



1 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

9 2. Any courthouse, courtroom, prison, jail, detention facility  
10 or any facility used to process, hold or house arrested persons,  
11 prisoners or persons alleged delinquent or adjudicated delinquent,  
12 except as provided in Section 21 of Title 57 of the Oklahoma  
13 Statutes;

14 3. Any public or private elementary or public or private  
15 secondary school, except as provided in subsection C of this  
16 section;

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

19 5. Any place where ~~pari-mutuel wagering~~ gambling is authorized  
20 by law, unless allowed by the property owner; and

21 6. Any other place specifically prohibited by law.

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

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

4           2. Any property set aside for the use or parking of any  
5 vehicle, whether attended or unattended, ~~by any entity offering any~~  
6 ~~professional sporting event~~ which is open to the public ~~for~~  
7 ~~admission~~, or by any entity engaged in ~~pari-mutuel wagering~~ gambling  
8 authorized by law;

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

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

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

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

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

24

1 D. Any person violating the provisions paragraph 2 or 3 of  
2 subsection A of this section shall, upon conviction, be guilty of a  
3 misdemeanor punishable by a fine not to exceed Two Hundred Fifty  
4 Dollars (\$250.00). A person violating any other provision of  
5 subsection A may be denied entrance onto the property or removed  
6 from the property. If the person refuses to leave the property and  
7 a peace officer is summoned, the person may be issued a citation for  
8 an amount not to exceed Two Hundred Fifty Dollars (\$250.00).

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

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

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

1           3. Any property authorized by the written consent of the  
2 college or university president or technology center school  
3 administrator, provided the written consent is carried with the  
4 handgun and the valid handgun license while on college, university  
5 or technology center school property.

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

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

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

14 G. For the purposes of this section, "motor vehicle" means any  
15 automobile, truck, minivan or sports utility vehicle.

16 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.22, as  
17 amended by Section 7, Chapter 366, O.S.L. 2013 (21 O.S. Supp. 2015,  
18 Section 1290.22), is amended to read as follows:

19 Section 1290.22.

20 BUSINESS OWNER'S RIGHTS

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

1 tenant, employer, place of worship or business entity to control the  
2 possession of weapons on any property owned or controlled by the  
3 person or business entity.

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

10 C. A property owner, tenant, employer, place of worship or  
11 business entity may prohibit any person from carrying a concealed or  
12 unconcealed firearm on the property. If the building or property is  
13 open to the public, the property owner, tenant, employer, place of  
14 worship or business entity shall post signs on or about the property  
15 stating such prohibition.

16 D. No person, property owner, tenant, employer, holder of an  
17 event permit, place of worship or business entity shall be permitted  
18 to establish any policy or rule that has the effect of prohibiting  
19 any person from carrying a concealed or unconcealed firearm on  
20 property within the specific exclusion provided for in paragraph 4  
21 of subsection B of Section 1277 of this title; provided that  
22 carrying a concealed or unconcealed firearm may be prohibited in the  
23 following places:

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

5       2. Any public property sports field, including any adjacent  
6 seating or adjacent area set aside for viewing a sporting event,  
7 where an elementary or secondary school, collegiate, or professional  
8 sporting event or an International Olympic Committee or organization  
9 or any committee subordinate to the International Olympic Committee  
10 event is being held;

11       3. The fairgrounds during the Oklahoma State Fair or the Tulsa  
12 State Fair; and

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

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

1        ~~E. F.~~ A person, ~~corporation~~ property owner, tenant, employer,  
2 holder of an event permit, place of worship or ~~any other~~ business  
3 entity that does or does not prohibit any individual except a  
4 convicted felon from carrying a loaded or unloaded, concealed or  
5 unconcealed weapon on property that the person, ~~corporation~~ property  
6 owner, tenant, employer, holder of an event permit, place of worship  
7 or ~~other~~ business entity owns, or has legal control of, is immune  
8 from any liability arising from that decision. Except for acts of  
9 gross negligence or willful or wanton misconduct, an employer who  
10 does or does not prohibit their employees from carrying a concealed  
11 or unconcealed weapon is immune from any liability arising from that  
12 decision. A person, property owner, tenant, employer, holder of an  
13 event permit, place of worship or business entity that does not  
14 prohibit persons from carrying a concealed or unconcealed weapon  
15 pursuant to subsection D of this section shall be immune from any  
16 liability arising from the carrying of a concealed or unconcealed  
17 weapon on the property. The provisions of this subsection shall not  
18 apply to claims pursuant to the ~~Workers' Compensation Code~~  
19 Administrative Workers' Compensation Act.

20        G. It shall not be considered part of an employee's job  
21 description or within the employee's scope of employment if an  
22 employee is allowed to carry or discharge a weapon pursuant to this  
23 section.

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1 Enforcement Education and Training to conduct training under the  
2 Oklahoma Self-Defense Act, or injury from any misfire or malfunction  
3 of any handgun on a training course firing range supervised by a  
4 certified firearms instructor under the provisions of the Oklahoma  
5 Self-Defense Act, or any injury resulting from carrying a concealed  
6 or unconcealed handgun pursuant to a handgun license; and

7 4. Any action or finding pursuant to a hearing conducted in  
8 accordance with the Administrative Procedures Act as required in the  
9 Oklahoma Self-Defense Act.

10 B. Firearms instructors certified by the Council on Law  
11 Enforcement Education and Training to conduct training for the  
12 Oklahoma Self-Defense Act shall be immune from liability to third  
13 persons resulting or arising from any claim based on an act or  
14 omission of a trainee.

15 C. The provisions of this subsection shall not apply to claims  
16 pursuant to the Administrative Workers' Compensation Act.

17 SECTION 4. This act shall become effective November 1, 2016.

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19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/28/2016 -  
20 DO PASS, As Coauthored.

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