

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 2513

By: Murphey

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending
9 21 O.S. 2001, Section 1277, as amended by Section 2,
10 Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2007, Section
11 1277), which relates to unlawful carry of concealed
12 handguns in certain places; modifying certain
13 concealed carry handgun restriction; authorizing the
14 establishment of certain policies and rules for
15 public colleges and universities; and providing an
16 effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1277, as
19 amended by Section 2, Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2007,
20 Section 1277), is amended to read as follows:

21 Section 1277.

22 UNLAWFUL CARRY IN CERTAIN PLACES

23 A. It shall be unlawful for any person in possession of a valid
24 concealed handgun license issued pursuant to the provisions of the

1 Oklahoma Self-Defense Act to carry any concealed handgun into any of
2 the following places:

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

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

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

12 4. Any elementary or secondary school, or technology center
13 school property;

14 5. Any sports arena during a professional sporting event;

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

16 and

17 7. Any other place specifically prohibited by law.

18 B. For purposes of paragraphs 1, 2, 3, 5 and 6 of subsection A
19 of this section, the prohibited place does not include and

20 specifically excludes the following property:

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

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

5 3. Any property adjacent to a structure, building, or office
6 space in which concealed weapons are prohibited by the provisions of
7 this section; and

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

14 Nothing contained in any provision of this subsection shall be
15 construed to authorize or allow any person in control of any place
16 described in paragraph 1, 2, 3, 5 or 6 of subsection A of this
17 section to establish any policy or rule that has the effect of
18 prohibiting any person in lawful possession of a concealed handgun
19 license from possession of a handgun allowable under such license in
20 places described in paragraph 1, 2, 3 or 4 of this subsection.

21 C. Any person violating the provisions of subsection A of this
22 section shall, upon conviction, be guilty of a misdemeanor
23 punishable by a fine not to exceed Two Hundred Fifty Dollars
24 (\$250.00). Any person convicted of violating the provisions of this

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

5 D. ~~No~~ Any person in possession of ~~any~~ a valid concealed handgun
6 license issued pursuant to the provisions of the Oklahoma Self-
7 Defense Act shall be authorized to carry the concealed handgun into
8 or upon any public college or university property, ~~except as~~
9 ~~provided in this subsection. For purposes of this subsection, the~~
10 ~~following property shall not be construed as prohibited for persons~~
11 ~~having a valid concealed handgun license:~~

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

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

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

23 ~~The college or university may notify the Oklahoma State Bureau~~
24 ~~of Investigation within ten (10) days of a violation of any~~

1 ~~provision of this subsection by a licensee. Upon receipt of a~~
2 ~~written notification of violation, the Bureau shall give a~~
3 ~~reasonable notice to the licensee and hold a hearing. At the~~
4 ~~hearing upon a determination that the licensee has violated any~~
5 ~~provision of this subsection, the licensee may be subject to an~~
6 ~~administrative fine of Two Hundred Fifty Dollars (\$250.00) and may~~
7 ~~have the concealed handgun license suspended for three (3) months.~~

8 ~~Nothing contained in any provision of this subsection shall be~~
9 ~~construed to authorize or allow any college or university to~~
10 ~~establish any policy or rule that has the effect of prohibiting any~~
11 ~~person in lawful possession of a concealed handgun license from~~
12 ~~possession of a handgun allowable under such license in places~~
13 ~~described in paragraphs 1, 2 and 3 of this subsection. Nothing~~
14 ~~contained in any provision of this subsection shall be construed to~~
15 ~~limit the authority of any public college or university in this~~
16 ~~state from taking administrative action against any student for any~~
17 ~~violation of any provision of this subsection to establish a policy~~
18 ~~or rule that restricts or prohibits faculty members or employed~~
19 ~~personnel who have a concealed handgun license from possessing,~~
20 ~~carrying or storing a concealed handgun on college or university~~
21 ~~property.~~

22 E. The provisions of this section shall not apply to any peace
23 officer or to any person authorized by law to carry a pistol in the
24 course of employment. District judges, associate district judges

1 and special district judges, who are in possession of a valid
2 concealed handgun license issued pursuant to the provisions of the
3 Oklahoma Self-Defense Act and whose names appear on a list
4 maintained by the Administrative Director of the Courts, shall be
5 exempt from this section when acting in the course and scope of
6 employment within the courthouses of this state. Private
7 investigators with a firearms authorization shall be exempt from
8 this section when acting in the course and scope of employment.

9 SECTION 2. This act shall become effective November 1, 2008.

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