

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1036

By: Smalley

COMMITTEE SUBSTITUTE

An Act relating to school personnel; amending Section 3, Chapter 310, O.S.L. 2015 (70 O.S. Supp. 2015, Section 5-149.2), which relates to handgun licenses for school personnel; modifying designating authority; directing names of certain designated school personnel to be kept confidential; exempting certain names from certain act; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 3, Chapter 310, O.S.L. 2015 (70 O.S. Supp. 2015, Section 5-149.2), is amended to read as follows:

Section 5-149.2. A. The board of education of a school district may, through a majority vote of the board, authorize the school district superintendent to designate school personnel who have been issued a handgun license pursuant to the Oklahoma Self-Defense Act to attend an armed security guard training program, as provided for in Section 1750.5 of Title 59 of the Oklahoma Statutes, or a reserve peace officer certification program, as provided for in

1 Section 3311 of Title 70 of the Oklahoma Statutes, provided and
2 developed by the Council on Law Enforcement Education and Training
3 (CLEET). Nothing in this section shall be construed to prohibit or
4 limit the board of education of a school district from requiring
5 ongoing education and training.

6 B. Participation in either the armed security guard training
7 program or the reserve peace officer certification program shall be
8 voluntary and shall not in any way be considered a requirement for
9 continued employment with the school district. The board of
10 education of a school district shall have the final authority to
11 determine and designate the school personnel who will be authorized
12 to obtain and use an armed security guard license or reserve peace
13 officer certification in conjunction with their employment as school
14 personnel.

15 C. The board of education of a school district that authorizes
16 school personnel to participate in either the armed security guard
17 program or the reserve peace officer program may pay all necessary
18 training, meal and lodging expenses associated with the training.

19 D. When carrying a firearm pursuant to the provisions of this
20 act, the person shall at all times carry the firearm on his or her
21 person or the firearm shall be stored in a locked and secure
22 location.

23 E. Any school personnel who have successfully completed either
24 training and while acting in good faith shall be immune from civil

1 and criminal liability for any injury resulting from the carrying of
2 a handgun onto public school property as provided for in this act.
3 Any board of education of a school district or participating local
4 law enforcement agency shall be immune from civil and criminal
5 liability for any injury resulting from any act committed by school
6 personnel who are designated to carry a concealed handgun on public
7 school property pursuant to the provisions of this act.

8 F. In order to carry out the provisions of this section, the
9 board of education of a school district is authorized to enter into
10 a memorandum of understanding with local law enforcement entities.

11 G. The names of school personnel who have been designated to
12 carry a firearm pursuant to this section shall be kept confidential
13 and shall be exempt from the Oklahoma Open Records Act.

14 SECTION 2. This act shall become effective July 1, 2016.

15 SECTION 3. It being immediately necessary for the preservation
16 of the public peace, health and safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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