

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No. 2617, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Sharp

Sharp-LKS-FS-Req#3631
4/22/2014 11:56 AM

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

FLOOR SUBSTITUTE
FOR ENGROSSED

HOUSE BILL NO. 2617

By: Martin (Steve), Ritze and
Bennett of the House

and

Sharp of the Senate

FLOOR SUBSTITUTE

[crimes and punishments - unlawful carrying of
firearms - prohibited acts - effective date]

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
last amended by Section 1, Chapter 344, O.S.L. 2013 (21 O.S. Supp.
2013, Section 1277), is amended to read as follows:

Section 1277.

UNLAWFUL CARRY IN CERTAIN PLACES

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

1. Any structure, building, or office space that has a security
checkpoint at each public entrance for the detection of weapons and

1 which is owned or leased by a city, town, county, state, or federal
2 governmental authority for the purpose of conducting business with
3 the public;

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

7 3. Any public or private elementary or public or private
8 secondary school, except as provided in subsection C of this
9 section;

10 4. Any sports arena during a professional sporting event;

11 5. Any place where pari-mutuel wagering is authorized by law;
12 and

13 6. Any other place specifically prohibited by law.

14 B. A city, town, county, state or federal governmental
15 authority shall be immune from liability resulting or arising from
16 any action or misconduct with a weapon committed by a person to whom
17 a license to carry a concealed or unconcealed handgun has been
18 issued or by any person who obtains a weapon from a licensee. The
19 provisions of this paragraph shall not apply to claims pursuant to
20 the Workers' Compensation Code.

21 C. For purposes of paragraphs 1, 2, 4 and 5 of subsection A of
22 this section, the prohibited place does not include and specifically
23 excludes the following property:
24

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 or unconcealed weapons are prohibited by
11 the provisions of this section; and

12 4. Any property or structure designated by a city, town,
13 county, or state, governmental authority as a park, recreational
14 area, or fairgrounds; ~~provided, nothing in this paragraph shall be~~
15 ~~construed to authorize any entry by a person in possession of a~~
16 ~~concealed or unconcealed handgun into any structure, building, or~~
17 ~~office space which is specifically prohibited by the provisions of~~
18 ~~subsection A of this section.~~

19 Nothing contained in any provision of this subsection shall be
20 construed to authorize or allow any person in control of any place
21 described in paragraph 1, 2, 4 or 5 of subsection A of this section
22 to establish any policy or rule that has the effect of prohibiting
23 any person in lawful possession of a handgun license from possession
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1 of a handgun allowable under such license in places described in
2 paragraph 1, 2, 3 or 4 of this subsection.

3 ~~C.~~ D. A concealed or unconcealed weapon may be carried onto
4 private school property or in any school bus or vehicle used by any
5 private school for transportation of students or teachers by a
6 person who is licensed pursuant to the Oklahoma Self-Defense Act,
7 provided a policy has been adopted by the governing entity of the
8 private school that authorizes the carrying and possession of a
9 weapon on private school property or in any school bus or vehicle
10 used by a private school. Except for acts of gross negligence or
11 willful or wanton misconduct, a governing entity of a private school
12 that adopts a policy which authorizes the possession of a weapon on
13 private school property, a school bus or vehicle used by the private
14 school shall be immune from liability for any injuries arising from
15 the adoption of the policy. The provisions of this subsection shall
16 not apply to claims pursuant to the Workers' Compensation Code.

17 ~~D.~~ E. Any person violating the provisions of subsection A of
18 this section shall, upon conviction, be guilty of a misdemeanor
19 punishable by a fine not to exceed Two Hundred Fifty Dollars
20 (\$250.00). ~~Any person convicted of violating the provisions of~~
21 ~~subsection A of this section may be liable for an administrative~~
22 ~~fine of Two Hundred Fifty Dollars (\$250.00) upon a hearing and~~
23 ~~determination by the Oklahoma State Bureau of Investigation that the~~
24

1 ~~person is in violation of the provisions of subsection A of this~~
2 ~~section.~~

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

10 1. Any property set aside for the use or parking of any
11 vehicle, whether attended or unattended, provided the handgun is
12 carried or stored as required by law and the handgun is not removed
13 from the vehicle without the prior consent of the college or
14 university president or technology center school administrator while
15 the vehicle is on any college, university~~7~~ or technology center
16 school property;

17 2. Any property authorized for possession or use of handguns by
18 college, university~~7~~ or technology center school policy; and

19 3. Any property authorized by the written consent of the
20 college or university president or technology center school
21 administrator, provided the written consent is carried with the
22 handgun and the valid handgun license while on college, university~~7~~
23 or technology center school property.
24

1 The college, university~~7~~ 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 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~~7~~ 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 handgun license from possession of a handgun allowable under such
15 license in places described in paragraphs 1, 2 and 3 of this
16 subsection. Nothing contained in any provision of this subsection
17 shall be construed to limit the authority of any college or
18 university in this state from taking administrative action against
19 any student for any violation of any provision of this subsection.

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

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

7 SECTION 2. This act shall become effective November 1, 2014.

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9 54-2-3631 LKS 4/22/2014 11:56:08 AM

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