

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend House Bill No. 2014, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Barrington

Barrington-BH-FS-Req#1713  
2/18/2016 4:56 PM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 55th Legislature (2015)

FLOOR SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 2014

By: Coody (Jeff), Cockroft,  
Kern, Jordan, Montgomery,  
Murfhey, Lockhart, Derby,  
Murdock, Enns, Bennett,  
Wood, Walker, Nollan, Coody  
(Ann), Fisher, Cooksey,  
Wright, Faught, Ownbey,  
Lepak, Joyner, McCullough,  
Brumbaugh, Sherrer, Roberts  
(Sean) and Pfeiffer of the  
House

and

Barrington, Brecheen and  
Brooks of the Senate

FLOOR SUBSTITUTE

An Act relating to school security; amending 21 O.S.  
2011, Sections 1277 and 1280.1, as last amended by  
Sections 1 and 2, Chapter 325, O.S.L. 2014 (21 O.S.  
Supp. 2014, Sections 1277 and 1280.1), which relate  
to carrying firearms on certain property; allowing  
certain persons to carry handguns on public school  
property; authorizing boards of education to allow  
for participation in training; construing provision;  
making participation voluntary; providing for payment  
of academy training expenses; authorizing certain  
persons to carry handgun on public school property;  
providing immunity from civil and criminal liability;  
providing for codification; and declaring an  
emergency.

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

1       SECTION 1.       AMENDATORY       21 O.S. 2011, Section 1277, as  
2 last amended by Section 1, Chapter 325, O.S.L. 2014 (21 O.S. Supp.  
3 2014, Section 1277), is amended to read as follows:

4       Section 1277.

5                   UNLAWFUL CARRY IN CERTAIN PLACES

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

10       1. Any structure, building, or office space which is owned or  
11 leased by a city, town, county, state, or federal governmental  
12 authority for the purpose of conducting business with the public;

13       2. Any prison, jail, detention facility or any facility used to  
14 process, hold, or house arrested persons, prisoners or persons  
15 alleged delinquent or adjudicated delinquent;

16       3. Any public or private elementary or public or private  
17 secondary school, except as provided in ~~subsection~~ subsections C and  
18 D of this section;

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

20       5. Any place where pari-mutuel wagering is authorized by law;  
21 and

22       6. Any other place specifically prohibited by law.  
23  
24

1 B. For purposes of paragraphs 1, 2, 3, 4 and 5 of subsection A  
2 of this section, the prohibited place does not include and  
3 specifically excludes the following property:

4 1. Any property set aside for the use or parking of any  
5 vehicle, whether attended or unattended, by a city, town, county,  
6 state, or federal governmental authority;

7 2. Any property set aside for the use or parking of any  
8 vehicle, whether attended or unattended, by any entity offering any  
9 professional sporting event which is open to the public for  
10 admission, or by any entity engaged in pari-mutuel wagering  
11 authorized by law;

12 3. Any property adjacent to a structure, building, or office  
13 space in which concealed or unconcealed weapons are prohibited by  
14 the provisions of this section;

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

22 5. Any property set aside by a public or private elementary or  
23 secondary school for the use or parking of any vehicle, whether  
24 attended or unattended; provided, however, said handgun shall be

1 stored and hidden from view in a locked motor vehicle when the motor  
2 vehicle is left unattended on school property.

3 Nothing contained in any provision of this subsection or  
4 subsection C of this section shall be construed to authorize or  
5 allow any person in control of any place described in paragraph 1,  
6 2, 3, 4 or 5 of subsection A of this section to establish any policy  
7 or rule that has the effect of prohibiting any person in lawful  
8 possession of a handgun license from possession of a handgun  
9 allowable under such license in places described in paragraph 1, 2,  
10 3, 4 or 5 of this subsection.

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

1       D. Notwithstanding paragraph 3 of subsection A of this section,  
2 a board of education of a school district may adopt a policy  
3 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes, to  
4 authorize the carrying of a handgun onto school property by school  
5 personnel, specifically designated by the Board of Education,  
6 provided such personnel either (1) possess a valid armed security  
7 guard license, as provided for in Section 1750.1 et seq., of Title  
8 59 of the Oklahoma Statutes, or (2) hold a valid reserve peace  
9 officer certification, as provided for in Section 3311 of Title 70  
10 of the Oklahoma Statutes. Nothing in this subsection shall be  
11 construed to restrict authority granted elsewhere in law to carry  
12 firearms.

13       E. Any person violating the provisions of subsection A of this  
14 section shall, upon conviction, be guilty of a misdemeanor  
15 punishable by a fine not to exceed Two Hundred Fifty Dollars  
16 (\$250.00).

17       ~~E.~~ F. No person in possession of a valid handgun license issued  
18 pursuant to the provisions of the Oklahoma Self-Defense Act shall be  
19 authorized to carry the handgun into or upon any college,  
20 university, or technology center school property, except as provided  
21 in this subsection. For purposes of this subsection, the following  
22 property shall not be construed as prohibited for persons having a  
23 valid handgun license:  
24

1        1. Any property set aside for the use or parking of any  
2 vehicle, whether attended or unattended, provided the handgun is  
3 carried or stored as required by law and the handgun is not removed  
4 from the vehicle without the prior consent of the college or  
5 university president or technology center school administrator while  
6 the vehicle is on any college, university, or technology center  
7 school property;

8        2. Any property authorized for possession or use of handguns by  
9 college, university, or technology center school policy; and

10       3. Any property authorized by the written consent of the  
11 college or university president or technology center school  
12 administrator, provided the written consent is carried with the  
13 handgun and the valid handgun license while on college, university,  
14 or technology center school property.

15       The college, university, or technology center school may notify  
16 the Oklahoma State Bureau of Investigation within ten (10) days of a  
17 violation of any provision of this subsection by a licensee. Upon  
18 receipt of a written notification of violation, the Bureau shall  
19 give a reasonable notice to the licensee and hold a hearing. At the  
20 hearing, upon a determination that the licensee has violated any  
21 provision of this subsection, the licensee may be subject to an  
22 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may  
23 have the handgun license suspended for three (3) months.  
24

1 Nothing contained in any provision of this subsection shall be  
2 construed to authorize or allow any college, university, or  
3 technology center school to establish any policy or rule that has  
4 the effect of prohibiting any person in lawful possession of a  
5 handgun license from possession of a handgun allowable under such  
6 license in places described in paragraphs 1, 2 and 3 of this  
7 subsection. Nothing contained in any provision of this subsection  
8 shall be construed to limit the authority of any college, university  
9 or technology center school in this state from taking administrative  
10 action against any student for any violation of any provision of  
11 this subsection.

12 ~~F.~~ G. The provisions of this section shall not apply to any  
13 peace officer or to any person authorized by law to carry a pistol  
14 in the course of employment. District judges, associate district  
15 judges and special district judges, who are in possession of a valid  
16 handgun license issued pursuant to the provisions of the Oklahoma  
17 Self-Defense Act and whose names appear on a list maintained by the  
18 Administrative Director of the Courts, shall be exempt from this  
19 section when acting in the course and scope of employment within the  
20 courthouses of this state. Private investigators with a firearms  
21 authorization shall be exempt from this section when acting in the  
22 course and scope of employment.

23 ~~G.~~ H. For the purposes of this section, "motor vehicle" means  
24 any automobile, truck, minivan or sports utility vehicle.



1       SECTION 2.       AMENDATORY       21 O.S. 2011, Section 1280.1, as  
2 last amended by Section 2, Chapter 325, O.S.L. 2014 (21 O.S. Supp.  
3 2014, Section 1280.1), is amended to read as follows:

4       Section 1280.1

5               POSSESSION OF FIREARM ON SCHOOL PROPERTY

6       A. It shall be unlawful for any person to have in his or her  
7 possession on any public or private school property or while in any  
8 school bus or vehicle used by any school for transportation of  
9 students or teachers any firearm or weapon designated in Section  
10 1272 of this title, except as provided in subsection C of this  
11 section or as otherwise authorized by law.

12       B. For purposes of this section:

13       1. "School property" means any publicly owned property held for  
14 purposes of elementary, secondary or vocational-technical education,  
15 and shall not include property owned by public school districts or  
16 where such property is leased or rented to an individual or  
17 corporation and used for purposes other than educational;

18       2. "Private school" means a school that offers a course of  
19 instruction for students in one or more grades from prekindergarten  
20 through grade twelve and is not operated by a governmental entity;  
21 and

22       3. "Motor vehicle" means any automobile, truck, minivan or  
23 sports utility vehicle.  
24

1 C. Firearms and weapons are allowed on school property and  
2 deemed not in violation of subsection A of this section as follows:

3 1. A gun or knife designed for hunting or fishing purposes kept  
4 in a privately owned vehicle and properly displayed or stored as  
5 required by law, provided such vehicle containing said gun or knife  
6 is driven onto school property only to transport a student to and  
7 from school and such vehicle does not remain unattended on school  
8 property;

9 2. A gun or knife used for the purposes of participating in the  
10 Oklahoma Department of Wildlife Conservation certified hunter  
11 training education course or any other hunting, fishing, safety or  
12 firearms training courses, or a recognized firearms sports event,  
13 team shooting program or competition, or living history reenactment,  
14 provided the course or event is approved by the principal or chief  
15 administrator of the school where the course or event is offered,  
16 and provided the weapon is properly displayed or stored as required  
17 by law pending participation in the course, event, program or  
18 competition;

19 3. Weapons in the possession of any peace officer or other  
20 person authorized by law to possess a weapon in the performance of  
21 his or her duties and responsibilities;

22 4. A concealed or unconcealed weapon carried onto private  
23 school property or in any school bus or vehicle used by any private  
24 school for transportation of students or teachers by a person who is

1 licensed pursuant to the Oklahoma Self-Defense Act, provided a  
2 policy has been adopted by the governing entity of the private  
3 school that authorizes the possession of a weapon on private school  
4 property or in any school bus or vehicle used by a private school.  
5 Except for acts of gross negligence or willful or wanton misconduct,  
6 a governing entity of a private school that adopts a policy which  
7 authorizes the possession of a weapon on private school property, a  
8 school bus or vehicle used by the private school shall be immune  
9 from liability for any injuries arising from the adoption of the  
10 policy. The provisions of this paragraph shall not apply to claims  
11 pursuant to the Workers' Compensation Code;

12 5. A gun, knife, bayonet or other weapon in the possession of a  
13 member of a veterans group, the national guard, active military, the  
14 Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to  
15 participate in a ceremony, assembly or educational program approved  
16 by the principal or chief administrator of a school or school  
17 district where the ceremony, assembly or educational program is  
18 being held; provided, however, the gun or other weapon that uses  
19 projectiles is not loaded and is inoperable at all times while on  
20 school property; ~~and~~

21 6. A handgun carried in a motor vehicle pursuant to a valid  
22 handgun license authorized by the Oklahoma Self-Defense Act onto  
23 property set aside by a public or private elementary or secondary  
24 school for the use or parking of any vehicle; provided, however,

1 said handgun shall be stored and hidden from view in a locked motor  
2 vehicle when the motor vehicle is left unattended on school  
3 property; and

4 7. A handgun carried onto public school property by school  
5 personnel, who have been designated by the Board of Education,  
6 provided such personnel either (1) possess a valid armed security  
7 guard license, as provided for in Section 1750.1 et seq., of Title  
8 59 of the Oklahoma Statutes, or (2) hold a valid reserve peace  
9 officer certification, as provided for in Section 3311 of Title 70  
10 of the Oklahoma Statutes, if a policy has been adopted by the board  
11 of education of the school district that authorizes the carrying of  
12 a handgun onto public school property by such personnel. Nothing in  
13 this subsection shall be construed to restrict authority granted  
14 elsewhere in law to carry firearms.

15 D. Any person violating the provisions of this section shall,  
16 upon conviction, be guilty of a misdemeanor punishable by a fine of  
17 not to exceed Two Hundred Fifty Dollars (\$250.00).

18 SECTION 3. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 5-149.2 of Title 70, unless  
20 there is created a duplication in numbering, reads as follows:

21 A. The board of education of a school district may, through a  
22 majority vote of the board, designate school personnel who have been  
23 issued a handgun license pursuant to the Oklahoma Self-Defense Act  
24 to attend an armed security guard training program, as provided for

1 in Section 1750.5, of Title 59 of the Oklahoma Statutes, or a  
2 reserve peace officer certification program, as provided for in  
3 Section 3311, of Title 70 of the Oklahoma Statutes provided and  
4 developed by the Council on Law Enforcement Education and Training  
5 (CLEET). Nothing in this section shall be construed to prohibit or  
6 limit the board of education of a school district from requiring  
7 ongoing education and training.

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

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

20 D. When carrying a firearm pursuant to the provisions of this  
21 act, the person shall at all times carry the firearm on his or her  
22 person or the firearm shall be stored in a locked and secure  
23 location.  
24

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

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

13 SECTION 4. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

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18 55-1-1713 BH 2/18/2016 4:56:39 PM  
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