

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SENATE BILL 1079

By: Silk

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2011, Section 1290.22, as amended by Section 7, Chapter 366, O.S.L. 2013 (21 O.S. Supp. 2015, Section 1290.22), which relates to business owner's rights; modifying conditions; stating presumption; protecting certain rights; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1290.22, as amended by Section 7, Chapter 366, O.S.L. 2013 (21 O.S. Supp. 2015, Section 1290.22), is amended to read as follows:

Section 1290.22.

BUSINESS OWNER'S RIGHTS

A. Except as provided in subsection B of this section, nothing contained in any provision of the Oklahoma Self-Defense Act shall be construed to limit, restrict or prohibit in any manner the existing rights of any person, property owner, tenant, employer, place of worship or business entity to control the possession of weapons on any property owned or controlled by the person or business entity.

1 B. No person, property owner, tenant, employer, place of
2 worship or business entity shall be permitted to establish any
3 policy or rule that has the effect of prohibiting any person, except
4 a convicted felon, from transporting and storing firearms in a
5 locked vehicle on any property set aside for any vehicle.

6 C. A property owner, tenant, employer, place of worship or
7 business entity may prohibit any person from carrying a concealed or
8 unconcealed firearm on the property. If the building or property is
9 open to the public, the property owner, tenant, employer, place of
10 worship or business entity shall post signs on or about the property
11 stating such prohibition.

12 D. The carrying of a concealed or unconcealed firearm by a
13 person who has been issued a handgun license on property that has
14 signs prohibiting the carrying of firearms shall not be deemed a
15 criminal act but may subject the person to being denied entrance
16 onto the property or removed from the property. If the person
17 refuses to leave the property and a peace officer is summoned, the
18 person may be issued a citation for an amount not to exceed Two
19 Hundred Fifty Dollars (\$250.00).

20 E. A person, corporation, place of worship or any other
21 business entity that ~~does or~~ does not prohibit any individual except
22 a convicted felon from carrying a loaded or unloaded, concealed or
23 unconcealed weapon on property that the person, corporation, place
24 of worship or other business entity owns, or has legal control of,

1 is immune from any liability arising from that decision. Except for
2 acts of gross negligence or willful or wanton misconduct, an
3 employer who ~~does or~~ does not prohibit ~~their~~ its employees from
4 carrying a concealed or unconcealed weapon is immune from any
5 liability arising from that decision. The provisions of this
6 subsection shall not apply to claims pursuant to the Workers'
7 Compensation Code.

8 F. The provisions of this section shall not prevent an
9 employer, employee, or person who has suffered loss resulting from
10 the discharge of a weapon to seek redress or damages. However,
11 there shall be a rebuttable presumption that a private employer has
12 not included the carrying and discharge of a weapon as part of its
13 employee's job.

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

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