

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1089

By: Dahm

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6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,
8 Section 1290.22, as amended by Section 7, Chapter
9 366, O.S.L 2013 (21 O.S. Supp. 2015, Section
10 1290.22), which relates to business owner's rights;
11 modifying inclusions; stating presumption; protecting
12 rights; 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 1290.22, as
15 amended by Section 7, Chapter 366, O.S.L. 2013 (21 O.S. Supp. 2015,
16 Section 1290.22), is amended to read as follows:

17 Section 1290.22.

18 BUSINESS OWNER'S RIGHTS

19 A. Except as provided in subsection B of this section, nothing
20 contained in any provision of the Oklahoma Self-Defense Act shall be
21 construed to limit, restrict or prohibit in any manner the existing
22 rights of any person, property owner, tenant, employer, place of
23 worship or business entity to control the possession of weapons on
24 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. It is a presumption of the State of Oklahoma that the
9 private employer is not including the carrying or discharge of a
10 weapon as part of its employees job description.

11 G. The above shall not prevent an employer, employee, or person
12 who has suffered loss resulting from the discharge of a weapon to
13 seek redress or damages.

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

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