

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 SENATE BILL 834

By: Shortey

4
5
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,
8 Section 1290.24, as amended by Section 42, Chapter
9 259, O.S.L. 2012 (21 O.S. Supp. 2012, Section
10 1290.24), which relates to immunity; providing
11 certain immunity for certain persons for certain
12 occurrences at gun ranges under certain
13 circumstances; stating such immunity shall not apply
14 to the Workers' Compensation Act; providing certain
15 immunity to certain persons on private property for
16 certain activities under certain circumstances;
17 adding certain certified persons who shall be immune
18 from certain liability; and providing an effective
19 date.

20
21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

23 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.24, as
24 amended by Section 42, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2012,
Section 1290.24), is amended to read as follows:

Section 1290.24.

IMMUNITY

A. The state, its officers, agents and employees shall be
immune from liability resulting or arising from:

1 1. Failure to prevent the licensing of an individual for whom
2 the receipt of the license is unlawful pursuant to the provisions of
3 the Oklahoma Self-Defense Act or any other provision of law of this
4 state;

5 2. Any action or misconduct with a pistol committed by a person
6 to whom a license to carry a concealed or unconcealed handgun has
7 been issued or by any person who obtains a pistol from a licensee;

8 3. Any injury to any person during a handgun training course
9 conducted by a firearms instructor certified by the Council on Law
10 Enforcement Education and Training to conduct training under the
11 Oklahoma Self-Defense Act, or injury from any misfire or malfunction
12 of any handgun on a training course firing range supervised by a
13 certified firearms instructor under the provisions of the Oklahoma
14 Self-Defense Act, or any injury resulting from carrying a concealed
15 or unconcealed handgun pursuant to a handgun license; and

16 4. Any action or finding pursuant to a hearing conducted in
17 accordance with the Administrative Procedures Act as required in the
18 Oklahoma Self-Defense Act.

19 B. ~~Firearms~~ No property owner, operator, tenant, employer or
20 employee of a private gun range shall be liable in any civil action
21 for occurrences which result from an accident or injury to any
22 person from the inherent risk of such activities, unless the person,
23 property owner, tenant, employer or owner of the gun range commits a
24 criminal act involving the discharge of a firearm or weapon. The

1 provisions of this subsection shall not apply to claims pursuant to
2 the Workers' Compensation Code.

3 C. An individual private property owner, resident or tenant who
4 allows a person to be involved in hunting or fishing where firearms
5 or weapons activity is under the control of the property owner,
6 resident or tenant, and such activity is allowed by law, shall be
7 immune from civil action in the event of injuries resulting from the
8 inherent risk of such activities, provided no criminal act was
9 committed by the private property owner, resident or tenant.

10 D. Gun range owners, tenants, employers or employees of a gun
11 range or firearms instructors certified by the Council on Law
12 Enforcement Education and Training to conduct training for the
13 Oklahoma Self-Defense Act shall be immune from liability to third
14 persons resulting or arising from any claim based on an act or
15 omission of a trainee, gun range owner, operator, tenant, employer
16 or employee of a gun range.

17 SECTION 2. This act shall become effective November 1, 2013.

18
19 54-1-1220 LKS 1/17/2013 2:04:02 PM

20
21
22
23
24