

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1550

 By: Faught and McDugle

7 AS INTRODUCED

8 An Act relating to firearms; amending 21 O.S. 2011,
9 Section 1277, as last amended by Section 3, Chapter
10 210, O.S.L. 2016 (21 O.S. Supp. 2016, Section 1277),
 which relates to the carrying of firearms in certain
11 places; updating language; modifying certain
 definition; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
15 last amended by Section 3, Chapter 210, O.S.L. 2016 (21 O.S. Supp.
16 2016, Section 1277), is amended to read as follows:

17 Section 1277.

18 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

4 2. Any prison, jail, detention facility or any facility used to
5 process, hold or house arrested persons, prisoners or persons
6 alleged delinquent or adjudicated delinquent, except as provided in
7 Section 21 of Title 57 of the Oklahoma Statutes;

8 3. Any public or private elementary or public or private
9 secondary school, except as provided in subsections C and D of this
10 section;

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

12 5. Any place where pari-mutuel wagering is authorized by law;
13 and

14 6. Any other place specifically prohibited by law.

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

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

21 2. Any property set aside for the use or parking of any motor
22 vehicle, whether attended or unattended, by any entity offering any
23 professional sporting event which is open to the public for
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1 admission, or by any entity engaged in pari-mutuel wagering
2 authorized by law;

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

6 4. Any property designated by a city, town, county or state
7 governmental authority as a park, recreational area, or fairgrounds;
8 provided, nothing in this paragraph shall be construed to authorize
9 any entry by a person in possession of a concealed or unconcealed
10 handgun into any structure, building or office space which is
11 specifically prohibited by the provisions of subsection A of this
12 section; and

13 5. Any property set aside by a public or private elementary or
14 secondary school for the use or parking of any motor vehicle,
15 whether attended or unattended; provided, however, said handgun
16 shall be stored and hidden from view in a locked motor vehicle when
17 the motor vehicle is left unattended on school property.

18 Nothing contained in any provision of this subsection or
19 subsection C of this section shall be construed to authorize or
20 allow any person in control of any place described in paragraph 1,
21 2, 3, 4 or 5 of subsection A of this section to establish any policy
22 or rule that has the effect of prohibiting any person in lawful
23 possession of a handgun license from possession of a handgun

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allowable under such license in places described in paragraph 1, 2, 3, 4 or 5 of this subsection.

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

D. Notwithstanding paragraph 3 of subsection A of this section, a board of education of a school district may adopt a policy pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to authorize the carrying of a handgun onto school property by school personnel specifically designated by the board of education, provided such personnel either:

1 1. Possess a valid armed security guard license as provided for
2 in Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes; or

3 2. Hold a valid reserve peace officer certification as provided
4 for in Section 3311 of Title 70 of the Oklahoma Statutes.

5 Nothing in this subsection shall be construed to restrict authority
6 granted elsewhere in law to carry firearms.

7 E. Any person violating the provisions of subsection A of this
8 section shall, upon conviction, be guilty of a misdemeanor
9 punishable by a fine not to exceed Two Hundred Fifty Dollars
10 (\$250.00).

11 F. No person in possession of a valid handgun license issued
12 pursuant to the provisions of the Oklahoma Self-Defense Act shall be
13 authorized to carry the handgun into or upon any college, university
14 or technology center school property, except as provided in this
15 subsection. For purposes of this subsection, the following property
16 shall not be construed as prohibited for persons having a valid
17 handgun license:

18 1. Any property set aside for the use or parking of any motor
19 vehicle, whether attended or unattended, provided the handgun is
20 carried or stored as required by law and the handgun is not removed
21 from the motor vehicle without the prior consent of the college or
22 university president or technology center school administrator while
23 the motor vehicle is on any college, university or technology center
24 school property;

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

3 3. Any property authorized by the written consent of the
4 college or university president or technology center school
5 administrator, provided the written consent is carried with the
6 handgun and the valid handgun license while on college, university
7 or technology center school property.

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

17 Nothing contained in any provision of this subsection shall be
18 construed to authorize or allow any college, university or
19 technology center school to establish any policy or rule that has
20 the effect of prohibiting any person in lawful possession of a
21 handgun license from possession of a handgun allowable under such
22 license in places described in paragraphs 1, 2 and 3 of this
23 subsection. Nothing contained in any provision of this subsection
24 shall be construed to limit the authority of any college, university

1 or technology center school in this state from taking administrative
2 action against any student for any violation of any provision of
3 this subsection.

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

15 H. For the purposes of this section, "motor vehicle" means any
16 automobile, truck, minivan ~~or~~, sports utility vehicle or motorcycle
17 as such term is defined in Section 1-135 of Title 47 of the Oklahoma
18 Statutes, equipped with a locked accessory container within or
19 affixed to the motorcycle.

20 SECTION 2. This act shall become effective November 1, 2017.

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22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL AND
23 ENVIRONMENTAL, dated 02/14/2017 - DO PASS, As Coauthored.
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