



1 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1272.1, as  
2 amended by Section 2, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
3 Section 1272.1), is amended to read as follows:

4 Section 1272.1

5 CARRYING FIREARMS WHERE LIQUOR IS CONSUMED

6 A. It shall be unlawful for ~~any~~ a person to carry or possess  
7 any weapon designated in Section 1272 of this title in any  
8 establishment where ~~low-point beer~~ the sale of alcoholic beverages,  
9 as defined by Section ~~163.2 of Title 37~~ 1-103 of Title 37A of the  
10 Oklahoma Statutes, ~~or alcoholic beverages, as defined by Section 506~~  
11 ~~of Title 37 of the Oklahoma Statutes, are consumed~~ constitutes the  
12 primary purpose of the business. This provision shall not apply to  
13 a:

14 1. A peace officer, as defined in Section 99 of this title, or  
15 ~~to private investigators~~ investigator or armed security guard with a  
16 firearms authorization when acting in the scope and course of  
17 employment, ~~and shall not apply to an;~~

18 2. An owner or proprietor of the establishment ~~having a pistol,~~  
19 ~~rifle, or shotgun on the premises; or~~

20 3. An employee of the establishment who has permission from the  
21 owner or proprietor of the establishment to carry or possess a  
22 weapon while in the scope and course of employment.

23 B. Provided however, It shall be lawful for a person ~~possessing~~  
24 ~~a valid handgun license pursuant to the provisions of the Oklahoma~~

1 ~~Self-Defense Act may to~~ carry the concealed or unconcealed handgun  
2 or possess any weapon designated in Section 1272 of this title into  
3 any restaurant or other establishment licensed to dispense ~~low-point~~  
4 ~~beer or~~ alcoholic beverages where the sale of ~~low-point beer or~~  
5 alcoholic beverages does not constitute the primary purpose of the  
6 business.

7 ~~Provided further, nothing~~ C. Nothing in this section shall be  
8 interpreted to authorize any peace officer in actual physical  
9 possession of a weapon to consume ~~low-point beer or~~ alcoholic  
10 beverages, except in the authorized line of duty as an undercover  
11 officer.

12 D. Nothing in this section shall be interpreted to authorize  
13 any person, employee, private investigator or armed security guard  
14 with or without a firearms authorization in actual physical  
15 possession of a weapon to consume ~~low-point beer or~~ alcoholic  
16 beverages in any establishment where ~~low-point beer or~~ alcoholic  
17 beverages are consumed.

18 ~~B.~~ E. Any person violating the provisions of this section shall  
19 upon conviction, be ~~punished as provided in Section 1272.2 of this~~  
20 ~~title~~ guilty of a misdemeanor punishable by a fine not to exceed Two  
21 Hundred Fifty Dollars (\$250.00).

22 F. Any person who intentionally or knowingly carries or  
23 possesses any weapon in violation of the provisions of this section  
24 and refuses to leave the establishment or the property of the

1 establishment shall, upon conviction, be guilty of a misdemeanor  
2 punishable by a fine not to exceed Two Hundred Fifty Dollars  
3 (\$250.00).

4 G. As used in this section, "consume" means the act of drinking  
5 or ingesting alcoholic beverages or eating a product containing  
6 alcohol.

7 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.22, as  
8 last amended by Section 12, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
9 2020, Section 1290.22), is amended to read as follows:

10 Section 1290.22

11 BUSINESS OWNER'S RIGHTS

12 A. Except as provided in subsections B, C and D of this  
13 section, nothing contained in any provision of the Oklahoma Self-  
14 Defense Act shall be construed to limit, restrict or prohibit in any  
15 manner the existing rights of any person, property owner, tenant,  
16 employer, liquor store, place of worship or business entity to  
17 control the possession of weapons on any property owned or  
18 controlled by the person or business entity.

19 B. No person, property owner, tenant, employer, liquor store,  
20 holder of an event permit, place of worship or business entity shall  
21 be permitted to establish any policy or rule that has the effect of  
22 prohibiting any person, except a convicted felon, from transporting  
23 and storing firearms in a locked vehicle on any property set aside  
24 for any vehicle.

1 C. A property owner, tenant, employer, liquor store, place of  
2 worship or business entity may prohibit any person from carrying a  
3 concealed or unconcealed firearm on the property. If the building  
4 or property is open to the public, the property owner, tenant,  
5 employer, liquor store, place of worship or business entity shall  
6 post signs on or about the property stating such prohibition.

7 D. No person, property owner, tenant, employer, liquor store,  
8 holder of an event permit, place of worship or business entity shall  
9 be permitted to establish any policy or rule that has the effect of  
10 prohibiting any person from carrying a concealed or unconcealed  
11 firearm on property within the specific exclusion provided for in  
12 paragraph 4 of subsection B of Section 1277 of this title; provided  
13 that carrying a concealed or unconcealed firearm may be prohibited  
14 in the following places:

15 1. The portion of a public property structure or building  
16 during an event authorized by the city, town, county, state or  
17 federal governmental authority owning or controlling such building  
18 or structure;

19 2. Any public property sports field, including any adjacent  
20 seating or adjacent area set aside for viewing a sporting event,  
21 where an elementary or secondary school, collegiate, or professional  
22 sporting event or an International Olympic Committee or organization  
23 or any committee subordinate to the International Olympic Committee  
24 event is being held;

1 3. The fairgrounds during the Oklahoma State Fair or the Tulsa  
2 State Fair; and

3 4. The portion of a public property structure or building that  
4 is leased or under contract to a business or not-for-profit entity  
5 or group for offices.

6 E. The otherwise lawful carrying of a concealed or unconcealed  
7 firearm by a person on property that has signs prohibiting the  
8 carrying of firearms shall subject the person to being denied  
9 entrance onto the property or removed from the property. If the  
10 person:

11 1. Has been informed by the property owner, business entity or  
12 manager of the business that the person is in violation of a policy  
13 that prohibits firearms on the property; and

14 2. Refuses to leave the property and a peace officer is  
15 summoned, the person ~~may be punished as provided in Section 1276 of~~  
16 ~~this title shall, upon conviction, be guilty of a misdemeanor~~  
17 punishable by a fine not to exceed Two Hundred Fifty Dollars  
18 (\$250.00).

19 F. A person, property owner, tenant, employer, liquor store,  
20 holder of an event permit, place of worship or business entity that  
21 does or does not prohibit any individual, except a convicted felon,  
22 from carrying a loaded or unloaded, concealed or unconcealed weapon  
23 on property that the person, property owner, tenant, employer,  
24 liquor store, holder of an event permit, place of worship or

1 business entity owns, or has legal control of, is immune from any  
2 liability arising from that decision. Except for acts of gross  
3 negligence or willful or wanton misconduct, an employer who does or  
4 does not prohibit his or her employees from carrying a concealed or  
5 unconcealed weapon is immune from any liability arising from that  
6 decision. A person, property owner, tenant, employer, liquor store,  
7 holder of an event permit, place of worship or business entity that  
8 does not prohibit persons from carrying a concealed or unconcealed  
9 weapon pursuant to subsection D of this section shall be immune from  
10 any liability arising from the carrying of a concealed or  
11 unconcealed weapon, while in the scope of employment, on the  
12 property or in or about a business entity vehicle. The provisions  
13 of this subsection shall not apply to claims pursuant to the  
14 Administrative Workers' Compensation Act.

15 G. It shall not be considered part of an employee's job  
16 description or within the employee's scope of employment if an  
17 employee is allowed to carry or discharge a weapon pursuant to this  
18 section.

19 H. Nothing in subsections F and G of this section shall prevent  
20 an employer, employee or person who has suffered loss resulting from  
21 the discharge of a weapon to seek redress or damages of the person  
22 who discharged the weapon or used the weapon outside the provisions  
23 of the Oklahoma Self-Defense Act.

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1 SECTION 3. REPEALER 21 O.S. 2011, Section 1272.2, as  
2 amended by Section 3, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
3 Section 1272.2), is hereby repealed.

4 SECTION 4. This act shall become effective November 1, 2021.

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6 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY, dated 03/30/2021 -  
7 DO PASS, As Coauthored.

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