

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL 2014

By: Coody (Jeff), Cockroft,  
Kern, Jordan, Montgomery,  
Murphey, Lockhart, Derby,  
Murdock, Enns, Bennett,  
Wood, Walker, Nollan, Coody  
(Ann), Fisher, Cooksey,  
Wright, Faught, Ownbey,  
Lepak, Joyner, McCullough,  
Brumbaugh, Sherrer, Roberts  
(Sean) and Pfeiffer of the  
House

and

Barrington of the Senate

COMMITTEE SUBSTITUTE

An Act relating to school security; creating the  
Special Reserve School Resource Officer Act; amending  
21 O.S. 2011, Sections 1277 and 1280.1, as last  
amended by Sections 1 and 2, Chapter 325, O.S.L. 2014  
(21 O.S. Supp. 2014, Sections 1277 and 1280.1), which  
relate to carrying firearms on certain property;  
allowing certain persons to carry handguns on public  
school property; authorizing boards of education to  
allow for participation in special reserve school  
resource officer academies; construing provision;  
making participation voluntary; providing for payment  
of academy training expenses; authorizing certain  
persons to carry handgun on public school property;  
providing for limited statewide peace officer  
certification; providing immunity from civil and  
criminal liability; stating powers and duties of the  
Council on Law Enforcement Education and Training;  
defining term; providing for codification; providing  
for noncodification; and declaring an emergency.

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

2 SECTION 1. NEW LAW A new section of law not to be  
3 codified in the Oklahoma Statutes reads as follows:

4 This act shall be known and may be cited as the "Special Reserve  
5 School Resource Officer Act".

6 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1277, as  
7 last amended by Section 1, Chapter 325, O.S.L. 2014 (21 O.S. Supp.  
8 2014, Section 1277), is amended to read as follows:

9 Section 1277.

10 UNLAWFUL CARRY IN CERTAIN PLACES

11 A. It shall be unlawful for any person in possession of a valid  
12 handgun license issued pursuant to the provisions of the Oklahoma  
13 Self-Defense Act to carry any concealed or unconcealed handgun into  
14 any of the following places:

15 1. Any structure, building, or office space which is owned or  
16 leased by a city, town, county, state, or federal governmental  
17 authority for the purpose of conducting business with the public;

18 2. Any prison, jail, detention facility or any facility used to  
19 process, hold, or house arrested persons, prisoners or persons  
20 alleged delinquent or adjudicated delinquent;

21 3. Any public or private elementary or public or private  
22 secondary school, except as provided in subsection C of this  
23 section;

24 4. Any sports arena during a professional sporting event;

1 5. Any place where pari-mutuel wagering is authorized by law;  
2 and

3 6. Any other place specifically prohibited by law.

4 B. For purposes of paragraphs 1, 2, 3, 4 and 5 of subsection A  
5 of this section, the prohibited place does not include and  
6 specifically excludes the following property:

7 1. Any property set aside for the use or parking of any  
8 vehicle, whether attended or unattended, by a city, town, county,  
9 state, or federal governmental authority;

10 2. Any property set aside for the use or parking of any  
11 vehicle, whether attended or unattended, by any entity offering any  
12 professional sporting event which is open to the public for  
13 admission, or by any entity engaged in pari-mutuel wagering  
14 authorized by law;

15 3. Any property adjacent to a structure, building, or office  
16 space in which concealed or unconcealed weapons are prohibited by  
17 the provisions of this section;

18 4. Any property designated by a city, town, county, or state  
19 governmental authority as a park, recreational area, or fairgrounds;  
20 provided, nothing in this paragraph shall be construed to authorize  
21 any entry by a person in possession of a concealed or unconcealed  
22 handgun into any structure, building, or office space which is  
23 specifically prohibited by the provisions of subsection A of this  
24 section; and

1       5. Any property set aside by a public or private elementary or  
2 secondary school for the use or parking of any vehicle, whether  
3 attended or unattended; provided, however, said handgun shall be  
4 stored and hidden from view in a locked motor vehicle when the motor  
5 vehicle is left unattended on school property.

6       Nothing contained in any provision of this subsection or  
7 subsection C of this section shall be construed to authorize or  
8 allow any person in control of any place described in paragraph 1,  
9 2, 3, 4 or 5 of subsection A of this section to establish any policy  
10 or rule that has the effect of prohibiting any person in lawful  
11 possession of a handgun license from possession of a handgun  
12 allowable under such license in places described in paragraph 1, 2,  
13 3, 4 or 5 of this subsection.

14       C. A concealed or unconcealed weapon may be carried onto  
15 private school property or in any school bus or vehicle used by any  
16 private school for transportation of students or teachers by a  
17 person who is licensed pursuant to the Oklahoma Self-Defense Act,  
18 provided a policy has been adopted by the governing entity of the  
19 private school that authorizes the carrying and possession of a  
20 weapon on private school property or in any school bus or vehicle  
21 used by a private school. Except for acts of gross negligence or  
22 willful or wanton misconduct, a governing entity of a private school  
23 that adopts a policy which authorizes the possession of a weapon on  
24 private school property, a school bus or vehicle used by the private

1 school shall be immune from liability for any injuries arising from  
2 the adoption of the policy. The provisions of this subsection shall  
3 not apply to claims pursuant to the Workers' Compensation Code.

4 D. Notwithstanding paragraph 3 of subsection A of this section,  
5 a handgun may be carried into any public elementary or public  
6 secondary school by school personnel who have successfully completed  
7 a special reserve school resource officer academy, as provided in  
8 Section 4 of this act, if a policy has been adopted by the board of  
9 education of the school district that authorizes the carrying of a  
10 handgun into the public elementary or public secondary school by  
11 such personnel.

12 E. Any person violating the provisions of subsection A of this  
13 section shall, upon conviction, be guilty of a misdemeanor  
14 punishable by a fine not to exceed Two Hundred Fifty Dollars  
15 (\$250.00).

16 ~~E.~~ F. No person in possession of a valid handgun license issued  
17 pursuant to the provisions of the Oklahoma Self-Defense Act shall be  
18 authorized to carry the handgun into or upon any college,  
19 university, or technology center school property, except as provided  
20 in this subsection. For purposes of this subsection, the following  
21 property shall not be construed as prohibited for persons having a  
22 valid handgun license:

23 1. Any property set aside for the use or parking of any  
24 vehicle, whether attended or unattended, provided the handgun is

1 carried or stored as required by law and the handgun is not removed  
2 from the vehicle without the prior consent of the college or  
3 university president or technology center school administrator while  
4 the vehicle is on any college, university, or technology center  
5 school property;

6 2. Any property authorized for possession or use of handguns by  
7 college, university, or technology center school policy; and

8 3. Any property authorized by the written consent of the  
9 college or university president or technology center school  
10 administrator, provided the written consent is carried with the  
11 handgun and the valid handgun license while on college, university,  
12 or technology center school property.

13 The college, university, or technology center school may notify  
14 the Oklahoma State Bureau of Investigation within ten (10) days of a  
15 violation of any provision of this subsection by a licensee. Upon  
16 receipt of a written notification of violation, the Bureau shall  
17 give a reasonable notice to the licensee and hold a hearing. At the  
18 hearing, upon a determination that the licensee has violated any  
19 provision of this subsection, the licensee may be subject to an  
20 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may  
21 have the handgun license suspended for three (3) months.

22 Nothing contained in any provision of this subsection shall be  
23 construed to authorize or allow any college, university, or  
24 technology center school to establish any policy or rule that has

1 the effect of prohibiting any person in lawful possession of a  
2 handgun license from possession of a handgun allowable under such  
3 license in places described in paragraphs 1, 2 and 3 of this  
4 subsection. Nothing contained in any provision of this subsection  
5 shall be construed to limit the authority of any college, university  
6 or technology center school in this state from taking administrative  
7 action against any student for any violation of any provision of  
8 this subsection.

9 ~~F.~~ G. The provisions of this section shall not apply to any  
10 peace officer or to any person authorized by law to carry a pistol  
11 in the course of employment. District judges, associate district  
12 judges and special district judges, who are in possession of a valid  
13 handgun license issued pursuant to the provisions of the Oklahoma  
14 Self-Defense Act and whose names appear on a list maintained by the  
15 Administrative Director of the Courts, shall be exempt from this  
16 section when acting in the course and scope of employment within the  
17 courthouses of this state. Private investigators with a firearms  
18 authorization shall be exempt from this section when acting in the  
19 course and scope of employment.

20 ~~G.~~ H. For the purposes of this section, "motor vehicle" means  
21 any automobile, truck, minivan or sports utility vehicle.

22 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1280.1, as  
23 last amended by Section 2, Chapter 325, O.S.L. 2014 (21 O.S. Supp.  
24 2014, Section 1280.1), is amended to read as follows:

1 Section 1280.1

2 POSSESSION OF FIREARM ON SCHOOL PROPERTY

3 A. It shall be unlawful for any person to have in his or her  
4 possession on any public or private school property or while in any  
5 school bus or vehicle used by any school for transportation of  
6 students or teachers any firearm or weapon designated in Section  
7 1272 of this title, except as provided in subsection C of this  
8 section or as otherwise authorized by law.

9 B. For purposes of this section:

10 1. "School property" means any publicly owned property held for  
11 purposes of elementary, secondary or vocational-technical education,  
12 and shall not include property owned by public school districts or  
13 where such property is leased or rented to an individual or  
14 corporation and used for purposes other than educational;

15 2. "Private school" means a school that offers a course of  
16 instruction for students in one or more grades from prekindergarten  
17 through grade twelve and is not operated by a governmental entity;  
18 and

19 3. "Motor vehicle" means any automobile, truck, minivan or  
20 sports utility vehicle.

21 C. Firearms and weapons are allowed on school property and  
22 deemed not in violation of subsection A of this section as follows:

23 1. A gun or knife designed for hunting or fishing purposes kept  
24 in a privately owned vehicle and properly displayed or stored as



1 required by law, provided such vehicle containing said gun or knife  
2 is driven onto school property only to transport a student to and  
3 from school and such vehicle does not remain unattended on school  
4 property;

5 2. A gun or knife used for the purposes of participating in the  
6 Oklahoma Department of Wildlife Conservation certified hunter  
7 training education course or any other hunting, fishing, safety or  
8 firearms training courses, or a recognized firearms sports event,  
9 team shooting program or competition, or living history reenactment,  
10 provided the course or event is approved by the principal or chief  
11 administrator of the school where the course or event is offered,  
12 and provided the weapon is properly displayed or stored as required  
13 by law pending participation in the course, event, program or  
14 competition;

15 3. Weapons in the possession of any peace officer or other  
16 person authorized by law to possess a weapon in the performance of  
17 his or her duties and responsibilities;

18 4. A concealed or unconcealed weapon carried onto private  
19 school property or in any school bus or vehicle used by any private  
20 school for transportation of students or teachers by a person who is  
21 licensed pursuant to the Oklahoma Self-Defense Act, provided a  
22 policy has been adopted by the governing entity of the private  
23 school that authorizes the possession of a weapon on private school  
24 property or in any school bus or vehicle used by a private school.

1 Except for acts of gross negligence or willful or wanton misconduct,  
2 a governing entity of a private school that adopts a policy which  
3 authorizes the possession of a weapon on private school property, a  
4 school bus or vehicle used by the private school shall be immune  
5 from liability for any injuries arising from the adoption of the  
6 policy. The provisions of this paragraph shall not apply to claims  
7 pursuant to the Workers' Compensation Code;

8 5. A gun, knife, bayonet or other weapon in the possession of a  
9 member of a veterans group, the national guard, active military, the  
10 Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to  
11 participate in a ceremony, assembly or educational program approved  
12 by the principal or chief administrator of a school or school  
13 district where the ceremony, assembly or educational program is  
14 being held; provided, however, the gun or other weapon that uses  
15 projectiles is not loaded and is inoperable at all times while on  
16 school property; ~~and~~

17 6. A handgun carried in a motor vehicle pursuant to a valid  
18 handgun license authorized by the Oklahoma Self-Defense Act onto  
19 property set aside by a public or private elementary or secondary  
20 school for the use or parking of any vehicle; provided, however,  
21 said handgun shall be stored and hidden from view in a locked motor  
22 vehicle when the motor vehicle is left unattended on school  
23 property; and

24

1        7. A handgun carried onto public school property by school  
2 personnel who have successfully completed a special reserve school  
3 resource officer academy, as provided in Section 4 of this act, if a  
4 policy has been adopted by the board of education of the school  
5 district that authorizes the carrying of a handgun onto public  
6 school property by such personnel.

7        D. Any person violating the provisions of this section shall,  
8 upon conviction, be guilty of a misdemeanor punishable by a fine of  
9 not to exceed Two Hundred Fifty Dollars (\$250.00).

10        SECTION 4.        NEW LAW        A new section of law to be codified  
11 in the Oklahoma Statutes as Section 5-149.2 of Title 70, unless  
12 there is created a duplication in numbering, reads as follows:

13        A. The board of education of a school district may, through a  
14 majority vote of the board, allow school personnel who have been  
15 issued a handgun license pursuant to the Oklahoma Self-Defense Act  
16 to attend a special reserve school resource officer academy provided  
17 and developed by the Council on Law Enforcement Education and  
18 Training (CLEET). The special reserve school resource officer  
19 academy shall be conducted and governed by CLEET and shall include  
20 fifty (50) hours of education and training. Nothing in this section  
21 shall be construed to prohibit or limit the board of education of a  
22 school district from requiring ongoing education and training.

23        B. Participation in the special reserve school resource officer  
24 academy by school personnel shall be voluntary and shall not in any

1 way be considered a requirement for continued employment with the  
2 school district. The board of education of a school district shall  
3 have the final authority to determine and select the school  
4 personnel who will attend the special reserve school resource  
5 officer academy as authorized in the provisions of this act.

6 C. The board of education of a school district that authorizes  
7 school personnel to participate in a special reserve school resource  
8 officer academy may pay all necessary training, meal and lodging  
9 expenses associated with the special reserve school resource officer  
10 academy.

11 D. Upon successful completion of the special reserve school  
12 resource officer academy, school personnel shall have limited  
13 statewide peace officer certification while performing his or her  
14 official duties as an employee of the school district and shall have  
15 the authority to carry a concealed handgun anywhere in the state  
16 including public school property subject to and in compliance with  
17 the policies established by the board of education of the school  
18 district. When not performing official duties as an employee of the  
19 school district, the special reserve school resource officer shall  
20 not have limited statewide peace officer certification status. When  
21 carrying a firearm pursuant to the provisions of this act, the  
22 person shall at all times carry the firearm on his or her person or  
23 the firearm shall be stored in a locked and secure location.

24

1 E. Any school personnel who have successfully completed the  
2 special reserve school resource officer academy and while acting in  
3 good faith shall be immune from civil and criminal liability for any  
4 injury resulting from the carrying of a handgun onto public school  
5 property as provided for in subsection D of this section. Any board  
6 of education of a school district or participating local law  
7 enforcement agency shall be immune from civil and criminal liability  
8 for any injury resulting from any act committed by school personnel  
9 who are authorized to carry a concealed handgun on public school  
10 property, pursuant to the provisions of this act.

11 F. In order to carry out the provisions of this section, the  
12 board of education of a school district is authorized to enter into  
13 a memorandum of understanding with local law enforcement entities.

14 G. CLEET shall have the following powers and duties:

15 1. Promulgate policies and procedures to carry out the  
16 provisions of the Special Reserve School Resource Officer Act;

17 2. Establish and enforce standards governing the training and  
18 education of school personnel pursuant to the Special Reserve School  
19 Resource Officer Act;

20 3. Establish minimum curriculum requirements for special  
21 reserve school resource officers which shall include firearms  
22 training and education and shall include fifty (50) hours of  
23 instruction; and  
24

1 4. Establish minimum curriculum requirements for continuing  
2 education and training for special reserve school resource officers.

3 H. As used in this section, "school personnel" means duly  
4 certified or licensed persons employed by a school district to serve  
5 as administrators, superintendents, principals, supervisors, vice-  
6 principals, teachers, counselors, librarians, school bus drivers,  
7 school nurses or in any other instructional capacity.

8 I. As used in this section, "limited statewide peace officer  
9 certification" means having the authority of peace officers  
10 regarding detention, arrest, use of force, and use of weapons, but  
11 shall not have peace officer authority for the purposes of:

12 1. Use of emergency vehicles;

13 2. Obtaining and executing warrants;

14 3. Issuing traffic citations;

15 4. Transporting prisoners;

16 5. Serving civil process;

17 6. Enforcing municipal ordinances;

18 7. Taking persons in need of treatment, as defined by statute,  
19 into custody; and

20 8. Authorizing medical treatment, except as allowed by statute  
21 or the Oklahoma State Department of Education.

22 CLEET may define other limitations by rule.

23 SECTION 5. It being immediately necessary for the preservation  
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3

4 55-1-1661 BH 4/9/2015 12:29:28 PM

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24