirement system, a statement from the appropriate law enforcement agency verifying the status of the person as a retired peace officer of that jurisdiction and the reason why the retired officer does not participate in a retirement system.
- (d) For officers not participating in a retirement system, years of service will be cumulative and determined by CLEET records. Any claimed service not reflected in CLEET records must be supported by a written statement verified by the appropriate agency administrator.
- (e) Retired reserve officers must meet the eligibility requirements provided in 390:45-1-5.
- (f) All information on the application or any related document must be complete and accurate to the best of the applicant's knowledge.

390:45-1-7. Permits

- (a) A firearm permit shall be issued to all eligible applicants. This card shall clearly indicate that the licensee is authorized by the State of Oklahoma to carry a concealed firearm under the provisions of this Act.
- (b) The permit to carry a concealed weapon is not valid unless the permit card is in the person's possession.
- (c) The licensee shall present his firearm permit upon demand, for inspection by a law enforcement officer.
- (d) All permit cards or other written authorization shall remain the property of CLEET, and the licensee shall surrender his card to the Director or his designated representative upon written notice setting forth the reasons for such surrender.
- (e) All permit holders must maintain a current address or telephone number with CLEET and report changes within a 30 day period of the change.
- (f) Failure to provide the information necessary to complete the application shall preclude any further processing and shall result in denial of said application.
- (g) Permits shall not expire, but eligibility to retain the permit will be reviewed every four (4) years through a state and national criminal record check by the OSBI.

390:45-1-8. Violations and investigations

Pursuant to the Act, CLEET shall have the responsibility and authority to investigate alleged violations of the Act and of the rules of this Chapter.

390:45-1-9. Denial, suspension and revocation

Violations of this act, and the rules of this Chapter shall subject the violator to administrative action including denial, suspension or revocation of the firearms permit.

390:45-1-10. Administrative hearings for violations

Appeals of actions may be made by petitioning the Director for a hearing which shall be conducted in accordance with the Oklahoma Administrative Procedures Act.

390:45-1-11. Preclusions

In addition to the disqualifying events specified in 21 O.S. Section 1289.9 which are listed on the application statement, permits may be denied or revoked for preclusions listed in 21 O.S. Section 1290.10 and 1290.11.

CHAPTER 2. ADMINISTRATIVE PROCEDURES

390:2-1-2. Denials, reprimands, suspensions, revocations, disciplinary penalties, fines

(a) **Persons affected by individual actions.** Under the authority of 70 O.S., Section 3311 et seq.; 59 O.S., Section 1750.1 et seq.; 59 O.S., Sections 1451-1476; 20 O.S., Section 1313.2, 21 O.S., Section 1289.9 and 21 O.S. Section 1290.1 et seq., CLEET may take Administrative Actions against the following parties for violations of said statutes and the Rules and Regulations of CLEET:

- (1) Certified peace officers and applicants;
- (2) Basic Peace Officer Academy students and applicants;
- (3) Private security training schools and applicants;
- (4) Armed and unarmed security guards, private investigators, security agencies, investigative agencies and applicants;
- (5) Certified drug detector dogs, handlers and applicants;
- (6) CLEET certified instructors for Law Enforcement;
- (7) Counties, cities and towns involved in the penalty assessment program;
- (8) Private security training instructors and applicants;
- (9) Approved SDA Firearms Instructors;
- (10) Retired municipal, county, state and federal peace officers;
- (11) Certified Reserve Peace Officers and applicants; and
- (12) any other parties for which CLEET has statutory responsibility.

(b) **Type of sanctions.** CLEET may take the following actions against the parties mentioned in (a) of this section:

- (1) Oral Reprimand
- (2) Written Reprimand
- (3) Denial
- (4) Suspensions
- (5) Revocation and/or
- (6) Disciplinary penalty or fine.

(c) **Disciplinary procedures.** In the event CLEET, or its designated agent, has determined that an action will be taken, the following procedures shall apply in accordance with the Administrative Procedures Act, Section 301, et. seq. Title 75 of the Oklahoma Statutes.

- (1) The issuance or denial of a new license or new certification is not an individual proceeding, and is not subject to review by the administrative hearing process set forth below.
- (2) CLEET or its designated agent shall serve by certified mail, return receipt requested, or by personal delivery by one authorized by CLEET, a "Notice of Council Action" containing information required by 75 O.S. Section 309 et. seq., to the party at his last known residential address as reflected by the records of CLEET. If said letter is returned and notation of U.S. Postal Service indicates "unclaimed", "moved", "refused" or any non-delivery markings and the Council's records indicate no change of address as required by rule 390:35-5-13, the notice and any subsequent order shall be deemed served. Any order issued shall be deemed valid as if said individual or agency had been served.
- (3) The notice shall provide that CLEET action shall commence and become effective fifteen (15) days after receipt of said notice by the party, unless the party timely files a written request for a hearing with CLEET except as follows:
 - (A) When CLEET determines that an allegation warrants immediate action, the commencement and effective date of fifteen (15) days will be waived and the action will be effective upon receipt of said notice.
 - (B) A request for hearing will be timely filed if said request is in writing and received by CLEET, its Director, or designated agent within ten (10) days of the date the party received notice.
 - (C) If a timely written request for a hearing is not received by CLEET, the allegations shall be deemed

confessed by the party and the action will become final.

(D) If the written request for hearings is timely received by CLEET, such hearings shall be scheduled within sixty (60) days from the date said request is received.

- (4) The timely filing of a written request for a hearing will stay CLEET's action pending disposition of the hearing, unless the notice and allegations fall within the purview of (2)(A) of this subsection.
- (5) The hearings will be held at a location designated by the Council.
- (6) The hearing officer will be designated by CLEET or the Director thereof, and each party shall be afforded an opportunity to be heard and present evidence.
- (7) The hearing will be electronically recorded and the tapes of said hearing will be preserved until all avenues of appeal have expired or been exhausted. If a party desires a court reporter, or certified stenographer, it shall be the party's burden to provide and bear the cost of said services and subsequent transcription.
- (8) If a party fails to appear at the scheduled hearings without prior notification or good cause, the hearing officer shall default the party, and enter an order sustaining the allegations set forth in the notice and imposing the sanctions set forth therein; or if the State sustains its burden, the hearing examiner shall rule accordingly.
- (9) If the complaining party fails to show or the state otherwise fails to prove the allegations by clear and convincing evidence, the action against the party shall be dismissed without sanctions. (10) The designated hearing officer shall render a decision based upon the law and the evidence presented at the hearing.
- (11) Each party shall be notified, in written order form, of the findings of fact and conclusions of law relating to the action.
- (12) A party may appeal the hearing officer's decision as set forth in 75 O.S. Section 301 et. seq. of the Administrative Procedures Act.

ATTACHMENT

21 § 1289.9 . Unlawful to Carry or Use Firearms Under the Influence of Alcohol or Drugs

It shall be unlawful for any person to carry or use shotguns, rifles or pistols in any circumstances while under the influence of beer, intoxicating liquors or any hallucinogenic, or any unlawful or unprescribed drug, and it shall be unlawful for any person to carry or use shotguns, rifles or pistols when under the influence of any drug prescribed by a licensed physician if the aftereffects of such consumption affect mental, emotional or physical processes to a degree that would result in abnormal behavior. Any person convicted of a violation of the provisions of this section shall be punished as provided in Section 1289.15 of this title.

Any person convicted of a violation of the provisions of this section after having been issued a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act shall have the license suspended for a term of six (6) months and shall be subject to an administrative fine of Fifty Dollars (\$50.00), upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

21 § 1289.10 . Furnishing Firearms to Mentally Incompetent or Insane Persons

It shall be unlawful for any person to knowingly transmit, transfer, sell, lend or furnish any shotgun, rifle or pistol to any person who is under an adjudication of mental incompetency, or to any person who is mentally deficient or of unsound mind. Any person convicted of a violation of the provisions of this section shall be punished as provided in Section 1289.15 of this title.

Any person convicted of a violation of the provisions of this section after having been issued a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Section 1290.1 et seq. of this title, shall have the license suspended for a term of six (6) months and shall be subject to an administrative fine of Fifty Dollars (\$50.00), upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

21 § 1289.11 . Reckless Conduct

It shall be unlawful for any person to engage in reckless conduct while having in his or her possession any shotgun, rifle or pistol, such actions consisting of creating a situation of unreasonable risk and probability of death or great bodily harm to another, and demonstrating a conscious disregard for the safety of another person. Any person convicted of violating the provisions of this section shall be punished as provided in Section 1289.15 of this title.

Any person convicted of a violation of the provisions of this section after having been issued a concealed handgun license pursuant to the Oklahoma Self-Defense Act, Sections 1 through 25 of this act, shall have the license revoked and shall be subject to an administrative fine of One Thousand Dollars (\$1,000.00), upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

21 § 1290.10 Additional reasons for denial of license

MANDATORY PRECLUSIONS

In addition to the requirements stated in Section [1290.9](#) of this title, the conditions stated in this section shall preclude a person from eligibility for a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Section [1290.1](#) et seq. of this title. The occurrence of any one of the following conditions shall deny the person the right to have a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act. Prohibited conditions are:

1. Ineligible to possess a pistol due to any felony conviction or adjudication as a delinquent as provided by Section [1283](#) of this title, except as provided in subsection B of Section [1283](#) of this title;
2. Any felony conviction pursuant to any law of another state, a felony conviction pursuant to any provision of the United States Code, or any conviction pursuant to the laws of any foreign country, provided such foreign conviction would constitute a felony offense in this state if the offense had been committed in this state, except as provided in subsection B of Section [1283](#) of this title;
3. Adjudication as an incompetent person pursuant to the provisions of the Oklahoma Mental Health Law, [Section 1-101 et seq. of Title 43A](#) of the Oklahoma Statutes or an adjudication of incompetency entered in another state pursuant to any provision of law of that state;
4. Any false or misleading statement on the application for a handgun license as provided by paragraph 5 of Section [1290.12](#) of this title;
5. Conviction of any one of the following misdemeanor offenses in this state or in any other state:
 - a. any assault and battery which caused serious physical injury to the victim, or any second or subsequent assault and battery conviction,
 - b. any aggravated assault and battery,
 - c. any stalking pursuant to Section 1173 of this title, or a similar law of another state,
 - d. a violation relating to the Protection from Domestic Abuse Act, Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any violation of a victim protection order of another state,
 - e. any conviction relating to illegal drug use or possession; or
 - f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the laws of another state;
6. An attempted suicide or other condition relating to or indicating mental instability or an unsound mind which occurred within the preceding ten-year period from the date of the application for a license to carry a concealed firearm or that occurs during the period of licensure;
7. Currently undergoing treatment for a mental illness, condition, or disorder. For purposes of this paragraph, "currently undergoing treatment for a mental illness, condition, or disorder" means the person has been diagnosed by a licensed physician as being afflicted with a substantial disorder of thought, mood, perception, psychological orientation, or memory that significantly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life;
8. Significant character defects of the applicant as evidenced by a misdemeanor criminal record indicating habitual criminal activity;
9. Ineligible to possess a pistol due to any provision of law of this state or the United States Code, except as provided in subsection B of Section 1283 of this title;
10. Failure to pay an assessed fine or surrender the handgun license as required by a decision by the administrative hearing examiner pursuant to authority of the Oklahoma Self-Defense Act;
11. Being subject to an outstanding felony warrant issued in this state or another state or the United States; or
12. Adjudication as a delinquent as provided by Section 1283 of this title, except as provided in subsection B of Section 1283 of this title.

21 § 1290.11 Conditions for denial of license

OTHER PRECLUSIONS

- A. The following conditions shall preclude a person from being eligible for a concealed handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Section [1290.1](#) et seq. of this title, for a period of time as prescribed in each of the following paragraphs:
1. An arrest for an alleged commission of a felony offense or a felony charge pending in this state, another state or pursuant to the United States Code. The preclusive period shall be until the final determination of the matter;
 2. The person is subject to the provisions of a deferred sentence or deferred prosecution in this state or another state or pursuant to federal authority for the commission of a felony offense. The preclusive period shall be three (3) years and shall begin upon the final determination of the matter;
 3. Any involuntary commitment for a mental illness, condition, or disorder pursuant to the provisions of [Section 5-410 of Title 43A](#) of the Oklahoma Statutes or any involuntary commitment in another state pursuant to any provisions of law of that state. The preclusive period shall be permanent as provided by Title 18 of the United States Code Section 922(g)(4);
 4. The person has previously undergone treatment for a mental illness, condition, or disorder which required medication or supervision as defined by paragraph 7 of Section [1290.10](#) of this title. The preclusive period shall be three (3) years from the last date of treatment or upon presentation of a certified statement from a licensed physician stating that the person is either no longer disabled by any mental or psychiatric illness, condition, or disorder or that the person has been stabilized on medication for ten (10) years or more;
 5. Inpatient treatment for substance abuse. The preclusive period shall be three (3) years from the last date of treatment or upon presentation of a certified statement from a licensed physician stating that the person has been free from substance use for twelve (12) months or more preceding the filing of an application for a handgun license;
 6. Two or more convictions of public intoxication pursuant to [Section 8 of Title 37](#) of the Oklahoma Statutes, or a similar law of another state. The preclusive period shall be three (3) years from the date of the completion of the last sentence;
 7. Two or more misdemeanor convictions relating to intoxication or driving under the influence of an intoxicating substance or alcohol. The preclusive period shall be three (3) years from the date of the completion of the last sentence or shall require a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment;
 8. A court order for a final Victim Protection Order against the applicant, as authorized by [Section 60 et seq. of Title 22](#) of the Oklahoma Statutes, or any court order granting a final victim protection order against the applicant from another state. The preclusive period shall be three (3) years from the date of the entry of the final court order, or sixty (60) days from the date an order was vacated, cancelled or withdrawn;
 9. An adjudicated delinquent or convicted felon residing in the residence of the applicant which may be a violation of Section [1283](#) of this title. The preclusive period shall be thirty (30) days from the date the person no longer resides in the same residence as the applicant; or
 10. An arrest for an alleged commission of, a charge pending for, or the person is subject to the provisions of a deferred sentence or a deferred prosecution for any one or more of the following misdemeanor offenses in this state or another state:
 - a. any assault and battery which caused serious physical injury to the victim or any second or subsequent assault and battery,
 - b. any aggravated assault and battery,
 - c. any stalking pursuant to Section [1173](#) of this title, or a similar law of another state,

- d. any violation of the Protection from Domestic Abuse Act, [Section 60 et seq. of Title 22](#) of the Oklahoma Statutes, or any violation of a victim protection order of another state,
- e. any violation relating to illegal drug use or possession, or
- f. an act of domestic abuse as defined by Section [644](#) of this title or an act of domestic assault and battery or any comparable acts under the law of another state.

The preclusive period for this paragraph shall be three (3) years and shall begin upon the final determination of the matter.

- B. Nothing in this section shall be construed to require a full investigation of the applicant by the