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February 15, 2016

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 1036

By: Smalley of the Senate

and

Coody (Jeff) of the House

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[ school personnel - handgun licenses - confidential
- effective date -
                                     emergency ]
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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 Section 3311 of Title 70 of the Oklahoma Statutes, provided and

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

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

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

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

22 E. Any school personnel who have successfully completed either
23 training and while acting in good faith shall be immune from civil
24 and criminal liability for any injury resulting from the carrying of

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

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

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

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

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

18 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
19 February 15, 2016 - DO PASS AS AMENDED
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