

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 54th Legislature (2014)

4 HOUSE BILL 2691

By: Johnson and Bennett of the
House

5 and

6 Sykes of the Senate

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10 AS INTRODUCED

11 An Act relating to crimes and punishments; amending
12 21 O.S. 2011, Section 1290.24, as amended by Section
13 42, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013,
14 Section 1290.24), which relates to the Oklahoma Self-
15 Defense Act; providing immunity from civil liability
16 for certain persons; and providing an effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.24, as
19 amended by Section 42, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013,
20 Section 1290.24), is amended to read as follows:

21 Section 1290.24

22 IMMUNITY

23 A. The state, its officers, agents and employees shall be
24 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 instructors certified by the Council on Law
20 Enforcement Education and Training to conduct training for the
21 Oklahoma Self-Defense Act shall be immune from liability to third
22 persons resulting or arising from any claim based on an act or
23 omission of a trainee.

1 C. Except for acts of gross negligence or willful or wanton
2 misconduct, a property owner, tenant, employer or employee of a
3 private gun range or gun club shall be not liable in any civil
4 action for any injury to a person engaged in or observing firearms
5 or weapons activities on the premises of said gun range or gun club.
6 The provisions of this subsection shall not apply to claims pursuant
7 to the Workers' Compensation Code.

8 D. Except for acts of gross negligence or willful or wanton
9 misconduct, an individual private property owner, resident, tenant
10 or any other person that legally controls the property who allows a
11 person to hunt, fish, or conduct or observe other firearms or
12 weapons activity on said property, if such activity is allowed by
13 law, shall be immune from liability for injuries resulting or
14 arising from any claim against the private property owner, resident,
15 tenant or any other person who legally controls the property.

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

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18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 02/26/2014 - DO
19 PASS, As Coauthored.