

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3056

By: Steagall and **Crosswhite**
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9 COMMITTEE SUBSTITUTE

10 An Act relating to firearms; amending 21 O.S. 2021,
11 Section 1280.1, which relates to possession of
12 firearms on school property; authorizing the
13 transport and storage of firearms and weapons on
14 school property under certain circumstances; removing
15 certain qualifier; updating language; clarifying
16 liability provision; considering certain individuals
17 as licensed and verified pursuant to the federal Gun-
18 Free School Zones Act of 1990; amending 21 O.S. 2021,
19 Section 1290.14, which relates to the Oklahoma Self-
20 Defense Act; allowing applicants to train and qualify
21 with air-powered pistols; and providing an effective
22 date.

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

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

 Section 1280.1 A. It shall be unlawful for any person to have
in his or her possession on any public or private school property or
while in any school bus or vehicle used by any school for

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

4 B. For purposes of this section:

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

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

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

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

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

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

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

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

1 | weapon on private school property, a school bus or vehicle used by
2 | the private school shall be immune from and not subject to liability
3 | for any injuries arising from the adoption of the policy. The
4 | provisions of this paragraph shall not apply to claims pursuant to
5 | the Workers' Compensation Code;

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

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

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

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 E. Considering the right to keep and bear arms provided in
16 Section 26 of Article II of the Oklahoma Constitution, any person
17 who is not precluded from lawfully owning and possessing a firearm
18 pursuant to state law shall be considered to be individually
19 authorized by the State of Oklahoma within the meaning of the
20 provisions regarding individual licensure and verification pursuant
21 to the federal Gun-Free School Zones Act of 1990.

22 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1290.14, is
23 amended to read as follows:

24 Section 1290.14 SAFETY AND TRAINING COURSE

1 A. Each applicant for a license to carry a concealed or
2 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must
3 successfully complete a firearms safety and training course in this
4 state conducted by a registered and approved firearms instructor as
5 provided by the provisions of this section or from an interactive
6 online firearms safety and training course available electronically
7 via the Internet approved and certified by the Council on Law
8 Enforcement Education and Training. The applicant must further
9 demonstrate competence and qualification with an authorized pistol
10 of the type or types that the applicant desires to carry as a
11 concealed or unconcealed handgun pursuant to the provisions of the
12 Oklahoma Self-Defense Act, except certain persons may be exempt from
13 such training requirement as provided by the provisions of Section
14 1290.15 of this title.

15 B. The Council on Law Enforcement Education and Training
16 (CLEET) shall establish criteria for approving firearms instructors
17 and interactive online firearms safety and training courses
18 available electronically via the Internet for purposes of training
19 and qualifying individuals for a handgun license pursuant to the
20 provisions of the Oklahoma Self-Defense Act. Prior to submitting an
21 application for CLEET approval as a firearms instructor, applicants
22 shall attend a firearms instructor school, meeting the following
23 minimum requirements:

24

1 1. Firearms instructor training conducted by one of the
2 following entities:

- 3 a. Council on Law Enforcement Education and Training,
- 4 b. National Rifle Association,
- 5 c. Oklahoma Rifle Association,
- 6 d. federal law enforcement agencies, or
- 7 e. other professionally recognized organizations;

8 2. The course shall be at least sixteen (16) hours in length;

9 3. Upon completion of the course, the applicant shall be
10 qualified to provide instruction on revolvers, semiautomatic
11 pistols, or both; and

12 4. Receive a course completion certificate.

13 All firearms instructors shall be required to meet the
14 eligibility requirements for a handgun license as provided in
15 Sections 1290.9, 1290.10, and 1290.11 of this title and the
16 application shall be processed as provided for applicants in Section
17 1290.12 of this title, including the state and national criminal
18 history records search and fingerprint search. A firearms
19 instructor shall be required to pay a fee of One Hundred Dollars
20 (\$100.00) to the Council on Law Enforcement Education and Training
21 (CLEET) each time the person makes application for CLEET approval as
22 a firearms instructor pursuant to the provisions of the Oklahoma
23 Self-Defense Act. The fee shall be retained by CLEET and shall be
24 deposited into the Firearms Instructors Revolving Fund. CLEET shall

1 promulgate the rules, forms and procedures necessary to implement
2 the approval of firearms instructors as authorized by the provisions
3 of this subsection. CLEET shall periodically review each approved
4 instructor during a training and qualification course to assure
5 compliance with the rules and course contents. Any violation of the
6 rules may result in the revocation or suspension of CLEET and
7 Oklahoma State Bureau of Investigation approval. Unless the
8 approval has been revoked or suspended, a firearms instructor's
9 CLEET approval shall be for a term of five (5) years. Beginning on
10 July 1, 2003, any firearms instructor who has been issued a four-
11 year CLEET approval shall not be eligible for the five-year approval
12 until the expiration of the approval previously issued. CLEET shall
13 be responsible for notifying all approved firearms instructors of
14 statutory and policy changes related to the Oklahoma Self-Defense
15 Act. A firearms instructor shall not be required to submit his or
16 her fingerprints for a fingerprint search when renewing a firearms
17 instructor's CLEET approval.

18 C. 1. All firearms instructors approved by CLEET to train and
19 qualify individuals for a handgun license shall be required to apply
20 for registration with the Oklahoma State Bureau of Investigation
21 after receiving CLEET approval. All firearms instructors teaching
22 the approved course for a handgun license must display their
23 registration certificate during each training and qualification
24 course. Each approved firearms instructor shall complete a

1 registration form provided by the Bureau and shall have the option
2 to pay a registration fee of either One Hundred Dollars (\$100.00)
3 for a five-year registration certificate or Two Hundred Dollars
4 (\$200.00) for a ten-year registration certificate to the Bureau at
5 the time of each application for registration, except as provided in
6 paragraph 2 of this subsection. Registration certificates issued by
7 the Bureau shall be valid for a period of five (5) years or ten (10)
8 years from the date of issuance. The Bureau shall issue a five-year
9 or ten-year handgun license to an approved firearms instructor at
10 the time of issuance of a registration certificate and no additional
11 fee shall be required or charged. The Bureau shall maintain a
12 current listing of all registered firearms instructors in this
13 state. Nothing in this paragraph shall be construed to eliminate
14 the requirement for registration and training with CLEET as provided
15 in subsection B of this section. Failure to register or be trained
16 as required shall result in a revocation or suspension of the
17 instructor certificate by the Bureau.

18 2. On or after July 1, 2003, the registered instructors listed
19 in subparagraphs a and b of this paragraph shall not be required to
20 renew the firearms instructor registration certificate with the
21 Oklahoma State Bureau of Investigation at the expiration of the
22 registration term, provided the instructor is not subject to any
23 suspension or revocation of the firearms instructor certificate.
24 The firearms instructor registration with the Oklahoma State Bureau

1 of Investigation shall automatically renew together with the handgun
2 license authorized in paragraph 1 of this subsection for an
3 additional five-year term and no additional cost or fee may be
4 charged for the following individuals:

5 a. an active duty law enforcement officer of this state
6 or any of its political subdivisions or of the federal
7 government who has a valid CLEET approval as a
8 firearms instructor pursuant to the Oklahoma Self-
9 Defense Act, and

10 b. a retired law enforcement officer authorized to carry
11 a firearm pursuant to Section 1289.8 of this title who
12 has a valid CLEET approval as a firearms instructor
13 pursuant to the Oklahoma Self-Defense Act.

14 D. The Oklahoma State Bureau of Investigation shall approve
15 registration for a firearms instructor applicant who is in full
16 compliance with CLEET rules regarding firearms instructors and the
17 provisions of subsection B of this section, if completion of the
18 federal fingerprint search is the only reason for delay of
19 registration of that firearms instructor applicant. Upon receipt of
20 the federal fingerprint search information, if the Bureau receives
21 information which precludes the person from having a handgun
22 license, the Bureau shall revoke both the registration and the
23 handgun license previously issued to the firearms instructor.

1 E. The required firearms safety and training course and the
2 actual demonstration of competency and qualification required of the
3 applicant shall be designed and conducted in such a manner that the
4 course can be reasonably completed by the applicant within an eight-
5 hour period. CLEET shall establish the course content and
6 promulgate rules, procedures and forms necessary to implement the
7 provisions of this subsection. For the training and qualification
8 course, an applicant may be charged a fee which shall be determined
9 by the instructor or entity that is conducting the course. The
10 maximum class size shall be determined by the instructor conducting
11 the course; provided, however, practice shooting sessions shall not
12 have more than ten participating students at one time. CLEET may
13 establish criteria for assistant instructors and any other
14 requirements deemed necessary to conduct a safe and effective
15 training and qualification course. The course content shall include
16 a safety inspection of the firearm to be used by the applicant in
17 the training course; instruction on pistol handling, safety and
18 storage; dynamics of ammunition and firing; methods or positions for
19 firing a pistol; information about the criminal provisions of the
20 Oklahoma law relating to firearms; the requirements of the Oklahoma
21 Self-Defense Act as it relates to the applicant; self-defense and
22 the use of appropriate force; a practice shooting session; and a
23 familiarization course. The firearms instructor shall refuse to
24 train or qualify any person when the pistol to be used or carried by

1 the person is either deemed unsafe or unfit for firing or is a
2 weapon not authorized by the Oklahoma Self-Defense Act. The course
3 shall provide an opportunity for the applicant to qualify himself or
4 herself on either a derringer, a revolver, a semiautomatic pistol,
5 an air-powered pistol or any combination of a derringer, a revolver
6 and, a semiautomatic pistol, and an air-powered pistol, provided no
7 pistol shall be capable of firing larger than .45 caliber
8 ammunition. Any applicant who successfully trains and qualifies
9 himself or herself with a semiautomatic pistol may be approved by
10 the firearms instructor on the training certificate for a
11 semiautomatic pistol, a revolver and, a derringer, and an air-
12 powered pistol upon request of the applicant. Any person who
13 qualifies on a derringer ~~or,~~ revolver or an air-powered pistol shall
14 not be eligible for a semiautomatic rating until the person has
15 demonstrated competence and qualifications on a semiautomatic
16 pistol. Upon successful completion of the training and
17 qualification course, a certificate of training and a certificate of
18 competency and qualification shall be issued to each applicant who
19 successfully completes the course. The certificate of training and
20 certificate of competency and qualification shall comply with the
21 forms established by CLEET and shall be submitted with an
22 application for a handgun license pursuant to the provisions of
23 paragraph 2 of subsection A of Section 1290.12 of this title. The
24 certificate of training and certificate of competency and

1 qualification issued to an applicant shall be valid for a period of
2 three (3) years.

3 F. There is hereby created a revolving fund for the Council on
4 Law Enforcement Education and Training (CLEET), to be designated the
5 "Firearms Instructors Revolving Fund". The fund shall be a
6 continuing fund, not subject to fiscal year limitations, and shall
7 consist of all funds received for approval of firearms instructors
8 for purposes of the Oklahoma Self-Defense Act. All funds received
9 shall be deposited to the fund. All monies accruing to the credit
10 of said fund are hereby appropriated and may be budgeted and
11 expended by the Council on Law Enforcement Education and Training,
12 for implementation of the training and qualification course
13 contents, approval of firearms instructors and any other CLEET
14 requirement pursuant to the provisions of the Oklahoma Self-Defense
15 Act or as may otherwise be deemed appropriate by CLEET.
16 Expenditures from said fund shall be made upon warrants issued by
17 the State Treasurer against claims filed as prescribed by law with
18 the Director of the Office of Management and Enterprise Services for
19 approval and payment.

20 G. Firearms instructors shall keep on file for a period of not
21 less than three (3) years a roster of each training class, the
22 safety test score of each individual, the caliber and type of weapon
23 each individual used when qualifying and whether or not each
24 individual successfully completed the training course. Firearms

1 instructors shall be authorized to destroy all training documents
2 and records upon expiration of the three-year time period.

3 SECTION 3. This act shall become effective November 1, 2024.

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5 COMMITTEE REPORT BY: COMMITTEE ON STATE POWERS, dated 02/29/2024 -
6 DO PASS, As Amended and Coauthored.

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