

1 ENGROSSED HOUSE
2 BILL NO. 2334

By: Steagall, Davis, Roberts
(Sean) and McDugle of the
House

3
4 and

5 Bergstrom and Hamilton of
6 the Senate

7
8
9 An Act relating to firearms; amending 21 O.S. 2011,
10 Section 1277, as last amended by Section 1, Chapter
11 235, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1277),
12 which relates to the unlawful carry of firearms;
13 clarifying exemption that authorizes the possession
14 of firearms on certain property; authorizing open
15 carry on property of nonprofit entities and public
16 trusts under certain circumstances; and providing an
17 effective date.

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

19 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
20 last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp.
21 2020, Section 1277), is amended to read as follows:

22 Section 1277.

23 UNLAWFUL CARRY IN CERTAIN PLACES

24 A. It shall be unlawful for any person, including a person in
possession of a valid handgun license issued pursuant to the

1 provisions of the Oklahoma Self-Defense Act, to carry any concealed
2 or unconcealed ~~handgun~~ firearm into any of the following places:

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

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

11 3. Any public or private elementary or public or private
12 secondary school, except as provided in subsections C and D of this
13 section;

14 4. Any publicly owned or operated sports arena or venue during
15 a professional sporting event, unless allowed by the event holder;

16 5. Any place where gambling is authorized by law, unless
17 allowed by the property owner; and

18 6. Any other place specifically prohibited by law.

19 B. ~~For purposes of subsection A of this section, the prohibited~~
20 ~~place does not include and specifically excludes~~ It shall be lawful
21 for a person to carry a concealed or unconcealed firearm on the
22 following ~~property~~ properties:

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

4 2. Any property set aside for the use or parking of any
5 vehicle, whether attended or unattended, which is open to the
6 public, or by any entity engaged in gambling authorized by law;

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

10 4. Any property designated by statute, ordinance, resolution,
11 policy or use by a city, town, county or state governmental
12 authority as a street, plaza, sidewalk, alley, park, recreational
13 area, wildlife refuge, wildlife management area or fairgrounds;
14 provided, nothing in this paragraph shall be construed to authorize
15 any entry by a person in possession of a concealed or unconcealed
16 firearm into any structure, building or office space which is
17 specifically prohibited by the provisions of subsection A of this
18 section; and

19 5. Any property set aside by a public or private elementary or
20 secondary school for the use or parking of any vehicle, whether
21 attended or unattended; provided, however, the firearm shall be
22 stored and hidden from view in a locked motor vehicle when the motor
23 vehicle is left unattended on school property.

24

1 Nothing contained in any provision of this subsection or
2 subsection C of this section shall be construed to authorize or
3 allow any person in control of any place described in subsection A
4 of this section to establish any policy or rule that has the effect
5 of prohibiting any person in lawful possession of a handgun license
6 or otherwise in lawful possession of a firearm from carrying or
7 possessing the firearm on the property described in this subsection.

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

23 D. Notwithstanding paragraph 3 of subsection A of this section,
24 a board of education of a school district may adopt a policy

1 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
2 authorize the carrying of a handgun onto school property by school
3 personnel specifically designated by the board of education,
4 provided such personnel either:

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

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

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

11 E. ~~In~~ For any property designated by statute, ordinance,
12 resolution, policy or use by a municipality as a municipal zoo or
13 park of any size that is owned, leased, operated or managed by:

14 1. A public trust created pursuant to the provisions of Section
15 176 of Title 60 of the Oklahoma Statutes; or

16 2. A nonprofit entity,

17 an individual shall be allowed to carry a concealed handgun but not
18 openly carry a handgun on the property; provided, however, an
19 individual may openly carry a handgun or other firearm on the
20 property with permission from the public trust or nonprofit entity.

21 F. Any person violating the provisions of paragraph 2 or 3 of
22 subsection A of this section shall, upon conviction, be guilty of a
23 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
24 Dollars (\$250.00). A person violating any other provision of

1 subsection A of this section may be denied entrance onto the
2 property or removed from the property. If the person refuses to
3 leave the property and a peace officer is summoned, the person may
4 be issued a citation for an amount not to exceed Two Hundred Fifty
5 Dollars (\$250.00).

6 G. No person in possession of a valid handgun license issued
7 pursuant to the provisions of the Oklahoma Self-Defense Act or who
8 is carrying or in possession of a firearm as otherwise permitted by
9 law or who is carrying or in possession of a machete, blackjack,
10 loaded cane, hand chain or metal knuckles shall be authorized to
11 carry the firearm, machete, blackjack, loaded cane, hand chain or
12 metal knuckles into or upon any college, university or technology
13 center school property, except as provided in this subsection. For
14 purposes of this subsection, the following property shall not be
15 construed to be college, university or technology center school
16 property:

17 1. Any property set aside for the use or parking of any motor
18 vehicle, whether attended or unattended, provided the firearm,
19 machete, blackjack, loaded cane, hand chain or metal knuckles are
20 carried or stored as required by law and the firearm, machete,
21 blackjack, loaded cane, hand chain or metal knuckles are not removed
22 from the motor vehicle without the prior consent of the college or
23 university president or technology center school administrator while
24

1 the vehicle is on any college, university or technology center
2 school property;

3 2. Any property authorized for possession or use of firearms,
4 machetes, blackjacks, loaded canes, hand chains or metal knuckles by
5 college, university or technology center school policy; and

6 3. Any property authorized by the written consent of the
7 college or university president or technology center school
8 administrator, provided the written consent is carried with the
9 firearm, machete, blackjack, loaded cane, hand chain or metal
10 knuckles and the valid handgun license while on college, university
11 or technology center school property.

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

21 Nothing contained in any provision of this subsection shall be
22 construed to authorize or allow any college, university or
23 technology center school to establish any policy or rule that has
24 the effect of prohibiting any person in lawful possession of a

1 handgun license or any person in lawful possession of a firearm,
2 machete, blackjack, loaded cane, hand chain or metal knuckles from
3 possession of a firearm, machete, blackjack, loaded cane, hand chain
4 or metal knuckles in places described in paragraphs 1, 2 and 3 of
5 this subsection. Nothing contained in any provision of this
6 subsection shall be construed to limit the authority of any college,
7 university or technology center school in this state from taking
8 administrative action against any student for any violation of any
9 provision of this subsection.

10 H. The provisions of this section shall not apply to the
11 following:

12 1. Any peace officer or any person authorized by law to carry a
13 firearm in the course of employment;

14 2. District judges, associate district judges and special
15 district judges, who are in possession of a valid handgun license
16 issued pursuant to the provisions of the Oklahoma Self-Defense Act
17 and whose names appear on a list maintained by the Administrative
18 Director of the Courts, when acting in the course and scope of
19 employment within the courthouses of this state;

20 3. Private investigators with a firearms authorization when
21 acting in the course and scope of employment;

22 4. Elected officials of a county, who are in possession of a
23 valid handgun license issued pursuant to the provisions of the
24 Oklahoma Self-Defense Act, may carry a concealed handgun when acting

1 in the performance of their duties within the courthouses of the
2 county in which he or she was elected. The provisions of this
3 paragraph shall not allow the elected county official to carry the
4 handgun into a courtroom;

5 5. The sheriff of any county may authorize certain employees of
6 the county, who possess a valid handgun license issued pursuant to
7 the provisions of the Oklahoma Self-Defense Act, to carry a
8 concealed handgun when acting in the course and scope of employment
9 within the courthouses in the county in which the person is
10 employed. Nothing in the Oklahoma Self-Defense Act shall prohibit
11 the sheriff from requiring additional instruction or training before
12 receiving authorization to carry a concealed handgun within the
13 courthouse. The provisions of this paragraph and of paragraph 6 of
14 this subsection shall not allow the county employee to carry the
15 handgun into a courtroom, sheriff's office, adult or juvenile jail
16 or any other prisoner detention area; and

17 6. The board of county commissioners of any county may
18 authorize certain employees of the county, who possess a valid
19 handgun license issued pursuant to the provisions of the Oklahoma
20 Self-Defense Act, to carry a concealed handgun when acting in the
21 course and scope of employment on county annex facilities or grounds
22 surrounding the county courthouse.

23 I. For the purposes of this section, "motor vehicle" means any
24 automobile, truck, minivan, or sports utility vehicle, or motorcycle

