

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 4136

By: Swope

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6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2021,
8 Section 1290.22, which relates to business owner's
9 rights; requiring prior written or verbal consent to
10 carry firearms onto private property; and providing
11 an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1290.22, is
15 amended to read as follows:

16 Section 1290.22

17 BUSINESS OWNER'S RIGHTS

18 A. Except as provided in subsections B, C and D of this
19 section, nothing contained in any provision of the Oklahoma Self-
20 Defense Act shall be construed to limit, restrict or prohibit in any
21 manner the existing rights of any person, property owner, tenant,
22 employer, liquor store, place of worship or business entity to
23 control the possession of weapons on any property owned or
24 controlled by the person or business entity.
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1 B. No person, property owner, tenant, employer, liquor store,
2 holder of an event permit, place of worship or business entity shall
3 be permitted to establish any policy or rule that has the effect of
4 prohibiting any person, except a convicted felon, from transporting
5 and storing firearms in a locked vehicle on any property set aside
6 for any vehicle.

7 C. A property owner, tenant, employer, liquor store, place of
8 worship or business entity may prohibit any person from carrying a
9 concealed or unconcealed firearm on the property. If the building
10 or property is open to the public, the property owner, tenant,
11 employer, liquor store, place of worship or business entity shall
12 post signs on or about the property stating such prohibition. If
13 the building or property is not open to the public and no signage is
14 posted, a person carrying a concealed or unconcealed firearm shall
15 first obtain express written or verbal consent from the property
16 owner prior to carrying the firearm onto the property.

17 D. No person, property owner, tenant, employer, liquor store,
18 holder of an event permit, place of worship or business entity shall
19 be permitted to establish any policy or rule that has the effect of
20 prohibiting any person from carrying a concealed or unconcealed
21 firearm on property within the specific exclusion provided for in
22 paragraph 4 of subsection B of Section 1277 of this title; provided
23 that carrying a concealed or unconcealed firearm may be prohibited
24 in the 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 otherwise lawful carrying of a concealed or unconcealed
17 firearm by a person on property that has signs prohibiting the
18 carrying of firearms shall subject the person to being denied
19 entrance onto the property or removed from the property. If the
20 person:

21 1. Has been informed by the property owner, business entity or
22 manager of the business that the person is in violation of a policy
23 that prohibits firearms on the property; and
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1 2. Refuses to leave the property and a peace officer is
2 summoned, the person shall, upon conviction, be guilty of a
3 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
4 Dollars (\$250.00).

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

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

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

10 SECTION 2. This act shall become effective November 1, 2024.

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12 59-2-9731 GRS 01/16/24
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