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February 8, 2022

By: Rader

An Act relating to school personnel; amending 70 O.S. 2021, Section 5-149.2, which relates to designation of school personnel to attend certain training; requiring a school district board of education that adopts certain policy to submit it to the State Department of Education; providing for policies to be made available to the public; updating statutory reference; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, 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, 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~~ this title, provided and developed by the Council on Law Enforcement Education and Training (CLEET). Nothing in this section shall be

1 construed to prohibit or limit the board of education of a school  
2 district from requiring ongoing education and training.

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

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

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

20 E. A policy adopted by a school district board of education to  
21 implement the provisions of subsections A, B, C, and D of this  
22 section shall be submitted to the State Department of Education,  
23 which shall be a repository for such policies. The State Department  
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1 of Education or the school district shall make such policies  
2 available to the public upon request.

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

13 ~~F.~~ G. In order to carry out the provisions of this section, the  
14 board of education of a school district is authorized to enter into  
15 a memorandum of understanding with local law enforcement entities.

16 SECTION 2. This act shall become effective July 1, 2022.

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

21 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
22 February 8, 2022 - DO PASS  
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