

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1101

By: Bass

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5
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2001, Section 1277, as amended by Section 2,
9 Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2008, Section
10 1277), which relates to unlawful weapons carrying;
11 making certain exceptions to certain prohibition for
12 CLEET certified officers; and providing an effective
13 date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1277, as
16 amended by Section 2, Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2008,
17 Section 1277), is amended to read as follows:

18 Section 1277.

19 UNLAWFUL CARRY IN CERTAIN PLACES

20 A. It shall be unlawful for any person in possession of a valid
21 concealed handgun license issued pursuant to the provisions of the
22 Oklahoma Self-Defense Act to carry any concealed handgun into any of
23 the following places:
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1 1. Any structure, building, or office space which is owned or
2 leased by a city, town, county, state, or federal governmental
3 authority for the purpose of conducting business with the public;

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

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

10 4. Any elementary or secondary school, or technology center
11 school property;

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

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

15 7. Any other place specifically prohibited by law.

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

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

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

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

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

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

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

1 Oklahoma State Bureau of Investigation that the person is in
2 violation of the provisions of this section.

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

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

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

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

20 The college or university may notify the Oklahoma State Bureau
21 of Investigation within ten (10) days of a violation of any
22 provision of this subsection by a licensee. Upon receipt of a
23 written notification of violation, the Bureau shall give a
24 reasonable notice to the licensee and hold a hearing. At the

1 hearing upon a determination that the licensee has violated any
2 provision of this subsection, the licensee may be subject to an
3 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may
4 have the concealed handgun license suspended for three (3) months.

5 Nothing contained in any provision of this subsection shall be
6 construed to authorize or allow any college or university to
7 establish any policy or rule that has the effect of prohibiting any
8 person in lawful possession of a concealed handgun license from
9 possession of a handgun allowable under such license in places
10 described in paragraphs 1, 2 and 3 of this subsection. Nothing
11 contained in any provision of this subsection shall be construed to
12 limit the authority of any college or university in this state from
13 taking administrative action against any student for any violation
14 of any provision of this subsection.

15 E. Notwithstanding the prohibition of subsection D of this
16 section for concealed handgun licensees, any person who is certified
17 by the Council on Law Enforcement Education and Training to carry a
18 firearm and is currently employed by a law enforcement agency in
19 this state, or any of its political subdivisions, whether or not
20 such person is in possession of a valid concealed handgun license
21 pursuant to the Oklahoma Self-Defense Act, shall be authorized to
22 carry a concealed firearm as provided by law for off-duty peace
23 officers into or upon any college or university property, or to
24 carry the firearm approved by the employing law enforcement agency

1 into or upon any college or university property while wearing the
2 uniform of the employing law enforcement agency, or to carry a
3 concealed firearm under a valid concealed handgun license issued
4 pursuant to the Oklahoma Self-Defense Act, provided the person is in
5 possession of both the CLEET certification and the concealed handgun
6 license.

7 F. The provisions of subsection A of this section shall not
8 apply to any peace officer or to any person authorized by law to
9 carry a pistol in the course of employment. District judges,
10 associate district judges and special district judges, who are in
11 possession of a valid concealed handgun license issued pursuant to
12 the provisions of the Oklahoma Self-Defense Act and whose names
13 appear on a list maintained by the Administrative Director of the
14 Courts, shall be exempt from this section when acting in the course
15 and scope of employment within the courthouses of this state.
16 Private investigators with a firearms authorization shall be exempt
17 from this section when acting in the course and scope of employment.

18 SECTION 2. This act shall become effective November 1, 2009.

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20 52-1-452 NP 3/6/2009 1:39:48 AM

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