

HOUSE OF REPRESENTATIVES  
CONFERENCE COMMITTEE REPORT

Mr. President:  
Mr. Speaker:

The Conference Committee, to which was referred

**HB1652**

By: Enns of the House and Russell of the Senate

Title: Crimes and punishments; deleting technology center schools from list of prohibited places;  
effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the House concur with Senate Amendment No. 1.
2. That the Senate recede from its Amendment No. 2.

Respectfully submitted,

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

**HOUSE CONFEREES**

Jordan \_\_\_\_\_

Martin (Steve) Steve Martin

McCullough McCullough

Moore J. H. Moore

Morrisette \_\_\_\_\_

Roan \_\_\_\_\_

Roberts (Dustin) \_\_\_\_\_

Schwartz Colby Schwartz

Sherrer \_\_\_\_\_

Sullivan Alan Sullivan

Tibbs Gene Tibbs

Wesselhoft Paul Wesselhoft

Williams \_\_\_\_\_

**SENATE CONFEREES**

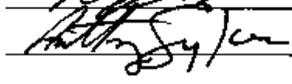
Russell



Johnson (Rob)



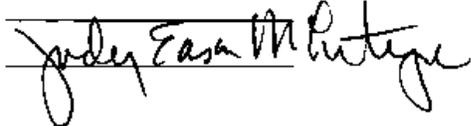
Sykes



Halligan

\_\_\_\_\_

Ballenger



Eason McIntyre

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

House Action \_\_\_\_\_ Date \_\_\_\_\_ Senate Action \_\_\_\_\_ Date \_\_\_\_\_

1 ENGROSSED SENATE AMENDMENT  
TO  
2 ENGROSSED HOUSE  
BILL NO. 1652

By: Enns, Murphey, Cockroft,  
Key, Bennett, Faught,  
Ritze, Rousselot, Newell,  
Reynolds, Roberts (Sean),  
Holland, Tibbs, Derby,  
Kirby, Trebilcock, Kern,  
Wright and Wesselhoft of  
the House

and

Russell of the Senate

An Act relating to crimes and punishments; amending  
21 O.S. 2001, Section 1277, as amended by Section 2,  
Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2010, Section  
1277), which relates to the unlawful carrying of  
concealed handguns; deleting technology center  
schools from list of prohibited places; authorizing  
the carrying of concealed handguns on technology  
center property under certain circumstances; amending  
21 O.S. 2001, Section 1280.1, as amended by Section  
2, Chapter 465, O.S.L. 2003 (21 O.S. Supp. 2010,  
Section 1280.1), which relates to the possession of  
firearms on school property; authorizing possession  
of concealed handguns on technology center property  
under certain circumstances; and providing an  
effective date.

AUTHOR: Add the following Senate Coauthor: Sykes

AMENDMENT NO. 1. Page 6, line 16 through page 8, line 22, delete  
SECTION 2 and renumber the subsequent section

AMENDMENT NO. 2. Page 1, strike the title to read

1 "[ crimes and punishment - firearms on school  
2 property - effective date ]"

3 and when the title is restored, amend the title to  
4 conform

5 Passed the Senate the 26th day of April, 2011.

6 \_\_\_\_\_  
7 Presiding Officer of the Senate

8 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
9 2011.

10 \_\_\_\_\_  
11 Presiding Officer of the House  
12 of Representatives

1 ENGROSSED HOUSE  
2 BILL NO. 1652

By: Enns, Murphey, Cockroft,  
Key, Bennett, Faught,  
Ritze, Rousselot, Newell,  
Reynolds, Roberts (Sean),  
Holland, Tibbs, Derby,  
Kirby, Trebilcock, Kern,  
Wright and Wesselhoft of  
the House

6 and

7 Russell of the Senate

8  
9  
10  
11 An Act relating to crimes and punishments; amending  
12 21 O.S. 2001, Section 1277, as amended by Section 2,  
13 Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2010, Section  
14 1277), which relates to the unlawful carrying of  
15 concealed handguns; deleting technology center  
16 schools from list of prohibited places; authorizing  
17 the carrying of concealed handguns on technology  
18 center property under certain circumstances; amending  
19 21 O.S. 2001, Section 1280.1, as amended by Section  
20 2, Chapter 465, O.S.L. 2003 (21 O.S. Supp. 2010,  
21 Section 1280.1), which relates to the possession of  
22 firearms on school property; authorizing possession  
23 of concealed handguns on technology center property  
24 under certain circumstances; and providing an  
effective date.

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

22 SECTION 1. AMENDATORY 21 O.S. 2001, Section 1277, as  
23 amended by Section 2, Chapter 128, O.S.L. 2007 (21 O.S. Supp. 2010,  
24 Section 1277), is amended to read as follows:

1 Section 1277.

2 UNLAWFUL CARRY IN CERTAIN PLACES

3 A. It shall be unlawful for any person in possession of a valid  
4 concealed handgun license issued pursuant to the provisions of the  
5 Oklahoma Self-Defense Act to carry any concealed handgun into any of  
6 the following places:

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

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

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

16 4. Any elementary or secondary school, ~~or technology center~~  
17 ~~school property;~~

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

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

21 7. Any other place specifically prohibited by law.

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

- 1           1. Any property set aside for the use or parking of any  
2 vehicle, whether attended or unattended, by a city, town, county,  
3 state, or federal governmental authority;
- 4           2. Any property set aside for the use or parking of any  
5 vehicle, whether attended or unattended, by any entity offering any  
6 professional sporting event which is open to the public for  
7 admission, or by any entity engaged in pari-mutuel wagering  
8 authorized by law;
- 9           3. Any property adjacent to a structure, building, or office  
10 space in which concealed weapons are prohibited by the provisions of  
11 this section; and
- 12           4. Any property designated by a city, town, county, or state,  
13 governmental authority as a park, recreational area, or fairgrounds;  
14 provided, nothing in this paragraph shall be construed to authorize  
15 any entry by a person in possession of a concealed handgun into any  
16 structure, building, or office space which is specifically  
17 prohibited by the provisions of subsection A of this section.  
18 Nothing contained in any provision of this subsection shall be  
19 construed to authorize or allow any person in control of any place  
20 described in paragraph 1, 2, 3, 5 or 6 of subsection A of this  
21 section to establish any policy or rule that has the effect of  
22 prohibiting any person in lawful possession of a concealed handgun  
23 license from possession of a handgun allowable under such license in  
24 places described in paragraph 1, 2, 3 or 4 of this subsection.

1 C. Any person violating the provisions of subsection A of this  
2 section shall, upon conviction, be guilty of a misdemeanor  
3 punishable by a fine not to exceed Two Hundred Fifty Dollars  
4 (\$250.00). Any person convicted of violating the provisions of  
5 subsection A of this section may be liable for an administrative  
6 fine of Two Hundred Fifty Dollars (\$250.00) upon a hearing and  
7 determination by the Oklahoma State Bureau of Investigation that the  
8 person is in violation of the provisions of subsection A of this  
9 section.

10 D. No person in possession of ~~any~~ a valid concealed handgun  
11 license issued pursuant to the provisions of the Oklahoma Self-  
12 Defense Act shall be authorized to carry the handgun into or upon  
13 any college ~~or~~, university, or technology center school property,  
14 except as provided in this subsection. For purposes of this  
15 subsection, the following property shall not be construed as  
16 prohibited for persons having a valid concealed handgun license:

17 1. Any property set aside for the use or parking of any  
18 vehicle, whether attended or unattended, provided the handgun is  
19 carried or stored as required by law and the handgun is not removed  
20 from the vehicle without the prior consent of the college or  
21 university president or technology center school administrator while  
22 the vehicle is on any college ~~or~~, university, or technology center  
23 school property;

24

1           2. Any property authorized for possession or use of handguns by  
2 college ~~or~~, university, or technology center school policy; and

3           3. Any property authorized by the written consent of the  
4 college or university president or technology center school  
5 administrator, provided the written consent is carried with the  
6 handgun and the valid concealed handgun license while on college ~~or~~,  
7 university, or technology center school property.

8           The college ~~or~~, university, or technology center school may  
9 notify the Oklahoma State Bureau of Investigation within ten (10)  
10 days of a violation of any provision of this subsection by a  
11 licensee. Upon receipt of a written notification of violation, the  
12 Bureau shall give a reasonable notice to the licensee and hold a  
13 hearing. At the hearing upon a determination that the licensee has  
14 violated any provision of this subsection, the licensee may be  
15 subject to an administrative fine of Two Hundred Fifty Dollars  
16 (\$250.00) and may have the concealed handgun license suspended for  
17 three (3) months.

18           Nothing contained in any provision of this subsection shall be  
19 construed to authorize or allow any college ~~or~~, university, or  
20 technology center school to establish any policy or rule that has  
21 the effect of prohibiting any person in lawful possession of a  
22 concealed handgun license from possession of a handgun allowable  
23 under such license in places described in paragraphs 1, 2 and 3 of  
24 this subsection. Nothing contained in any provision of this

1 subsection shall be construed to limit the authority of any college  
2 or university in this state from taking administrative action  
3 against any student for any violation of any provision of this  
4 subsection.

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

16 SECTION 2. AMENDATORY 21 O.S. 2001, Section 1280.1, as  
17 amended by Section 2, Chapter 465, O.S.L. 2003 (21 O.S. Supp. 2010,  
18 Section 1280.1), is amended to read as follows:

19 Section 1280.1

20 POSSESSION OF FIREARM ON SCHOOL PROPERTY

21 A. It shall be unlawful for any person to have in his or her  
22 possession on any public or private school property or while in any  
23 school bus or vehicle used by any school for transportation of  
24 students or teachers any firearm or weapon designated in Section

1 1272 of this title, except as provided in subsection C of this  
2 section or as otherwise authorized by law.

3 B. "School property" means any publicly or privately owned  
4 property held for purposes of elementary, secondary or vocational-  
5 technical education, and shall not include property owned by public  
6 school districts or private educational entities where such property  
7 is leased or rented to an individual or corporation and used for  
8 purposes other than educational.

9 C. Firearms and weapons are allowed on school property and  
10 deemed not in violation of subsection A of this section as follows:

11 1. A gun or knife designed for hunting or fishing purposes kept  
12 in a privately owned vehicle and properly displayed or stored as  
13 required by law, or a handgun carried in a vehicle pursuant to a  
14 valid handgun license authorized by the Oklahoma Self-Defense Act,  
15 provided such vehicle containing said gun or knife is driven onto  
16 school property only to transport a student to and from school and  
17 such vehicle does not remain unattended on school property;

18 2. A gun or knife used for the purposes of participating in the  
19 Oklahoma Department of Wildlife Conservation certified hunter  
20 training education course or any other hunting, fishing, safety or  
21 firearms training courses, or a recognized firearms sports event,  
22 team shooting program or competition, or living history reenactment,  
23 provided the course or event is approved by the principal or chief  
24 administrator of the school where the course or event is offered,

1 and provided the weapon is properly displayed or stored as required  
2 by law pending participation in the course, event, program or  
3 competition; ~~and~~

4 3. Weapons in the possession of any peace officer or other  
5 person authorized by law to possess a weapon in the performance of  
6 their duties and responsibilities; and

7 4. A concealed handgun carried into or upon any technology  
8 center school property by a person in possession of a valid  
9 concealed handgun license issued pursuant to the provisions of the  
10 Oklahoma Self-Defense Act and only as provided for in subsection D  
11 of Section 1277 of this title.

12 D. Any person violating the provisions of this section shall,  
13 upon conviction, be guilty of a felony punishable by a fine not to  
14 exceed Five Thousand Dollars (\$5,000.00), and imprisonment for not  
15 more than two (2) years. Any person convicted of violating the  
16 provisions of this section after having been issued a concealed  
17 handgun license pursuant to the provisions of the Oklahoma Self-  
18 Defense Act shall have the license permanently revoked and shall be  
19 liable for an administrative fine of One Hundred Dollars (\$100.00)  
20 upon a hearing and determination by the Oklahoma State Bureau of  
21 Investigation that the person is in violation of the provisions of  
22 this section.

23 SECTION 3. This act shall become effective November 1, 2011.  
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