

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

HOUSE BILL 2691

By: Johnson

AS INTRODUCED

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

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.24, as amended by Section 42, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2013, 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. Failure to prevent the licensing of an individual for whom the receipt of the license is unlawful pursuant to the provisions of the Oklahoma Self-Defense Act or any other provision of law of this state;

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

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

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

15 B. Firearms instructors certified by the Council on Law
16 Enforcement Education and Training to conduct training for the
17 Oklahoma Self-Defense Act shall be immune from liability to third
18 persons resulting or arising from any claim based on an act or
19 omission of a trainee.

20 C. Except for acts of gross negligence or willful or wanton
21 misconduct, a property owner, tenant, employer or employee of a
22 private gun range or gun club shall be not liable in any civil
23 action for any injury to a person engaged in or observing firearms
24 or weapons activities on the premises of said gun range or gun club.

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

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

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

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