

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2072

By: Steagall

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5  
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1290.22, as last amended by Section 1,  
9 Chapter 358, O.S.L. 2017 (21 O.S. Supp. 2018, Section  
10 1290.22), which relates to the Oklahoma Self-Defense  
11 Act; prohibiting business entities from establishing  
12 certain policy or rule; authorizing the filing of  
13 civil actions; providing for damages, costs and  
14 attorney fees; and providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.22, as  
17 last amended by Section 1, Chapter 358, O.S.L. 2017 (21 O.S. Supp.  
18 2018, Section 1290.22), is amended to read as follows:

19 Section 1290.22

20 BUSINESS OWNER'S RIGHTS

21 A. Except as provided in subsections B, C and D of this  
22 section, nothing contained in any provision of the Oklahoma Self-  
23 Defense Act shall be construed to limit, restrict or prohibit in any  
24 manner the existing rights of any person, property owner, tenant,  
employer, place of worship or business entity to control the

1 possession of weapons on any property owned or controlled by the  
2 person or business entity.

3 B. 1. No person, property owner, tenant, employer, holder of  
4 an event permit, place of worship or business entity shall be  
5 permitted to establish any policy or rule that has the effect of  
6 prohibiting any person, except a convicted felon, from transporting  
7 and storing firearms in a locked vehicle on any property set aside  
8 for any vehicle.

9 2. No person, employer or business entity shall establish,  
10 maintain or enforce any policy or rule that has the effect of  
11 prohibiting any person or employee of the business entity, except a  
12 convicted felon, from transporting, carrying or storing firearms or  
13 ammunition in a motor vehicle personally owned, leased or rented by  
14 the person or employee while conducting business for the business  
15 entity. A person may bring a civil action to enforce the provisions  
16 of this paragraph. If a plaintiff prevails in a civil action  
17 against a person, employer or business entity for a violation of  
18 this paragraph, the court shall award actual damages, enjoin further  
19 violations of this paragraph and award court costs and attorney fees  
20 to the prevailing plaintiff.

21 C. A property owner, tenant, employer, place of worship or  
22 business entity may prohibit any person from carrying a concealed or  
23 unconcealed firearm on the property. If the building or property is  
24 open to the public, the property owner, tenant, employer, place of

1 worship or business entity shall post signs on or about the property  
2 stating such prohibition.

3 D. No person, property owner, tenant, employer, holder of an  
4 event permit, place of worship or business entity shall be permitted  
5 to establish any policy or rule that has the effect of prohibiting  
6 any person from carrying a concealed or unconcealed firearm on  
7 property within the specific exclusion provided for in paragraph 4  
8 of subsection B of Section 1277 of this title; provided that  
9 carrying a concealed or unconcealed firearm may be prohibited in the  
10 following places:

11 1. The portion of a public property structure or building  
12 during an event authorized by the city, town, county, state or  
13 federal governmental authority owning or controlling such building  
14 or structure;

15 2. Any public property sports field, including any adjacent  
16 seating or adjacent area set aside for viewing a sporting event,  
17 where an elementary or secondary school, collegiate, or professional  
18 sporting event or an International Olympic Committee or organization  
19 or any committee subordinate to the International Olympic Committee  
20 event is being held;

21 3. The fairgrounds during the Oklahoma State Fair or the Tulsa  
22 State Fair; and

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1       4. The portion of a public property structure or building that  
2 is leased or under contract to a business or not-for-profit entity  
3 or group for offices.

4       E. The carrying of a concealed or unconcealed firearm by a  
5 person who has been issued a handgun license on property that has  
6 signs prohibiting the carrying of firearms shall not be deemed a  
7 criminal act but may subject the person to being denied entrance  
8 onto the property or removed from the property. If the person  
9 refuses to leave the property and a peace officer is summoned, the  
10 person may be issued a citation for an amount not to exceed Two  
11 Hundred Fifty Dollars (\$250.00).

12       F. A person, property owner, tenant, employer, holder of an  
13 event permit, place of worship or business entity that does or does  
14 not prohibit any individual except a convicted felon from carrying a  
15 loaded or unloaded, concealed or unconcealed weapon on property that  
16 the person, property owner, tenant, employer, holder of an event  
17 permit, place of worship or business entity owns, or has legal  
18 control of, is immune from any liability arising from that decision.  
19 Except for acts of gross negligence or willful or wanton misconduct,  
20 an employer who does or does not prohibit their employees from  
21 carrying a concealed or unconcealed weapon is immune from any  
22 liability arising from that decision. A person, property owner,  
23 tenant, employer, holder of an event permit, place of worship or  
24 business entity that does not prohibit persons from carrying a

1 concealed or unconcealed weapon pursuant to subsection D of this  
2 section shall be immune from any liability arising from the carrying  
3 of a concealed or unconcealed weapon, while in the scope of  
4 employment, on the property or in or about a business entity  
5 vehicle. The provisions of this subsection shall not apply to  
6 claims pursuant to the Administrative Workers' Compensation Act.

7 G. It shall not be considered part of an employee's job  
8 description or within the employee's scope of employment if an  
9 employee is allowed to carry or discharge a weapon pursuant to this  
10 section.

11 H. Nothing in subsections F and G shall prevent an employer,  
12 employee or person who has suffered loss resulting from the  
13 discharge of a weapon to seek redress or damages of the person who  
14 discharged the weapon or used the weapon outside the provisions of  
15 the Oklahoma Self-Defense Act.

16 SECTION 2. This act shall become effective November 1, 2019.

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18 57-1-7389 GRS 12/21/18  
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