

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

2 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
3 last amended by Section 1, Chapter 247, O.S.L. 2018 (21 O.S. Supp.
4 2018, Section 1277), is amended to read as follows:

5 Section 1277.

6 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

14 2. Any courthouse, courtroom, prison, jail, detention facility
15 or any facility used to process, hold or house arrested persons,
16 prisoners or persons alleged delinquent or adjudicated delinquent,
17 except as provided in Section 21 of Title 57 of the Oklahoma
18 Statutes;

19 3. Any public or private elementary or public or private
20 secondary school, except as provided in subsections C and D of this
21 section;

22 4. Any publicly owned or operated sports arena or venue during
23 a professional sporting event, unless allowed by the event holder;

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1 5. Any place where gambling is authorized by law, unless
2 allowed by the property owner; and

3 6. Any other place specifically prohibited by law.

4 B. For purposes of subsection A of this section, the prohibited
5 place does not include and specifically excludes the following
6 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, which is open to the
12 public, or by any entity engaged in gambling authorized by law;

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

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

23 5. Any property set aside by a public or private elementary or
24 secondary school for the use or parking of any vehicle, whether

1 attended or unattended; provided, however, the handgun shall be
2 stored and hidden from view in a locked motor vehicle when the motor
3 vehicle is left unattended on school property.

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

11 C. A concealed or unconcealed weapon may be carried onto
12 private school property or in any school bus or vehicle used by any
13 private school for transportation of students or teachers by a
14 person who is licensed pursuant to the Oklahoma Self-Defense Act,
15 provided a policy has been adopted by the governing entity of the
16 private school that authorizes the carrying and possession of a
17 weapon on private school property or in any school bus or vehicle
18 used by a private school. Except for acts of gross negligence or
19 willful or wanton misconduct, a governing entity of a private school
20 that adopts a policy which authorizes the possession of a weapon on
21 private school property, a school bus or vehicle used by the private
22 school shall be immune from liability for any injuries arising from
23 the adoption of the policy. The provisions of this subsection shall
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1 not apply to claims pursuant to the Administrative Workers'
2 Compensation Act.

3 D. Notwithstanding paragraph 3 of subsection A of this section,
4 a board of education of a school district may adopt a policy
5 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
6 authorize the carrying of a handgun onto school property by school
7 personnel specifically designated by the board of education,
8 provided such personnel either:

9 1. Possess a valid armed security guard license as provided for
10 in ~~Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes~~ the
11 Oklahoma Security Guard and Private Investigator Act; ~~or~~

12 2. Hold a valid reserve peace officer certification as provided
13 for in Section 3311 of Title 70 of the Oklahoma Statutes; or

14 3. Possess a valid handgun license issued pursuant to the
15 provisions of the Oklahoma Self-Defense Act and meet other
16 requirements authorized by the board of education.

17 Nothing in this subsection shall be construed to restrict authority
18 granted elsewhere in law to carry firearms.

19 E. Any person violating the provisions of paragraph 2 or 3 of
20 subsection A of this section shall, upon conviction, be guilty of a
21 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
22 Dollars (\$250.00). A person violating any other provision of
23 subsection A of this section may be denied entrance onto the
24 property or removed from the property. If the person refuses to

1 leave the property and a peace officer is summoned, the person may
2 be issued a citation for an amount not to exceed Two Hundred Fifty
3 Dollars (\$250.00).

4 F. No person in possession of a valid handgun license issued
5 pursuant to the provisions of the Oklahoma Self-Defense Act shall be
6 authorized to carry the handgun into or upon any college, university
7 or technology center school property, except as provided in this
8 subsection. For purposes of this subsection, the following property
9 shall not be construed as prohibited for persons having a valid
10 handgun license:

11 1. Any property set aside for the use or parking of any
12 vehicle, whether attended or unattended, provided the handgun is
13 carried or stored as required by law and the handgun is not removed
14 from the vehicle without the prior consent of the college or
15 university president or technology center school administrator while
16 the vehicle is on any college, university or technology center
17 school property;

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

20 3. Any property authorized by the written consent of the
21 college or university president or technology center school
22 administrator, provided the written consent is carried with the
23 handgun and the valid handgun license while on college, university
24 or technology center school property.

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

10 Nothing contained in any provision of this subsection shall be
11 construed to authorize or allow any college, university or
12 technology center school to establish any policy or rule that has
13 the effect of prohibiting any person in lawful possession of a
14 handgun license from possession of a handgun allowable under such
15 license in places described in paragraphs 1, 2 and 3 of this
16 subsection. Nothing contained in any provision of this subsection
17 shall be construed to limit the authority of any college, university
18 or technology center school in this state from taking administrative
19 action against any student for any violation of any provision of
20 this subsection.

21 G. The provisions of this section shall not apply to the
22 following:

23 1. Any peace officer or any person authorized by law to carry a
24 pistol in the course of employment;

1 2. District judges, associate district judges and special
2 district judges, who are in possession of a valid handgun license
3 issued pursuant to the provisions of the Oklahoma Self-Defense Act
4 and whose names appear on a list maintained by the Administrative
5 Director of the Courts, when acting in the course and scope of
6 employment within the courthouses of this state;

7 3. Private investigators with a firearms authorization when
8 acting in the course and scope of employment;

9 4. Elected officials of a county, who are in possession of a
10 valid handgun license issued pursuant to the provisions of the
11 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
12 in the performance of their duties within the courthouses of the
13 county in which he or she was elected. The provisions of this
14 paragraph shall not allow the elected county official to carry the
15 handgun into a courtroom;

16 5. The sheriff of any county may authorize certain employees of
17 the county, who possess a valid handgun license issued pursuant to
18 the provisions of the Oklahoma Self-Defense Act, to carry a
19 concealed handgun when acting in the course and scope of employment
20 within the courthouses in the county in which the person is
21 employed. Nothing in this act shall prohibit the sheriff from
22 requiring additional instruction or training before receiving
23 authorization to carry a concealed handgun within the courthouse.
24 The provisions of this paragraph and of paragraph 6 of this

1 subsection shall not allow the county employee to carry the handgun
2 into a courtroom, sheriff's office, adult or juvenile jail or any
3 other prisoner detention area; and

4 6. The board of county commissioners of any county may
5 authorize certain employees of the county, who possess a valid
6 handgun license issued pursuant to the provisions of the Oklahoma
7 Self-Defense Act, to carry a concealed handgun when acting in the
8 course and scope of employment on county annex facilities or grounds
9 surrounding the county courthouse.

10 H. For the purposes of this section, "motor vehicle" means any
11 automobile, truck, minivan or sports utility vehicle.

12 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1280.1, as
13 last amended by Section 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp.
14 2018, Section 1280.1), is amended to read as follows:

15 Section 1280.1

16 POSSESSION OF FIREARM ON SCHOOL PROPERTY

17 A. It shall be unlawful for any person to have in his or her
18 possession on any public or private school property or while in any
19 school bus or vehicle used by any school for transportation of
20 students or teachers any firearm or weapon designated in Section
21 1272 of this title, except as provided in subsection C of this
22 section or as otherwise authorized by law.

23 B. For purposes of this section:
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1 1. "School property" means any publicly owned property held for
2 purposes of elementary, secondary or vocational-technical education,
3 and shall not include property owned by public school districts or
4 where such property is leased or rented to an individual or
5 corporation and used for purposes other than educational;

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

10 3. "Motor vehicle" means any automobile, truck, minivan or
11 sports utility vehicle.

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

14 1. A gun or knife designed for hunting or fishing purposes kept
15 in a privately owned vehicle and properly displayed or stored as
16 required by law, provided such vehicle containing said gun or knife
17 is driven onto school property only to transport a student to and
18 from school and such vehicle does not remain unattended on school
19 property;

20 2. A gun or knife used for the purposes of participating in the
21 Oklahoma Department of Wildlife Conservation certified hunter
22 training education course or any other hunting, fishing, safety or
23 firearms training courses, or a recognized firearms sports event,
24 team shooting program or competition, or living history reenactment,

1 provided the course or event is approved by the principal or chief
2 administrator of the school where the course or event is offered,
3 and provided the weapon is properly displayed or stored as required
4 by law pending participation in the course, event, program or
5 competition;

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

9 4. A concealed or unconcealed weapon carried onto private
10 school property or in any school bus or vehicle used by any private
11 school for transportation of students or teachers by a person who is
12 licensed pursuant to the Oklahoma Self-Defense Act, provided a
13 policy has been adopted by the governing entity of the private
14 school that authorizes the possession of a weapon on private school
15 property or in any school bus or vehicle used by a private school.
16 Except for acts of gross negligence or willful or wanton misconduct,
17 a governing entity of a private school that adopts a policy which
18 authorizes the possession of a weapon on private school property, a
19 school bus or vehicle used by the private school shall be immune
20 from liability for any injuries arising from the adoption of the
21 policy. The provisions of this paragraph shall not apply to claims
22 pursuant to the Workers' Compensation Code;

23 5. A gun, knife, bayonet or other weapon in the possession of a
24 member of a veterans group, the national guard, active military, the

1 Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to
2 participate in a ceremony, assembly or educational program approved
3 by the principal or chief administrator of a school or school
4 district where the ceremony, assembly or educational program is
5 being held; provided, however, the gun or other weapon that uses
6 projectiles is not loaded and is inoperable at all times while on
7 school property;

8 6. A handgun carried in a motor vehicle pursuant to a valid
9 handgun license authorized by the Oklahoma Self-Defense Act onto
10 property set aside by a public or private elementary or secondary
11 school for the use or parking of any vehicle; provided, however,
12 said handgun shall be stored and hidden from view in a locked motor
13 vehicle when the motor vehicle is left unattended on school
14 property; and

15 7. A handgun carried onto public school property by school
16 personnel who have been designated by the board of education,
17 provided such personnel either:

18 a. possess a valid armed security guard license as
19 provided for in ~~Section 1750.1 et seq. of Title 59 of~~
20 ~~the Oklahoma Statutes~~ the Oklahoma Security Guard and
21 Private Investigator Act, or

22 b. hold a valid reserve peace officer certification as
23 provided for in Section 3311 of Title 70 of the
24 Oklahoma Statutes, or

1 c. possess a valid handgun license issued pursuant to the
2 provisions of the Oklahoma Self-Defense Act and meet
3 other requirements authorized by the board of
4 education,

5 if a policy has been adopted by the board of education of the school
6 district that authorizes the carrying of a handgun onto public
7 school property by such personnel. Nothing in this subsection shall
8 be construed to restrict authority granted elsewhere in law to carry
9 firearms.

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

13 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1289.6, as
14 last amended by Section 1, Chapter 268, O.S.L. 2016 (21 O.S. Supp.
15 2018, Section 1289.6), is amended to read as follows:

16 Section 1289.6

17 CONDITIONS UNDER WHICH FIREARMS MAY BE CARRIED

18 A. A person shall be permitted to carry loaded and unloaded
19 shotguns, rifles and pistols, ~~open and not concealed~~ and without a
20 handgun license as authorized by the Oklahoma Self-Defense Act
21 pursuant to the following conditions:

22 1. When hunting animals or fowl;

1 2. During competition in or practicing in a safety or hunter
2 safety class, target shooting, skeet, trap or other recognized
3 sporting events;

4 3. During participation in or in preparation for a military
5 function of the state military forces to be defined as the Oklahoma
6 Army or Air National Guard, Federal Military Reserve and active
7 military forces. It is further provided that Oklahoma Army or Air
8 National Guard personnel with proper authorization and performing a
9 military function may carry loaded or unloaded and concealed weapons
10 on Oklahoma Military Department facilities in accordance with rules
11 promulgated by the Adjutant General;

12 4. During participation in or in preparation for a recognized
13 police function of either a municipal, county or state government as
14 functioning police officials;

15 5. During a practice for or a performance for entertainment
16 purposes;

17 6. For lawful self-defense and self-protection or any other
18 legitimate purpose in or on property that is owned, leased, rented,
19 or otherwise legally controlled by the person; or

20 7. For any legitimate purpose not in violation of the Oklahoma
21 Firearms Act of 1971 or any legislative enactment regarding the use,
22 ownership and control of firearms.

23 B. A person shall be permitted to carry unloaded shotguns,
24 rifles and pistols, ~~open and not concealed~~ and without a handgun

1 license as authorized by the Oklahoma Self-Defense Act pursuant to
2 the following conditions:

3 1. When going to or from the person's private residence or
4 vehicle or a vehicle in which the person is riding as a passenger to
5 a place designated or authorized for firearms repairs or
6 reconditioning, or for firearms trade, sale, or barter, or gunsmith,
7 or hunting animals or fowl, or hunter safety course, or target
8 shooting, or skeet or trap shooting or any recognized firearms
9 activity or event and while in such places; or

10 2. For any legitimate purpose not in violation of the Oklahoma
11 Firearms Act of 1971.

12 C. The provisions of this section shall not be construed to
13 prohibit educational or recreational activities, exhibitions,
14 displays or shows involving the use or display of rifles, shotguns
15 or pistols or other weapons if the activity is approved by the
16 property owner and sponsor of the activity.

17 SECTION 4. AMENDATORY Section 3, Chapter 310, O.S.L.
18 2015 (70 O.S. Supp. 2018, Section 5-149.2), is amended to read as
19 follows:

20 Section 5-149.2 A. The board of education of a school district
21 ~~may, through a majority vote of the board, designate~~ adopt a policy
22 to authorize the carrying of a handgun onto school property by
23 ~~school personnel who have been issued a handgun license pursuant to~~
24

1 ~~the Oklahoma Self-Defense Act to attend an~~ specifically designated
2 by the board of education, provided such personnel either:

3 1. Possess a valid armed security guard license as provided for
4 in the Oklahoma Security Guard and Private Investigator Act;

5 2. Hold a valid reserve peace officer certification as provided
6 for in Section 3311 of Title 70 of the Oklahoma Statutes; or

7 3. Possess a valid handgun license issued pursuant to the
8 provisions of the Oklahoma Self-Defense Act and meet other
9 requirements authorized by the board of education.

10 B. The board of education of a school district may, through a
11 majority vote of the board, designate school personnel to attend an
12 armed security guard training program, as provided for in Section
13 1750.5 of Title 59 of the Oklahoma Statutes, or a reserve peace
14 officer certification program, as provided for in Section 3311 of
15 Title 70 of the Oklahoma Statutes, provided and developed by the
16 Council on Law Enforcement Education and Training (CLEET). Nothing
17 in this section shall be construed to prohibit or limit the board of
18 education of a school district from requiring ongoing education and
19 training.

20 ~~B.~~ C. Participation in either the armed security guard training
21 program or the reserve peace officer certification program shall be
22 voluntary and shall not in any way be considered a requirement for
23 continued employment with the school district. The board of
24 education of a school district shall have the final authority to

1 determine and designate the school personnel who will be authorized
2 to obtain and use an armed security guard license ~~or~~, reserve peace
3 officer certification or handgun license in conjunction with ~~their~~
4 his or her employment as school personnel.

5 ~~C.~~ D. The board of education of a school district that
6 authorizes school personnel to participate in either the armed
7 security guard program or the reserve peace officer program may pay
8 all necessary training, meal and lodging expenses associated with
9 the training.

10 ~~D.~~ E. When carrying a firearm pursuant to the provisions of
11 this act, the person shall at all times carry the firearm on his or
12 her person or the firearm shall be stored in a locked and secure
13 location.

14 ~~E.~~ F. Any school personnel who have successfully completed
15 ~~either~~ armed security guard training, reserve peace officer
16 certification training or handgun license training and while acting
17 in good faith shall be immune from civil and criminal liability for
18 any injury resulting from the carrying of a handgun onto public
19 school property as provided for in this act. Any board of education
20 of a school district or participating local law enforcement agency
21 shall be immune from civil and criminal liability for any injury
22 resulting from any act committed by school personnel who are
23 designated to carry a concealed handgun on public school property
24 pursuant to the provisions of this act.

1 ~~F.~~ G. In order to carry out the provisions of this section, the
2 board of education of a school district is authorized to enter into
3 a memorandum of understanding with local law enforcement entities.

4 SECTION 5. This act shall become effective November 1, 2019.

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6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/20/2019 - DO
7 PASS, As Coauthored.

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