

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 SENATE BILL 1549

By: Shortey

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5  
6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending  
8 21 O.S. 2011, Section 1277, which relates to the  
9 unlawful carrying of concealed handguns; modifying  
10 and deleting provisions that prohibit persons from  
11 carrying concealed handguns in certain places;  
12 authorizing certain persons to bypass security check  
13 points; providing for codification; and providing an  
14 effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, is  
17 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:

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

1       2. ~~Any meeting of any city, town, county, state or federal~~  
2 ~~officials, school board members, legislative members, or any other~~  
3 ~~elected or appointed officials;~~

4       ~~3.~~ Any prison, jail, detention facility or any facility used to  
5 process, hold, or house arrested persons, prisoners or persons  
6 alleged delinquent or adjudicated delinquent;

7       4. 3. Any elementary or secondary school;

8       ~~5. Any sports arena during a professional sporting event;~~

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

10 and

11       ~~7.~~ 4. Any other place specifically prohibited by law.

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

15       1. Any property set aside for the use or parking of any  
16 vehicle, whether attended or unattended, by a ~~city, town, county,~~  
17 ~~state, or~~ federal governmental authority;

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

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

4       ~~4.~~ 3. Any property designated by a city, town, county, or  
5 state, governmental authority as a park, recreational area, or  
6 fairgrounds; ~~provided, nothing in this paragraph shall be construed~~  
7 ~~to authorize any entry by a person in possession of a concealed~~  
8 ~~handgun into any structure, building, or office space which is~~  
9 ~~specifically prohibited by the provisions of subsection A of this~~  
10 ~~section.~~

11       Nothing contained in any provision of this subsection shall be  
12 construed to authorize or allow any person in control of any place  
13 described in ~~paragraph~~ paragraphs 1, 2, ~~and 3,~~ 5 ~~or 6~~ of subsection  
14 A of this section to establish any policy or rule that has the  
15 effect of prohibiting any person in lawful possession of a concealed  
16 handgun license from possession of a handgun allowable under such  
17 license in places described in paragraph 1, 2, or 3 ~~or 4~~ of this  
18 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  
23 subsection A of this section may be liable for an administrative  
24 fine of Two Hundred Fifty Dollars (\$250.00) upon a hearing and

1 determination by the Oklahoma State Bureau of Investigation that the  
2 person is in violation of the provisions of subsection A of this  
3 section.

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

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

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

20 3. Any property authorized by the written consent of the  
21 college or university president or technology center school  
22 administrator, provided the written consent is carried with the  
23 handgun and the valid concealed handgun license while on college,  
24 university, or technology center school property.

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

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

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

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

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

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

20 SECTION 3. This act shall become effective November 1, 2012.

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