

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2087

By: Terrill

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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
firearms; authorizing certain persons to carry
concealed weapons on college or university property;
and providing an effective date.

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

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

17 Section 1277.

18 UNLAWFUL CARRY IN CERTAIN PLACES

19 A. It shall be unlawful for any person in possession of a valid
20 concealed handgun license issued pursuant to the provisions of the
21 Oklahoma Self-Defense Act to carry any concealed handgun into any of
22 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~~ a valid concealed handgun
4 license issued pursuant to the provisions of the Oklahoma Self-
5 Defense Act shall be authorized to carry the handgun into or upon
6 any college or university property, except as provided in this
7 subsection. For purposes of this subsection, the following property
8 shall not be construed as prohibited for persons having a valid
9 concealed handgun license:

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

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

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

21 4. Any property of the college or university, provided the
22 person is:

23 a. a member of the administration of the college or
24 university, or

1 b. a faculty member of the college or university.

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

11 Nothing contained in any provision of this subsection shall be
12 construed to authorize or allow any college or university to
13 establish any policy or rule that has the effect of prohibiting any
14 person in lawful possession of a concealed handgun license from
15 possession of a handgun allowable under such license in places
16 described in paragraphs 1, 2 ~~and~~, 3 and 4 of this subsection.

17 Nothing contained in any provision of this subsection shall be
18 construed to limit the authority of any college or university in
19 this state from taking administrative action against any student for
20 any violation of any provision of this subsection.

21 E. The provisions of this section shall not apply to any:

22 1. Any peace officer or to any person authorized by law to
23 carry a pistol in the course of employment-;

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

8 3. Private investigators with a firearms authorization ~~shall be~~
9 ~~exempt from this section~~ when acting in the course and scope of
10 employment.

11 SECTION 2. This act shall become effective November 1, 2011.

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13 53-1-6371 GRS 01/14/11
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