

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2336

By: Roberts (Sean) of the House

and

Bullard of the Senate

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7 An Act relating to firearms; amending 21 O.S. 2011,
8 Section 1277, as last amended by Section 2 of
9 Enrolled House Bill No. 2597 of the 1st Session of
10 the 57th Oklahoma Legislature, which relates to the
11 unlawful carrying of firearms on certain property;
12 updating statutory reference; authorizing handgun
13 licensees to carry on school property under certain
14 circumstances; amending 21 O.S. 2011, Section 1280.1,
15 as last amended by Section 2, Chapter 310, O.S.L.
16 2015 (21 O.S. Supp. 2018, Section 1280.1), which
17 relates to the possession of firearms on school
18 property; updating statutory reference; authorizing
19 handgun licensees to carry on school property under
20 certain circumstances; amending Section 3, Chapter
21 310, O.S.L. 2015 (70 O.S. Supp. 2018, Section 5-
22 149.2), which relates to the authorization of certain
23 persons to carry handguns on school property;
24 authorizing school boards to adopt policies related
to the carrying of handguns on school property;
stating qualifications for designated personnel;
authorizing boards of education to designate school
personnel to attend certain training programs;
clarifying immunity from liability provision; and
providing an effective date.

AUTHOR: Add the following House Coauthor: Luttrell

AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

An Act relating to firearms; amending 21 O.S. 2011,
Section 1277, as last amended by Section 1, Chapter
235, O.S.L. 2019 (21 O.S. Supp. 2019, Section 1277),

1 which relates to the unlawful carrying of firearms on
2 certain property; updating statutory reference;
3 authorizing handgun licensees to carry on school
4 property under certain circumstances; amending 21
5 O.S. 2011, Section 1280.1, as last amended by Section
6 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp. 2019,
7 Section 1280.1), which relates to the possession of
8 firearms on school property; updating statutory
9 reference; authorizing handgun licensees to carry on
10 school property under certain circumstances; amending
11 Section 3, Chapter 310, O.S.L. 2015 (70 O.S. Supp.
12 2019, Section 5-149.2), which relates to the
13 authorization of certain persons to carry handguns on
14 school property; authorizing school boards to adopt
15 policies related to the carrying of handguns on
16 school property; stating qualifications for
17 designated personnel; authorizing boards of education
18 to designate school personnel to attend certain
19 training programs; clarifying immunity from liability
20 provision; updating statutory language; and providing
21 an effective date.

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

26 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
27 last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp.
28 2019, Section 1277), is amended to read as follows:

29 Section 1277.

30 UNLAWFUL CARRY IN CERTAIN PLACES

31 A. It shall be unlawful for any person, including a person in
32 possession of a valid handgun license issued pursuant to the
33 provisions of the Oklahoma Self-Defense Act, to carry any concealed
34 or unconcealed handgun into any of the following places:

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

4 2. Any courthouse, courtroom, prison, jail, detention facility
5 or any facility used to process, hold or house arrested persons,
6 prisoners or persons alleged delinquent or adjudicated delinquent,
7 except as provided in Section 21 of Title 57 of the Oklahoma
8 Statutes;

9 3. Any public or private elementary or public or private
10 secondary school, except as provided in subsections C and D of this
11 section;

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

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

16 6. Any other place specifically prohibited by law.

17 B. For purposes of subsection A of this section, the prohibited
18 place does not include and specifically excludes the following
19 property:

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

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1 2. Any property set aside for the use or parking of any
2 vehicle, whether attended or unattended, which is open to the
3 public, or by any entity engaged in gambling authorized by law;

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

7 4. Any property designated by a city, town, county or state
8 governmental authority as a park, recreational area, wildlife
9 refuge, wildlife management area or fairgrounds; provided, nothing
10 in this paragraph shall be construed to authorize any entry by a
11 person in possession of a concealed or unconcealed firearm into any
12 structure, building or office space which is specifically prohibited
13 by the provisions of subsection A of this section; and

14 5. Any property set aside by a public or private elementary or
15 secondary school for the use or parking of any vehicle, whether
16 attended or unattended; provided, however, the firearm shall be
17 stored and hidden from view in a locked motor vehicle when the motor
18 vehicle is left unattended on school property.

19 Nothing contained in any provision of this subsection or
20 subsection C of this section shall be construed to authorize or
21 allow any person in control of any place described in subsection A
22 of this section to establish any policy or rule that has the effect
23 of prohibiting any person in lawful possession of a handgun license
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1 or otherwise in lawful possession of a firearm from carrying or
2 possessing the firearm on the property described in this subsection.

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

18 D. Notwithstanding paragraph 3 of subsection A of this section,
19 a board of education of a school district may adopt a policy
20 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
21 authorize the carrying of a handgun onto school property by school
22 personnel specifically designated by the board of education,
23 provided such personnel either:
24

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

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

6 3. Possess a valid handgun license issued pursuant to the
7 provisions of the Oklahoma Self-Defense Act and has demonstrated
8 proficiency in handgun training and campus-specific active shooter
9 training as determined by the appropriate law enforcement agency
10 having jurisdiction in that school district. The local law
11 enforcement agency having jurisdiction in a school district shall
12 require annual training for staff authorized to carry pursuant to
13 this paragraph.

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

16 E. In any municipal zoo or park of any size that is owned,
17 leased, operated or managed by:

18 1. A public trust created pursuant to the provisions of Section
19 176 of Title 60 of the Oklahoma Statutes; or

20 2. A nonprofit entity,
21 an individual shall be allowed to carry a concealed handgun but not
22 openly carry a handgun on the property.

23 F. Any person violating the provisions of paragraph 2 or 3 of
24 subsection A of this section shall, upon conviction, be guilty of a

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

8 G. No person in possession of a valid handgun license issued
9 pursuant to the provisions of the Oklahoma Self-Defense Act or who
10 is carrying or in possession of a firearm as otherwise permitted by
11 law or who is carrying or in possession of a machete, blackjack,
12 loaded cane, hand chain or metal knuckles shall be authorized to
13 carry the firearm, machete, blackjack, loaded cane, hand chain or
14 metal knuckles into or upon any college, university or technology
15 center school property, except as provided in this subsection. For
16 purposes of this subsection, the following property shall not be
17 construed to be college, university or technology center school
18 property:

19 1. Any property set aside for the use or parking of any motor
20 vehicle, whether attended or unattended, provided the firearm,
21 machete, blackjack, loaded cane, hand chain or metal knuckles are
22 carried or stored as required by law and the firearm, machete,
23 blackjack, loaded cane, hand chain or metal knuckles are not removed
24 from the motor vehicle without the prior consent of the college or

1 university president or technology center school administrator while
2 the vehicle is on any college, university or technology center
3 school property;

4 2. Any property authorized for possession or use of firearms,
5 machetes, blackjacks, loaded canes, hand chains or metal knuckles by
6 college, university or technology center school policy; and

7 3. Any property authorized by the written consent of the
8 college or university president or technology center school
9 administrator, provided the written consent is carried with the
10 firearm, machete, blackjack, loaded cane, hand chain or metal
11 knuckles 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 or any person in lawful possession of a firearm,
3 machete, blackjack, loaded cane, hand chain or metal knuckles from
4 possession of a firearm, machete, blackjack, loaded cane, hand chain
5 or metal knuckles in places described in paragraphs 1, 2 and 3 of
6 this subsection. Nothing contained in any provision of this
7 subsection shall be construed to limit the authority of any college,
8 university or technology center school in this state from taking
9 administrative action against any student for any violation of any
10 provision of this subsection.

11 H. The provisions of this section shall not apply to the
12 following:

13 1. Any peace officer or any person authorized by law to carry a
14 firearm in the course of employment;

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

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

23 4. Elected officials of a county, who are in possession of a
24 valid handgun license issued pursuant to the provisions of the

1 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
2 in the performance of their duties within the courthouses of the
3 county in which he or she was elected. The provisions of this
4 paragraph shall not allow the elected county official to carry the
5 handgun into a courtroom;

6 5. The sheriff of any county may authorize certain employees of
7 the county, who possess a valid handgun license issued pursuant to
8 the provisions of the Oklahoma Self-Defense Act, to carry a
9 concealed handgun when acting in the course and scope of employment
10 within the courthouses in the county in which the person is
11 employed. Nothing in the Oklahoma Self-Defense Act shall prohibit
12 the sheriff from requiring additional instruction or training before
13 receiving authorization to carry a concealed handgun within the
14 courthouse. The provisions of this paragraph and of paragraph 6 of
15 this subsection shall not allow the county employee to carry the
16 handgun into a courtroom, sheriff's office, adult or juvenile jail
17 or any other prisoner detention area; and

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

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1 I. For the purposes of this section, "motor vehicle" means any
2 automobile, truck, minivan, sports utility vehicle or motorcycle as
3 defined in Section 1-135 of Title 47 of the Oklahoma Statutes,
4 equipped with a locked accessory container within or affixed to the
5 motorcycle.

6 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1280.1, as
7 last amended by Section 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp.
8 2019, Section 1280.1), is amended to read as follows:

9 Section 1280.1

10 POSSESSION OF FIREARM ON SCHOOL PROPERTY

11 A. It shall be unlawful for any person to have in his or her
12 possession on any public or private school property or while in any
13 school bus or vehicle used by any school for transportation of
14 students or teachers any firearm or weapon designated in Section
15 1272 of this title, except as provided in subsection C of this
16 section or as otherwise authorized by law.

17 B. For purposes of this section:

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

23 2. "Private school" means a school that offers a course of
24 instruction for students in one or more grades from prekindergarten

1 through grade twelve and is not operated by a governmental entity;
2 and

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

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

7 1. A gun or knife designed for hunting or fishing purposes kept
8 in a privately owned vehicle and properly displayed or stored as
9 required by law, provided such vehicle containing ~~said~~ the gun or
10 knife is driven onto school property only to transport a student to
11 and from school and such vehicle does not remain unattended on
12 school property;

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

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

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

18 5. A gun, knife, bayonet or other weapon in the possession of a
19 member of a veterans group, the national guard, active military, the
20 Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to
21 participate in a ceremony, assembly or educational program approved
22 by the principal or chief administrator of a school or school
23 district where the ceremony, assembly or educational program is
24 being held; provided, however, the gun or other weapon that uses

1 projectiles is not loaded and is inoperable at all times while on
2 school property;

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

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

13 a. possess a valid armed security guard license as
14 provided for in ~~Section 1750.1 et seq. of Title 59 of~~
15 ~~the Oklahoma Statutes~~ the Oklahoma Security Guard and
16 Private Investigator Act, ~~or~~

17 b. hold a valid reserve peace officer certification as
18 provided for in Section 3311 of Title 70 of the
19 Oklahoma Statutes, or

20 c. possess a valid handgun license issued pursuant to the
21 provisions of the Oklahoma Self-Defense Act and has
22 demonstrated proficiency in handgun training and
23 campus-specific active shooter training as determined
24

1 by the appropriate law enforcement agency having
2 jurisdiction in that school district,

3 if a policy has been adopted by the board of education of the school
4 district that authorizes the carrying of a handgun onto public
5 school property by such personnel. Nothing in this subsection shall
6 be construed to restrict authority granted elsewhere in law to carry
7 firearms. The local law enforcement agency having jurisdiction in a
8 school district shall require annual training for staff authorized
9 to carry pursuant to subparagraph c of this paragraph.

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 Section 3, Chapter 310, O.S.L.
14 2015 (70 O.S. Supp. 2019, Section 5-149.2), is amended to read as
15 follows:

16 Section 5-149.2 A. The board of education of a school district
17 ~~may, through a majority vote of the board, designate~~ adopt a policy
18 to authorize the carrying of a handgun onto school property by
19 school personnel who have been issued a handgun license pursuant to
20 the Oklahoma Self-Defense Act to attend an specifically designated
21 by the board of education, provided such personnel either:

22 1. Possess a valid armed security guard license as provided for
23 in the Oklahoma Security Guard and Private Investigator Act;
24

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

3 3. Possess a valid handgun license issued pursuant to the
4 provisions of the Oklahoma Self-Defense Act and has demonstrated
5 proficiency in handgun training and campus-specific active shooter
6 training as determined by the appropriate law enforcement agency
7 having jurisdiction in that school district. The local law
8 enforcement agency having jurisdiction in a school district shall
9 require annual training for staff authorized to carry pursuant to
10 this paragraph.

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

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

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

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

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

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

1 designated to carry a concealed handgun on public school property
2 pursuant to the provisions of this act.

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

6 SECTION 4. This act shall become effective November 1, 2020.

7 Passed the Senate the 12th day of February, 2020.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the ____ day of _____,
12 2020.

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Presiding Officer of the House
of Representatives

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1 ENGROSSED HOUSE
2 BILL NO. 2336

By: Roberts (Sean) of the House

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4 Bullard of the Senate

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7 An Act relating to firearms; amending 21 O.S. 2011,
8 Section 1277, as last amended by Section 2 of
9 Enrolled House Bill No. 2597 of the 1st Session of
10 the 57th Oklahoma Legislature, which relates to the
11 unlawful carrying of firearms on certain property;
12 updating statutory reference; authorizing handgun
13 licensees to carry on school property under certain
14 circumstances; amending 21 O.S. 2011, Section 1280.1,
15 as last amended by Section 2, Chapter 310, O.S.L.
16 2015 (21 O.S. Supp. 2018, Section 1280.1), which
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18 property; updating statutory reference; authorizing
19 handgun licensees to carry on school property under
20 certain circumstances; amending Section 3, Chapter
21 310, O.S.L. 2015 (70 O.S. Supp. 2018, Section 5-
22 149.2), which relates to the authorization of certain
23 persons to carry handguns on school property;
24 authorizing school boards to adopt policies related
to the carrying of handguns on school property;
stating qualifications for designated personnel;
authorizing boards of education to designate school
personnel to attend certain training programs;
clarifying immunity from liability provision; and
providing an effective date.

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

SECTION 5. AMENDATORY 21 O.S. 2011, Section 1277, as
last amended by Section 2 of Enrolled House Bill No. 2597 of the 1st

1 Session of the 57th Oklahoma Legislature, is amended to read as
2 follows:

3 Section 1277.

4 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

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

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

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

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

24 6. Any other place specifically prohibited by law.

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

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

7 2. Any property set aside for the use or parking of any
8 vehicle, whether attended or unattended, which is open to the
9 public, or by any entity engaged in gambling authorized by law;

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

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

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

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 subsection A
4 of this section to establish any policy or rule that has the effect
5 of prohibiting any person in lawful possession of a handgun license
6 or otherwise in lawful possession of a firearm from carrying or
7 possessing the firearm on the property described in this subsection.

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

23 D. Notwithstanding paragraph 3 of subsection A of this section,
24 a board of education of a school district may adopt a policy

1 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
2 authorize the carrying of a handgun onto school property by school
3 personnel specifically designated by the board of education,
4 provided such personnel either:

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

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

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

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

15 E. Any person violating the provisions of paragraph 2 or 3 of
16 subsection A of this section shall, upon conviction, be guilty of a
17 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
18 Dollars (\$250.00). A person violating any other provision of
19 subsection A of this section may be denied entrance onto the
20 property or removed from the property. If the person refuses to
21 leave the property and a peace officer is summoned, the person may
22 be issued a citation for an amount not to exceed Two Hundred Fifty
23 Dollars (\$250.00).

24

1 F. No person in possession of a valid handgun license issued
2 pursuant to the provisions of the Oklahoma Self-Defense Act or who
3 is carrying or in possession of a firearm as otherwise permitted by
4 law or who is carrying or in possession of a machete, blackjack,
5 loaded cane, hand chain or metal knuckles shall be authorized to
6 carry the firearm, machete, blackjack, loaded cane, hand chain or
7 metal knuckles into or upon any college, university or technology
8 center school property, except as provided in this subsection. For
9 purposes of this subsection, the following property shall not be
10 construed to be college, university or technology center school
11 property:

12 1. Any property set aside for the use or parking of any
13 vehicle, whether attended or unattended, provided the firearm,
14 machete, blackjack, loaded cane, hand chain or metal knuckles is
15 carried or stored as required by law and the firearm, machete,
16 blackjack, loaded cane, hand chain or metal knuckles is not removed
17 from the vehicle without the prior consent of the college or
18 university president or technology center school administrator while
19 the vehicle is on any college, university or technology center
20 school property;

21 2. Any property authorized for possession or use of firearms,
22 machetes, blackjacks, loaded canes, hand chains or metal knuckles by
23 college, university or technology center school policy; and
24

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 firearm, machete, blackjack, loaded cane, hand chain or metal
5 knuckles and the valid handgun license while on college, university
6 or technology center school property.

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

16 Nothing contained in any provision of this subsection shall be
17 construed to authorize or allow any college, university or
18 technology center school to establish any policy or rule that has
19 the effect of prohibiting any person in lawful possession of a
20 handgun license or any person in lawful possession of a firearm,
21 machete, blackjack, loaded cane, hand chain or metal knuckles from
22 possession of a firearm, machete, blackjack, loaded cane, hand chain
23 or metal knuckles in places described in paragraphs 1, 2 and 3 of
24 this subsection. Nothing contained in any provision of this

1 subsection shall be construed to limit the authority of any college,
2 university or technology center school in this state from taking
3 administrative action against any student for any violation of any
4 provision of this subsection.

5 G. The provisions of this section shall not apply to the
6 following:

7 1. Any peace officer or any person authorized by law to carry a
8 firearm in the course of employment;

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

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

17 4. Elected officials of a county, who are in possession of a
18 valid handgun license issued pursuant to the provisions of the
19 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
20 in the performance of their duties within the courthouses of the
21 county in which he or she was elected. The provisions of this
22 paragraph shall not allow the elected county official to carry the
23 handgun into a courtroom;

24

1 5. The sheriff of any county may authorize certain employees of
2 the county, who possess a valid handgun license issued pursuant to
3 the provisions of the Oklahoma Self-Defense Act, to carry a
4 concealed handgun when acting in the course and scope of employment
5 within the courthouses in the county in which the person is
6 employed. Nothing in this act shall prohibit the sheriff from
7 requiring additional instruction or training before receiving
8 authorization to carry a concealed handgun within the courthouse.
9 The provisions of this paragraph and of paragraph 6 of this
10 subsection shall not allow the county employee to carry the handgun
11 into a courtroom, sheriff's office, adult or juvenile jail or any
12 other prisoner detention area; and

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

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

21 SECTION 6. AMENDATORY 21 O.S. 2011, Section 1280.1, as
22 last amended by Section 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp.
23 2018, Section 1280.1), is amended to read as follows:

24 Section 1280.1

1 POSSESSION OF FIREARM ON SCHOOL PROPERTY

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

8 B. For purposes of this section:

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

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

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

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

22 1. A gun or knife designed for hunting or fishing purposes kept
23 in a privately owned vehicle and properly displayed or stored as
24 required by law, provided such vehicle containing said gun or knife

1 is driven onto school property only to transport a student to and
2 from school and such vehicle does not remain unattended on school
3 property;

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

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

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

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

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

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

23
24

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

4 a. possess a valid armed security guard license as
5 provided for in ~~Section 1750.1 et seq. of Title 59 of~~
6 ~~the Oklahoma Statutes~~ the Oklahoma Security Guard and
7 Private Investigator Act, or

8 b. hold a valid reserve peace officer certification as
9 provided for in Section 3311 of Title 70 of the
10 Oklahoma Statutes, or

11 c. possess a valid handgun license issued pursuant to the
12 provisions of the Oklahoma Self-Defense Act and meet
13 other requirements authorized by the board of
14 education,

15 if a policy has been adopted by the board of education of the school
16 district that authorizes the carrying of a handgun onto public
17 school property by such personnel. Nothing in this subsection shall
18 be construed to restrict authority granted elsewhere in law to carry
19 firearms.

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

1 SECTION 7. AMENDATORY Section 3, Chapter 310, O.S.L.
2 2015 (70 O.S. Supp. 2018, Section 5-149.2), is amended to read as
3 follows:

4 Section 5-149.2 A. The board of education of a school district
5 ~~may, through a majority vote of the board, designate~~ adopt a policy
6 to authorize the carrying of a handgun onto school property by
7 school personnel who have been issued a handgun license pursuant to
8 the Oklahoma Self-Defense Act to attend an specifically designated
9 by the board of education, provided such personnel either:

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

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 B. The board of education of a school district may, through a
18 majority vote of the board, designate school personnel to attend an
19 armed security guard training program, as provided for in Section
20 1750.5 of Title 59 of the Oklahoma Statutes, or a reserve peace
21 officer certification program, as provided for in Section 3311 of
22 Title 70 of the Oklahoma Statutes, provided and developed by the
23 Council on Law Enforcement Education and Training (CLEET). Nothing
24 in this section shall be construed to prohibit or limit the board of

1 education of a school district from requiring ongoing education and
2 training.

3 ~~B.~~ C. Participation in either the armed security guard training
4 program or the reserve peace officer certification program shall be
5 voluntary and shall not in any way be considered a requirement for
6 continued employment with the school district. The board of
7 education of a school district shall have the final authority to
8 determine and designate the school personnel who will be authorized
9 to obtain and use an armed security guard license ~~or~~, reserve peace
10 officer certification or handgun license in conjunction with ~~their~~
11 his or her employment as school personnel.

12 ~~C.~~ D. The board of education of a school district that
13 authorizes school personnel to participate in either the armed
14 security guard program or the reserve peace officer program may pay
15 all necessary training, meal and lodging expenses associated with
16 the training.

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

21 ~~E.~~ F. Any school personnel who have successfully completed
22 ~~either~~ armed security guard training, reserve peace officer
23 certification training or handgun license training and while acting
24 in good faith shall be immune from civil and criminal liability for

