

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 663

By: Standridge

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2021, Section 1277, which relates to the unlawful carrying of firearms on certain property; updating statutory reference; authorizing school personnel with a handgun license to carry on public school property under certain circumstances; providing for biannual training; amending 21 O.S. 2021, Section 1280.1, which relates to the possession of firearms on school property; updating statutory reference; authorizing school personnel with a handgun license to carry on public school property under certain circumstances; providing for continuing education and training; amending 70 O.S. 2021, Section 5-149.2, which relates to the authorization of certain persons to carry handguns on public school property; authorizing school boards to adopt policies related to the carrying of handguns on public school property by school personnel; stating qualifications for designated school personnel; providing for continuing education and training; authorizing boards of education to designate school personnel to attend certain training programs; clarifying immunity from liability provision; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1277, is amended to read as follows:

Section 1277.

1 UNLAWFUL CARRY IN CERTAIN PLACES

2 A. It shall be unlawful for any person, including a person in
3 possession of a valid handgun license issued pursuant to the
4 provisions of the Oklahoma Self-Defense Act, to carry any concealed
5 or unconcealed firearm into any of the following places:

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

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

14 3. Any public or private elementary or public or private
15 secondary school, except as provided in subsections C and D of this
16 section;

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

19 5. Any place where gambling is authorized by law, unless
20 allowed by the property owner;

21 6. Any other place specifically prohibited by law; and

22 7. Any property set aside by a county, city, town, public trust
23 with a county, city or town as a beneficiary, or state governmental
24 authority for an event that is secured with minimum-security
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1 provisions. For purposes of this paragraph, a minimum-security
2 provision consists of a location that is secured utilizing the
3 following:

- 4 a. a metallic-style security fence that is at least eight
5 (8) feet in height that encompasses the property and
6 is secured in such a way as to deter unauthorized
7 entry,
- 8 b. controlled access points staffed by a uniformed,
9 commissioned peace officer, and
- 10 c. a metal detector whereby persons walk or otherwise
11 travel with their property through or by the metal
12 detector.

13 B. It shall be lawful for a person to carry a concealed or
14 unconcealed firearm on the following properties:

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

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

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

1 4. Any property designated by a city, town, county or state
2 governmental authority as a park, recreational area, wildlife
3 refuge, wildlife management area or fairgrounds; provided, nothing
4 in this paragraph shall be construed to authorize any entry by a
5 person in possession of a concealed or unconcealed firearm into any
6 structure, building, office space or event which is specifically
7 prohibited by the provisions of subsection A of this section;

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

13 6. Any public property set aside temporarily by a county, city,
14 town, public trust with a county, city or town as a beneficiary, or
15 state governmental authority for the holder of an event permit that
16 is without minimum-security provisions, as such term is defined in
17 paragraph 7 of subsection A of this section; provided, the carry of
18 firearms within said permitted event area shall be limited to
19 concealed carry of a handgun unless otherwise authorized by the
20 holder of the event permit.

21 Nothing contained in any provision of this subsection or
22 subsection C of this section shall be construed to authorize or
23 allow any person in control of any place described in subsection A
24 of this section to establish any policy or rule that has the effect

1 of prohibiting any person in lawful possession of a handgun license
2 or otherwise in lawful possession of a firearm from carrying or
3 possessing the firearm on the property described in this subsection.

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

19 D. Notwithstanding paragraph 3 of subsection A of this section,
20 a board of education of a public school district may adopt a policy
21 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
22 authorize the carrying of a handgun onto school property by school
23 personnel specifically designated by the board of education,
24 provided such personnel either:

1 1. Possess a valid armed security guard license as provided for
2 in ~~Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes~~ the
3 Oklahoma Security Guard and Private Investigator Act; ~~or~~

4 2. Hold a valid reserve peace officer certification as provided
5 for in Section 3311 of Title 70 of the Oklahoma Statutes; or

6 3. a. Possess a valid handgun license issued pursuant to the
7 provisions of the Oklahoma Self-Defense Act,

8 b. Has successfully completed four (4) hours of weapon
9 retention training certified by the Council on Law
10 Enforcement Education and Training (CLEET), and

11 c. Has demonstrated proficiency in handgun training and
12 campus-specific active shooter training as determined
13 by the appropriate law enforcement agency having
14 jurisdiction in that public school district.

15 In addition to continuing education requirements for personnel
16 authorized by the board of education to carry a firearm onto public
17 school property as a licensed armed security guard or reserve peace
18 officer, personnel authorized to carry pursuant to the provisions of
19 this subsection shall be required to obtain biannual training to
20 include, but not be limited to, four (4) hours of CLEET-certified
21 weapon retention training, four (4) hours of campus-specific active
22 shooter training as determined by the appropriate law enforcement
23 agency having jurisdiction in that public school district, and any
24 other training as deemed necessary by the appropriate law

1 enforcement agency having jurisdiction in that public school
2 district.

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

5 E. Notwithstanding the provisions of subsection A of this
6 section, on any property designated as a municipal zoo or park of
7 any size that is owned, leased, operated or managed by:

8 1. A public trust created pursuant to the provisions of Section
9 176 of Title 60 of the Oklahoma Statutes; or

10 2. A nonprofit entity,
11 an individual shall be allowed to carry a concealed handgun but not
12 openly carry a handgun on the property.

13 F. Any person violating the provisions of paragraph 2 or 3 of
14 subsection A of this section shall, upon conviction, be guilty of a
15 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
16 Dollars (\$250.00). A person violating any other provision of
17 subsection A of this section may be denied entrance onto the
18 property or removed from the property. If the person refuses to
19 leave the property and a peace officer is summoned, the person may
20 be issued a citation for an amount not to exceed Two Hundred Fifty
21 Dollars (\$250.00).

22 G. No person in possession of a valid handgun license issued
23 pursuant to the provisions of the Oklahoma Self-Defense Act or who
24 is carrying or in possession of a firearm as otherwise permitted by

1 law or who is carrying or in possession of a machete, blackjack,
2 loaded cane, hand chain or metal knuckles shall be authorized to
3 carry the firearm, machete, blackjack, loaded cane, hand chain or
4 metal knuckles into or upon any college, university or technology
5 center school property, except as provided in this subsection. For
6 purposes of this subsection, the following property shall not be
7 construed to be college, university or technology center school
8 property:

9 1. Any property set aside for the use or parking of any motor
10 vehicle, whether attended or unattended, provided the firearm,
11 machete, blackjack, loaded cane, hand chain or metal knuckles are
12 carried or stored as required by law and the firearm, machete,
13 blackjack, loaded cane, hand chain or metal knuckles are not removed
14 from the motor vehicle without the prior consent of the college or
15 university president or technology center school administrator while
16 the vehicle is on any college, university or technology center
17 school property;

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

21 3. Any property authorized by the written consent of the
22 college or university president or technology center school
23 administrator, provided the written consent is carried with the
24 firearm, machete, blackjack, loaded cane, hand chain or metal
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1 knuckles and the valid handgun license while on college, university
2 or technology center school property.

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

12 Nothing contained in any provision of this subsection shall be
13 construed to authorize or allow any college, university or
14 technology center school to establish any policy or rule that has
15 the effect of prohibiting any person in lawful possession of a
16 handgun license or any person in lawful possession of a firearm,
17 machete, blackjack, loaded cane, hand chain or metal knuckles from
18 possession of a firearm, machete, blackjack, loaded cane, hand chain
19 or metal knuckles in places described in paragraphs 1, 2 and 3 of
20 this subsection. Nothing contained in any provision of this
21 subsection shall be construed to limit the authority of any college,
22 university or technology center school in this state from taking
23 administrative action against any student for any violation of any
24 provision of this subsection.

1 H. The provisions of this section shall not apply to the
2 following:

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

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

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

13 4. Elected officials of a county, who are in possession of a
14 valid handgun license issued pursuant to the provisions of the
15 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
16 in the performance of his or her duties within the courthouses of
17 the county in which he or she was elected. The provisions of this
18 paragraph shall not allow the elected county official to carry the
19 handgun into a courtroom;

20 5. The sheriff of any county may authorize certain employees of
21 the county, who possess a valid handgun license issued pursuant to
22 the provisions of the Oklahoma Self-Defense Act, to carry a
23 concealed handgun when acting in the course and scope of employment
24 within the courthouse in the county in which the person is employed.

1 Nothing in the Oklahoma Self-Defense Act shall prohibit the sheriff
2 from requiring additional instruction or training before granting
3 authorization to carry a concealed handgun within the courthouse.
4 The provisions of this paragraph and of paragraph 6 of this
5 subsection shall not allow the county employee to carry the handgun
6 into a courtroom, sheriff's office, adult or juvenile jail or any
7 other prisoner detention area; and

8 6. The board of county commissioners of any county may
9 authorize certain employees of the county, who possess a valid
10 handgun license issued pursuant to the provisions of the Oklahoma
11 Self-Defense Act, to carry a concealed handgun when acting in the
12 course and scope of employment on county annex facilities or grounds
13 surrounding the county courthouse.

14 I. For the purposes of this section, "motor vehicle" means any
15 automobile, truck, minivan, sports utility vehicle, or motorcycle,
16 as defined in Section 1-135 of Title 47 of the Oklahoma Statutes,
17 equipped with a locked accessory container within or affixed to the
18 motorcycle.

19 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1280.1, is
20 amended to read as follows:

21 Section 1280.1.

22 POSSESSION OF FIREARM ON SCHOOL PROPERTY

23 A. It shall be unlawful for any person to have in his or her
24 possession on any public or private school property or while in any

1 school bus or vehicle used by any school for transportation of
2 students or teachers any firearm or weapon designated in Section
3 1272 of this title, except as provided in subsection C of this
4 section or as otherwise authorized by law.

5 B. For purposes of this section:

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

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

15 3. "Motor vehicle" means any automobile, truck, minivan or
16 sports utility vehicle.

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

19 1. A gun or knife designed for hunting or fishing purposes kept
20 in a privately owned vehicle and properly displayed or stored as
21 required by law, provided such vehicle containing said gun or knife
22 is driven onto school property only to transport a student to and
23 from school and such vehicle does not remain 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
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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~~ the handgun shall be stored and hidden from view in a locked
18 motor 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 a. possess a valid armed security guard license as
24 provided for in ~~Section 1750.1 et seq. of Title 59 of~~

1 ~~the Oklahoma Statutes~~ the Oklahoma Security Guard and
2 Private Investigator Act, or

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

6 c. (1) possess a valid handgun license issued pursuant
7 to the provisions of the Oklahoma Self-Defense
8 Act,

9 (2) has successfully completed four (4) hours of
10 weapon retention training certified by the
11 Council on Law Enforcement Education and Training
12 (CLEET), and

13 (3) has demonstrated proficiency in handgun training
14 and campus-specific active shooter training as
15 determined by the appropriate law enforcement
16 agency having jurisdiction in that school
17 district,

18 if a policy has been adopted by the board of education of the public
19 school district that authorizes the carrying of a handgun onto
20 public school property by such personnel. Ongoing continuing
21 education and training shall be required of any person authorized by
22 the board of education to carry a handgun pursuant to the provisions
23 and requirements provided in subsection D of Section 1277 of this

1 title. Nothing in this subsection shall be construed to restrict
2 authority granted elsewhere in law to carry firearms.

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

6 SECTION 3. AMENDATORY 70 O.S. 2021, Section 5-149.2, is
7 amended to read as follows:

8 Section 5-149.2. A. The board of education of a public school
9 district may, ~~through a majority vote of the board, designate~~ adopt
10 a policy to authorize the carrying of a handgun onto school property
11 by school personnel who have been issued a handgun license pursuant
12 to the Oklahoma Self-Defense Act to attend an specifically
13 designated by the public school board of education, provided such
14 personnel either:

15 1. Possess a valid armed security guard license as provided for
16 in the Oklahoma Security Guard and Private Investigator Act;

17 2. Hold a valid reserve peace officer certification as provided
18 for in Section 3311 of this title; or

19 3. a. Possess a valid handgun license issued pursuant to the
20 provisions of the Oklahoma Self-Defense Act,

21 b. Has successfully completed four (4) hours of weapon
22 retention training certified by the Council on Law
23 Enforcement Education and Training (CLEET), and

1 c. Has demonstrated proficiency in handgun training and
2 campus-specific active shooter training as determined
3 by the appropriate law enforcement agency having
4 jurisdiction in that public school district.

5 Ongoing continuing education and training shall be required of
6 any person authorized by the board of education to carry a handgun
7 pursuant to the provisions and requirements provided in subsection D
8 of Section 1277 of Title 21 of the Oklahoma Statutes.

9 B. The board of education of a public school district may
10 designate school personnel to attend an armed security guard
11 training program, as provided for in Section 1750.5 of Title 59 of
12 the Oklahoma Statutes, or a reserve peace officer certification
13 program, as provided for in Section 3311 of ~~Title 70 of the Oklahoma~~
14 ~~Statutes~~ this title, provided and developed by the Council on Law
15 Enforcement Education and Training (CLEET). Nothing in this section
16 shall be construed to prohibit or limit the board of education of a
17 school district from requiring ongoing education and training.

18 ~~B.~~ C. Participation in either the armed security guard training
19 program or, the reserve peace officer certification program or
20 training to carry a handgun as provided in paragraph 3 of subsection
21 A of this section, shall be voluntary and shall not in any way be
22 considered a requirement for continued employment with the public
23 school district. The board of education of a public school district
24 shall have the final authority to determine and designate the school

1 personnel who will be authorized to obtain and use an armed security
2 guard license or reserve peace officer certification or participate
3 with a handgun license and required training components in
4 conjunction with ~~their~~ his or her employment as school personnel.

5 ~~C.~~ D. The board of education of a public school district that
6 authorizes school personnel to participate in either the armed
7 security guard program or the reserve peace officer program may pay
8 all necessary training, meal and lodging expenses associated with
9 the training.

10 ~~D.~~ E. When carrying a firearm pursuant to the provisions of
11 this act, the person shall at all times carry the firearm on his or
12 her person or the firearm shall be stored in a locked and secure
13 location.

14 ~~E.~~ F. Any public school personnel who have successfully
15 completed ~~either~~ armed security guard training, reserve peace
16 officer certification training or handgun license training as
17 provided in paragraph 3 of subsection A of this section and while
18 acting in ~~good faith~~ a reasonable and prudent manner shall not be
19 ~~immune from~~ subject to civil and criminal liability for any injury
20 resulting from the carrying of a handgun onto public school property
21 as provided for in this ~~act~~ section. Any board of education of a
22 public school district or participating local law enforcement agency
23 shall not be ~~immune from~~ subject to civil and criminal liability for
24 any injury resulting from any act committed by school personnel who

1 are designated to carry a concealed handgun on public school
2 property pursuant to the provisions of this ~~act~~ section.

3 F. G. In order to carry out the provisions of this section, the
4 board of education of a public school district is authorized to
5 enter into a memorandum of understanding with local law enforcement
6 entities.

7 SECTION 4. This act shall become effective July 1, 2023.

8 SECTION 5. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

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