

1 ENGROSSED HOUSE
2 BILL NO. 2010

By: Mize of the House

3 and

4 David 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 1, Chapter
9 247, O.S.L. 2018 (21 O.S. Supp. 2018, Section 1277),
10 which relates to the unlawful carrying of firearms in
11 certain places; authorizing the carry of certain
12 weapons on certain property; providing an exception;
and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
15 last amended by Section 1, Chapter 247, O.S.L. 2018 (21 O.S. Supp.
16 2018, Section 1277), is amended to read as follows:

17 Section 1277.

18 UNLAWFUL CARRY IN CERTAIN PLACES

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

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 ~~handgun~~ firearm
12 into any structure, building or office space which is specifically
13 prohibited 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 ~~handgun~~ firearm shall
17 be stored and hidden from view in a locked motor vehicle when the
18 motor 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
24 ~~from~~ or otherwise in lawful possession of a ~~handgun allowable under~~

1 ~~such license in places~~ firearm from carrying or possessing the
2 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; or

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

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

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

9 1. A public trust created pursuant to the provisions of Section
10 176 of Title 60 of the Oklahoma Statutes; or

11 2. A nonprofit entity,
12 an individual shall be allowed to carry a concealed handgun but not
13 openly carry a handgun on the property.

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

23 ~~F.~~ G. No person in possession of a valid handgun license issued
24 pursuant to the provisions of the Oklahoma Self-Defense Act or who

1 is carrying or in possession of a firearm as otherwise permitted by
2 law or who is carrying or in possession of a machete, blackjack,
3 loaded cane, hand chain or metal knuckles shall be authorized to
4 carry the ~~handgun~~ firearm, machete, blackjack, loaded cane, hand
5 chain or metal knuckles into or upon any college, university or
6 technology center school property, except as provided in this
7 subsection. For purposes of this subsection, the following property
8 shall not be construed as ~~prohibited for persons having a valid~~
9 ~~handgun license~~ to be college, university or technology center
10 school property:

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

20 2. Any property authorized for possession or use of ~~handguns~~
21 firearms, machetes, blackjacks, loaded canes, hand chains or metal
22 knuckles by college, university or technology center school policy;
23 and
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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~~ firearm, machete, blackjack, loaded cane, hand chain or
5 metal knuckles and the valid handgun license while on college,
6 university 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 ~~handgun allowable under such license~~ firearm,
23 machete, blackjack, loaded cane, hand chain or metal knuckles in
24 places described in paragraphs 1, 2 and 3 of this subsection.

1 Nothing contained in any provision of this subsection shall be
2 construed to limit the authority of any college, university or
3 technology center school in this state from taking administrative
4 action against any student for any violation of any provision of
5 this subsection.

6 ~~G.~~ H. The provisions of this section shall not apply to the
7 following:

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

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

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

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

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

21 SECTION 2. This act shall become effective November 1, 2019.
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1 Passed the House of Representatives the 27th day of February,
2 2019.

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4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2019.

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8 Presiding Officer of the Senate