

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1570

By: Dahm

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5  
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1280.1, as last amended by Section 2, Chapter  
9 310, O.S.L. 2015 (21 O.S. Supp. 2019, Section  
10 1280.1), which relates to possession of firearm on  
school property; modifying allowable possession;  
11 updating statutory language; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1280.1, as  
15 last amended by Section 2, Chapter 310, O.S.L. 2015 (21 O.S. Supp.  
16 2019, Section 1280.1), is amended to read as follows:

17 Section 1280.1.

18 POSSESSION OF FIREARM ON SCHOOL PROPERTY

19 A. It shall be unlawful for any person to have in his or her  
20 possession on any public or private school property or while in any  
21 school bus or vehicle used by any school for transportation of  
22 students or teachers any firearm or weapon designated in Section  
23 1272 of this title, except as provided in subsection C of this  
24 section or as otherwise authorized by law.

1 B. For purposes of this section:

2 1. "School property" means any publicly owned property held for  
3 purposes of elementary, secondary or vocational-technical education,  
4 and shall not include property owned by public school districts or  
5 where such property is leased or rented to an individual or  
6 corporation and used for purposes other than educational;

7 2. "Private school" means a school that offers a course of  
8 instruction for students in one or more grades from prekindergarten  
9 through grade twelve and is not operated by a governmental entity;  
10 and

11 3. "Motor vehicle" means any automobile, truck, minivan or  
12 sports utility vehicle.

13 C. Firearms and weapons are allowed on school property and  
14 deemed not in violation of subsection A of this section as follows:

15 1. A gun or knife designed for hunting or fishing purposes kept  
16 in a privately owned vehicle and properly displayed or stored as  
17 required by law, provided such vehicle containing ~~said~~ the gun or  
18 knife is driven onto school property only to transport a student to  
19 and from school and such vehicle does not remain unattended on  
20 school property;

21 2. A gun or knife used for the purposes of participating in the  
22 Oklahoma Department of Wildlife Conservation certified hunter  
23 training education course or any other hunting, fishing, safety or  
24 firearms training courses, or a recognized firearms sports event,

1 team shooting program or competition, or living history reenactment,  
2 provided the course or event is approved by the principal or chief  
3 administrator of the school where the course or event is offered,  
4 and provided the weapon is properly displayed or stored as required  
5 by law pending participation in the course, event, program or  
6 competition;

7 3. Weapons in the possession of any peace officer or other  
8 person authorized by law to possess a weapon in the performance of  
9 his or her duties and responsibilities;

10 4. A concealed or unconcealed weapon carried onto private  
11 school property or in any school bus or vehicle used by any private  
12 school for transportation of students or teachers by a person who is  
13 licensed pursuant to the Oklahoma Self-Defense Act, provided a  
14 policy has been adopted by the governing entity of the private  
15 school that authorizes the possession of a weapon on private school  
16 property or in any school bus or vehicle used by a private school.  
17 Except for acts of gross negligence or willful or wanton misconduct,  
18 a governing entity of a private school that adopts a policy which  
19 authorizes the possession of a weapon on private school property, a  
20 school bus or vehicle used by the private school shall be immune  
21 from liability for any injuries arising from the adoption of the  
22 policy. The provisions of this paragraph shall not apply to claims  
23 pursuant to the Workers' Compensation Code;

1           5. A gun, knife, bayonet or other weapon in the possession of a  
2 member of a veterans group, the national guard, active military, the  
3 Reserve Officers' Training Corps (ROTC) or Junior ROTC, in order to  
4 participate in a ceremony, assembly or educational program approved  
5 by the principal or chief administrator of a school or school  
6 district where the ceremony, assembly or educational program is  
7 being held; provided, however, the gun or other weapon that uses  
8 projectiles is not loaded and is inoperable at all times while on  
9 school property;

10           6. A handgun carried in a motor vehicle pursuant to a valid  
11 handgun license authorized by the Oklahoma Self-Defense Act onto  
12 property set aside by a public or private elementary or secondary  
13 school for the use or parking of any vehicle; provided, however,  
14 ~~said~~ the handgun shall be stored and hidden from view in a locked  
15 motor vehicle when the motor vehicle is left unattended on school  
16 property; and

17           7. A handgun carried onto public school property by school  
18 personnel who have been designated by the board of education,  
19 provided such personnel either:

- 20           a. possess a valid armed security guard license as  
21                 provided for in Section 1750.1 et seq. of Title 59 of  
22                 the Oklahoma Statutes, ~~or~~

1           b. hold a valid reserve peace officer certification as  
2           provided for in Section 3311 of Title 70 of the  
3           Oklahoma Statutes, ~~if~~ or

4           c. possess a valid handgun license authorized by the  
5           Oklahoma Self-Defense Act

6 and a policy has been adopted by the board of education of the  
7 school district that authorizes the carrying of a handgun onto  
8 public school property by such personnel. Nothing in this  
9 subsection shall be construed to restrict authority granted  
10 elsewhere in law to carry firearms.

11           D. Any person violating the provisions of this section shall,  
12 upon conviction, be guilty of a misdemeanor punishable by a fine of  
13 not to exceed Two Hundred Fifty Dollars (\$250.00).

14           SECTION 2. This act shall become effective November 1, 2020.

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