

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 57th Legislature (2019)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2072

By: Steagall

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9 COMMITTEE SUBSTITUTE

10 An Act relating to firearms; amending 21 O.S. 2011,
11 Section 1290.22, as last amended by Section 1,
12 Chapter 358, O.S.L. 2017 (21 O.S. Supp. 2018, Section
13 1290.22), which relates to the Oklahoma Self-Defense
14 Act; prohibiting business entities from establishing
15 certain policy or rule; and providing an effective
16 date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.22, as
18 last amended by Section 1, Chapter 358, O.S.L. 2017 (21 O.S. Supp.
19 2018, Section 1290.22), is amended to read as follows:

20 Section 1290.22

21 BUSINESS OWNER'S RIGHTS

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

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

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

11 2. No person, employer or business entity shall establish,
12 maintain or enforce any policy or rule that has the effect of
13 prohibiting any person or employee of the business entity, except a
14 convicted felon, from transporting, carrying or storing firearms or
15 ammunition in a motor vehicle personally owned, leased or rented by
16 the person or employee while conducting business for the business
17 entity.

18 C. A property owner, tenant, employer, place of worship or
19 business entity may prohibit any person from carrying a concealed or
20 unconcealed firearm on the property. If the building or property is
21 open to the public, the property owner, tenant, employer, place of
22 worship or business entity shall post signs on or about the property
23 stating such prohibition.

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

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

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

19 3. The fairgrounds during the Oklahoma State Fair or the Tulsa
20 State Fair; and

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

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

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

1 employment, on the property or in or about a business entity
2 vehicle. The provisions of this subsection shall not apply to
3 claims pursuant to the Administrative Workers' Compensation Act.

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

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 02/11/2019 -
16 DO PASS, As Amended.

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