

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 1644

By: Maynard

4
5
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2021,
8 Section 1280.1, which relates to the possession of
9 firearms on school property; authorizing the storage
10 of firearms and weapons in unattended vehicles on
11 school property; requiring firearms and weapons be
12 hidden from view; amending 21 O.S. 2021, Section
13 1289.7, which relates to firearms in vehicles;
14 authorizing the storage of firearms in vehicles;
15 expanding scope of certain prohibited act; and
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1280.1, is
19 amended to read as follows:

20 Section 1280.1

21 POSSESSION OF FIREARM ON SCHOOL PROPERTY

22 A. It shall be unlawful for any person to have in his or her
23 possession on any public or private school property or while in any
24 school bus or vehicle used by any school for transportation of
students or teachers any firearm or weapon designated in Section

1 1272 of this title, except as provided in subsection C of this
2 section or as otherwise authorized by law.

3 B. For purposes of this section:

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

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

13 3. "Motor vehicle" means any automobile, truck, minivan or
14 sports utility vehicle.

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

17 1. ~~A An unloaded gun or knife designed for hunting or fishing~~
18 ~~purposes kept in a privately owned vehicle and properly displayed or~~
19 ~~stored as required by law, provided such vehicle containing said gun~~
20 ~~or knife is driven onto school property only to transport a student~~
21 ~~to and from school and such vehicle does not remain in a locked~~
22 ~~container or locked firearms rack and hidden from view in the motor~~
23 ~~vehicle when the motor vehicle is left unattended on school~~
24 ~~property;~~

1 2. A gun or knife used for the purposes of participating in the
2 Oklahoma Department of Wildlife Conservation certified hunter
3 training education course or any other hunting, fishing, safety or
4 firearms training courses, or a recognized firearms sports event,
5 team shooting program or competition, or living history reenactment,
6 provided the course or event is approved by the principal or chief
7 administrator of the school where the course or event is offered,
8 and provided the weapon is properly displayed or stored as required
9 by law pending participation in the course, event, program or
10 competition;

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

14 4. A concealed or unconcealed weapon carried onto private
15 school property or in any school bus or vehicle used by any private
16 school for transportation of students or teachers by a person who is
17 licensed pursuant to the Oklahoma Self-Defense Act, provided a
18 policy has been adopted by the governing entity of the private
19 school that authorizes the possession of a weapon on private school
20 property or in any school bus or vehicle used by a private school.
21 Except for acts of gross negligence or willful or wanton misconduct,
22 a governing entity of a private school that adopts a policy which
23 authorizes the possession of a weapon on private school property, a
24 school bus or vehicle used by the private school shall be immune

1 from liability for any injuries arising from the adoption of the
2 policy. The provisions of this paragraph shall not apply to claims
3 pursuant to the Workers' Compensation Code;

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

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

20 7. A handgun carried onto public school property by school
21 personnel who have been designated by the board of education,
22 provided such personnel either:
23
24

1 a. possess a valid armed security guard license as
2 provided for in Section 1750.1 et seq. of Title 59 of
3 the Oklahoma Statutes, or

4 b. hold a valid reserve peace officer certification as
5 provided for in Section 3311 of Title 70 of the
6 Oklahoma Statutes,

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

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

15 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1289.7, is
16 amended to read as follows:

17 Section 1289.7

18 FIREARMS IN VEHICLES

19 A. Any person who is not otherwise prohibited by law from
20 possessing or purchasing a firearm and is not carrying or
21 transporting a firearm in the furtherance of a crime may transport
22 and store in or on a vehicle a firearm, loaded or unloaded, at any
23 time.
24

1 B. Any person, eighteen (18) to twenty (20) years of age, who
2 is not otherwise prohibited by law from possessing or purchasing a
3 firearm and is not carrying or transporting a firearm in the
4 furtherance of a crime may transport and store in or on a vehicle,
5 open or concealed, an unloaded firearm at any time.

6 C. It shall be unlawful for any person transporting or storing
7 a firearm in or on a vehicle to fail or refuse to identify that the
8 person is in actual possession of a firearm when demanded by a law
9 enforcement officer of this state during any arrest, detainment or
10 routine traffic stop. Any person who violates the provisions of
11 this subsection may be issued a citation for an amount not to exceed
12 One Hundred Dollars (\$100.00).

13 SECTION 3. This act shall become effective November 1, 2023.

14

15 59-1-5671 GRS 01/07/23

16

17

18

19

20

21

22

23

24