

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 569

By: Helton

AS INTRODUCED

An Act relating to the Oklahoma Self-Defense Act; amending 21 O.S. 1991, Section 1277, as last amended by Section 4, Chapter 191, O.S.L. 1996 (21 O.S. Supp. 1998, Section 1277), which relates to prohibited places for handguns; excepting certain judges, district attorneys, and certain attorneys from carrying handguns in prohibited places; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1277, as last amended by Section 4, Chapter 191, O.S.L. 1996 (21 O.S. Supp. 1998, Section 1277), is amended to read as follows:

Section 1277.

UNLAWFUL CARRY IN CERTAIN PLACES

A. It shall be unlawful for any person in possession of a valid concealed handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act, Section 1290.1 et seq. of this title, to carry any concealed handgun into any of the following places:

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

2. Any meeting of any city, town, county, state or federal officials, school board members, legislative members, or any other elected or appointed officials;

3. Any prison, jail, detention facility or any facility used to process, hold, or house arrested persons, prisoners or persons alleged delinquent or adjudicated delinquent;

4. Any elementary, secondary, or vocational-technical school property;

5. Any sports arena during a professional sporting event;

6. Any place where pari-mutuel wagering is authorized by law;

and

7. Any other place specifically prohibited by law.

B. For purposes of paragraphs 1, 2, 3, 5 and 6 of subsection A of this section, the prohibited place does not include and specifically excludes the following property:

a. any property set aside for the use of any vehicle, whether attended or unattended, by a city, town, county, state, or federal governmental authority,

b. any property set aside for the use of any vehicle, whether attended or unattended, by any entity offering any professional sporting event which is open to the public for admission, or by any entity engaged in pari-mutuel wagering authorized by law,

c. any property adjacent to a structure, building, or office space in which concealed weapons are prohibited by the provisions of this section,

d. any property designated by a city, town, county, or state, governmental authority as a park, recreational area, or fairgrounds; provided nothing in this subparagraph shall be construed to authorize any entry by a person in possession of a concealed handgun into any structure, building, or office space which is specifically prohibited by the provisions of subsection A of this section.

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

section may be liable for an administrative fine of Two Hundred Fifty Dollars (\$250.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

D. No person in possession of any concealed handgun pursuant to the Oklahoma Self-Defense Act shall be authorized to carry the handgun into or upon any college or university property, except as provided in this subsection. For purposes of this subsection, the following property shall not be prohibited for persons having a valid concealed handgun license:

1. Any property set aside for the use of any vehicle, whether attended or unattended, provided the handgun is carried or stored as required by law and the handgun is not removed from the vehicle without the prior consent of the college or university president while the vehicle is on any college or university property;

2. Any property authorized for possession or use of handguns by college or university policy;

3. Any property authorized by the written consent of the college or university president, provided the written consent is carried with the handgun and the valid concealed handgun license while on college or university property.

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

Nothing contained in any provision of this subsection shall be construed to limit the authority of any college or university in

this state from taking administrative action against any student for any violation of any provision of this subsection.

E. The provisions of subsection A of this section shall not apply to any law enforcement officer or to any person authorized by law to carry a pistol in the course of their employment.

F. The provisions of subsection A of this section shall not apply to the following persons provided such person has a valid handgun license pursuant to the provisions of the Oklahoma Self-Defense Act:

1. Any Justice of the Supreme Court;

2. Any judge of the Oklahoma Court of Criminal Appeals;

3. Any judge of the Oklahoma Court of Civil Appeals;

4. Any District Judge, Associate District Judge, or a Special Judge of an Oklahoma District Court;

5. Any District Attorney or Assistant District Attorney employed by the State of Oklahoma; and

6. Any attorney employed by the Oklahoma Bureau of Narcotics and Dangerous Drugs Control pursuant to Section 2-110 of Title 63 of the Oklahoma Statutes.

SECTION 2. This act shall become effective November 1, 1999

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