

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2588 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Sean Roberts \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 2588

By: Roberts (Sean)

7  
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to firearms; amending 21 O.S. 2011,  
10 Section 1277, as last amended by Section 1, Chapter  
11 235, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1277),  
12 which relates to the unlawful carrying of firearms on  
13 certain property; updating statutory reference;  
14 authorizing handgun licensees to carry on school  
15 property under certain circumstances; amending 21  
16 O.S. 2011, Section 1280.1, as last amended by Section  
17 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp. 2020,  
18 Section 1280.1), which relates to the possession of  
19 firearms on school property; updating statutory  
20 reference; authorizing handgun licensees to carry on  
21 school property under certain circumstances; amending  
22 Section 3, Chapter 310, O.S.L. 2015 (70 O.S. Supp.  
23 2020, Section 5-149.2), which relates to the  
24 authorization of certain persons to carry handguns on  
school property; 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:

1 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as  
2 last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp.  
3 2020, Section 1277), is amended to read as follows:

4 Section 1277.

5 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

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

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

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

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

1       6. Any other place specifically prohibited by law.

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

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

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

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

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

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

3 Nothing contained in any provision of this subsection or  
4 subsection C of this section shall be construed to authorize or  
5 allow any person in control of any place described in subsection A  
6 of this section to establish any policy or rule that has the effect  
7 of prohibiting any person in lawful possession of a handgun license  
8 or otherwise in lawful possession of a firearm from carrying or  
9 possessing the firearm on the property described in this subsection.

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

1 D. Notwithstanding paragraph 3 of subsection A of this section,  
2 a board of education of a school district may adopt a policy  
3 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to  
4 authorize the carrying of a handgun onto school property by school  
5 personnel specifically designated by the board of education,  
6 provided such personnel either:

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

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

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

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

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

19 1. A public trust created pursuant to the provisions of Section  
20 176 of Title 60 of the Oklahoma Statutes; or

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

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1 F. Any person violating the provisions of 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 of this section may be denied entrance onto the  
6 property or removed from the property. If the person refuses to  
7 leave the property and a peace officer is summoned, the person may  
8 be issued a citation for an amount not to exceed Two Hundred Fifty  
9 Dollars (\$250.00).

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

21 1. Any property set aside for the use or parking of any motor  
22 vehicle, whether attended or unattended, provided the firearm,  
23 machete, blackjack, loaded cane, hand chain or metal knuckles are  
24 carried or stored as required by law and the firearm, machete,

1 blackjack, loaded cane, hand chain or metal knuckles are not removed  
2 from the motor vehicle without the prior consent of the college or  
3 university president or technology center school administrator while  
4 the vehicle is on any college, university or technology center  
5 school property;

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

9 3. Any property authorized by the written consent of the  
10 college or university president or technology center school  
11 administrator, provided the written consent is carried with the  
12 firearm, machete, blackjack, loaded cane, hand chain or metal  
13 knuckles and the valid handgun license while on college, university  
14 or technology center school property.

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

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1        Nothing contained in any provision of this subsection shall be  
2 construed to authorize or allow any college, university or  
3 technology center school to establish any policy or rule that has  
4 the effect of prohibiting any person in lawful possession of a  
5 handgun license or any person in lawful possession of a firearm,  
6 machete, blackjack, loaded cane, hand chain or metal knuckles from  
7 possession of a firearm, machete, blackjack, loaded cane, hand chain  
8 or metal knuckles in places described in paragraphs 1, 2 and 3 of  
9 this subsection. Nothing contained in any provision of this  
10 subsection shall be construed to limit the authority of any college,  
11 university or technology center school in this state from taking  
12 administrative action against any student for any violation of any  
13 provision of this subsection.

14        H. The provisions of this section shall not apply to the  
15 following:

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

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

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

3           4. Elected officials of a county, who are in possession of a  
4 valid handgun license issued pursuant to the provisions of the  
5 Oklahoma Self-Defense Act, may carry a concealed handgun when acting  
6 in the performance of their duties within the courthouses of the  
7 county in which he or she was elected. The provisions of this  
8 paragraph shall not allow the elected county official to carry the  
9 handgun into a courtroom;

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

22          6. The board of county commissioners of any county may  
23 authorize certain employees of the county, who possess a valid  
24 handgun license issued pursuant to the provisions of the Oklahoma

1 Self-Defense Act, to carry a concealed handgun when acting in the  
2 course and scope of employment on county annex facilities or grounds  
3 surrounding the county courthouse.

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

9 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1280.1, as  
10 last amended by Section 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp.  
11 2020, Section 1280.1), is amended to read as follows:

12 Section 1280.1

13 POSSESSION OF FIREARM ON SCHOOL PROPERTY

14 A. It shall be unlawful for any person to have in his or her  
15 possession on any public or private school property or while in any  
16 school bus or vehicle used by any school for transportation of  
17 students or teachers any firearm or weapon designated in Section  
18 1272 of this title, except as provided in subsection C of this  
19 section or as otherwise authorized by law.

20 B. For purposes of this section:

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

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

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

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

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

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

1 by law pending participation in the course, event, program or  
2 competition;

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

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

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

1 district where the ceremony, assembly or educational program is  
2 being held; provided, however, the gun or other weapon that uses  
3 projectiles is not loaded and is inoperable at all times while on  
4 school property;

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

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

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

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

22 c. possess a valid handgun license issued pursuant to the  
23 provisions of the Oklahoma Self-Defense Act and meet  
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1           other requirements authorized by the board of  
2           education,

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.

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

11           SECTION 3.        AMENDATORY        Section 3, Chapter 310, O.S.L.  
12 2015 (70 O.S. Supp. 2020, Section 5-149.2), is amended to read as  
13 follows:

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

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

22           2. Hold a valid reserve peace officer certification as provided  
23 for in Section 3311 of this title; or

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

4        B. The board of education of a school district may, through a  
5 majority vote of the board, designate school personnel to attend an  
6 armed security guard training program, as provided for in Section  
7 1750.5 of Title 59 of the Oklahoma Statutes, or a reserve peace  
8 officer certification program, as provided for in Section 3311 of  
9 ~~Title 70 of the Oklahoma Statutes~~ this title, provided and developed  
10 by the Council on Law Enforcement Education and Training (CLEET).  
11 Nothing in this section shall be construed to prohibit or limit the  
12 board of education of a school district from requiring ongoing  
13 education and training.

14        ~~B.~~ C. Participation in either the armed security guard training  
15 program or the reserve peace officer certification program shall be  
16 voluntary and shall not in any way be considered a requirement for  
17 continued employment with the school district. The board of  
18 education of a school district shall have the final authority to  
19 determine and designate the school personnel who will be authorized  
20 to obtain and use an armed security guard license ~~or~~, reserve peace  
21 officer certification or handgun license in conjunction with their  
22 employment as school personnel.

23        ~~C.~~ D. The board of education of a school district that  
24 authorizes school personnel to participate in either the armed



1 security guard program or the reserve peace officer program may pay  
2 all necessary training, meal and lodging expenses associated with  
3 the training.

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

8 ~~E.~~ F. Any school personnel who have successfully completed  
9 ~~either~~ armed security guard training, reserve peace officer  
10 certification training or handgun license training and while acting  
11 in good faith shall be immune from civil and criminal liability for  
12 any injury resulting from the carrying of a handgun onto public  
13 school property as provided for in this act. Any board of education  
14 of a school district or participating local law enforcement agency  
15 shall be immune from civil and criminal liability for any injury  
16 resulting from any act committed by school personnel who are  
17 designated to carry a concealed handgun on public school property  
18 pursuant to the provisions of this act.

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

22 SECTION 4. This act shall become effective November 1, 2021.

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