

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1243

By: Piatt

COMMITTEE SUBSTITUTE

An Act relating to firearms; amending Section 1, Chapter 39, O.S.L. 2004 (21 O.S. Supp. 2004, Section 1289.7a), which relates to transporting or storing firearms in locked vehicles; expanding scope of prohibition; exempting certain persons and entities from civil liability for the storage of firearms in locked vehicles; providing exceptions; authorizing civil action for enforcement of prohibition; providing for damages, injunctions, costs and attorney fees; defining term; and providing an effective date.

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

SECTION 1. AMENDATORY Section 1, Chapter 39, O.S.L. 2004 (21 O.S. Supp. 2004, Section 1289.7a), is amended to read as follows:

Section 1289.7a A. No person, property owner, tenant, employer, or business entity shall ~~be permitted to maintain,~~ establish, or enforce any policy or rule that has the effect of prohibiting any person, except a convicted felon, from transporting and storing firearms in a locked motor vehicle, or from transporting and storing firearms locked in or locked to a motor vehicle on any property set aside for any motor vehicle.

B. No person, property owner, tenant, employer, or business entity shall be liable in any civil action for occurrences which result from the storing of firearms in a locked motor vehicle on any property set aside for any motor vehicle, unless the person, property owner, tenant, employer, or owner of the business entity commits a criminal act involving the use of the firearms. The

provisions of this subsection shall not apply to claims pursuant to the Workers' Compensation Act.

C. An individual may bring a civil action to enforce this section. If a plaintiff prevails in a civil action against a person, property owner, tenant, employer or business for a violation of this section, the court shall award actual damages, enjoin further violations of this section, and award court costs and attorney fees to the prevailing plaintiff.

D. As used in this section, "motor vehicle" means any automobile, truck, minivan, sports utility vehicle, motorcycle, motor scooter, and any other vehicle required to be registered under the Oklahoma Vehicle License and Registration Act.

SECTION 2. This act shall become effective November 1, 2005.

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