

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1553

By: Kern

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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. 2010, Section  
10 1277), which relates to the unlawful carrying of  
11 concealed handguns; modifying and deleting provisions  
12 that prohibit persons from carrying concealed  
13 handguns in certain places; authorizing certain  
14 persons to bypass security check points; providing  
15 for codification; and providing an effective date.

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

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

20 Section 1277.

21 UNLAWFUL CARRY IN CERTAIN PLACES

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

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.~~ 2. Any prison, jail, detention facility or any facility used  
8 to process, hold, or house arrested persons, prisoners or persons  
9 alleged delinquent or adjudicated delinquent;

10 ~~4.~~ 3. 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.~~ 4. Any other place specifically prohibited by law.

16 B. For purposes of paragraphs 1, and 2, ~~3, 5 and 6~~ of  
17 subsection A of this section, the prohibited place does not include  
18 and 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~~  
24

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.~~ 3. Any property designated by a city, town, county, or  
7 state, governmental authority as a park, recreational area, or  
8 fairgrounds; ~~provided, nothing in this paragraph shall be construed~~  
9 ~~to authorize any entry by a person in possession of a concealed~~  
10 ~~handgun into any structure, building, or office space which is~~  
11 ~~specifically prohibited by the provisions of subsection A of this~~  
12 ~~section.~~

13 Nothing contained in any provision of this subsection shall be  
14 construed to authorize or allow any person in control of any place  
15 described in ~~paragraph~~ paragraphs ~~1, and 2, 3, 5 or 6~~ of subsection  
16 A of this section to establish any policy or rule that has the  
17 effect of prohibiting any person in lawful possession of a concealed  
18 handgun license from possession of a handgun allowable under such  
19 license in places described in paragraph ~~1, 2, or 3~~ or 3 ~~or 4~~ of this  
20 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 person in possession of any concealed handgun pursuant to  
6 the Oklahoma Self-Defense Act shall be authorized to carry the  
7 handgun into or upon any college or university property, except as  
8 provided in this subsection. For purposes of this subsection, the  
9 following property shall not be construed as prohibited for persons  
10 having a valid concealed handgun license:

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

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

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

22 The college or university may notify the Oklahoma State Bureau  
23 of Investigation within ten (10) days of a violation of any  
24 provision of this subsection by a licensee. Upon receipt of a

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

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

17 E. The provisions of this section shall not apply to any peace  
18 officer or to any person authorized by law to carry a pistol in the  
19 course of employment. District judges, associate district judges  
20 and special district judges, who are in possession of a valid  
21 concealed handgun license issued pursuant to the provisions of the  
22 Oklahoma Self-Defense Act and whose names appear on a list  
23 maintained by the Administrative Director of the Courts, shall be  
24 exempt from this section when acting in the course and scope of

1 employment within the courthouses of this state. Private  
2 investigators with a firearms authorization shall be exempt from  
3 this section when acting in the course and scope of employment.

4 SECTION 2. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 1290.27 of Title 21, unless  
6 there is created a duplication in numbering, reads as follows:

7 Any person with a valid concealed handgun license issued  
8 pursuant to the provisions of the Oklahoma Self-Defense Act when  
9 entering any state, city or county facility that requires persons to  
10 pass through a security checkpoint shall be authorized to bypass the  
11 security checkpoint upon presenting a valid handgun license and  
12 valid Oklahoma driver license or identification card. Nothing in  
13 this section shall be construed to authorize a law enforcement  
14 officer to search any person or inspect any weapon properly  
15 concealed without probable cause that a crime has been committed.

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

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18 53-1-5239 GRS 01/16/11

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