

1 ENGROSSED HOUSE
2 BILL NO. 3056

By: Steagall, Crosswhite Hader,
and Conley of the House

3 and

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

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

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

23 Section 1280.1

24 POSSESSION OF FIREARM ON SCHOOL PROPERTY

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

23 2. A ~~gun~~ firearm or knife used for the purposes of
24 participating in the Oklahoma Department of Wildlife Conservation

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

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

13 4. A concealed or unconcealed firearm or weapon carried onto
14 private school property or in any school bus or vehicle used by any
15 private school for transportation of students or teachers by a
16 person who is licensed pursuant to the Oklahoma Self-Defense Act,
17 provided a policy has been adopted by the governing entity of the
18 private school that authorizes the possession of a firearm or weapon
19 on private school property or in any school bus or vehicle used by a
20 private school. Except for acts of gross negligence or willful or
21 wanton misconduct, a governing entity of a private school that
22 adopts a policy which authorizes the possession of a firearm or
23 weapon on private school property, a school bus or vehicle used by
24 the private school shall be immune from and not subject to liability

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

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

13 6. A ~~handgun~~ firearm carried in a motor vehicle pursuant to a
14 ~~valid handgun license authorized by the provisions of the Oklahoma~~
15 Self-Defense Act onto property set aside by a public or private
16 elementary or secondary school for the use or parking of any
17 vehicle; provided, however, ~~said handgun~~ the firearm shall be stored
18 and hidden from view in a locked motor vehicle when the motor
19 vehicle is left unattended on school 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:
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1 via the Internet approved and certified by the Council on Law
2 Enforcement Education and Training. The applicant must further
3 demonstrate competence and qualification with an authorized pistol
4 of the type or types that the applicant desires to carry as a
5 concealed or unconcealed handgun pursuant to the provisions of the
6 Oklahoma Self-Defense Act, except certain persons may be exempt from
7 such training requirement as provided by the provisions of Section
8 1290.15 of this title.

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

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

- 20 a. Council on Law Enforcement Education and Training,
- 21 b. National Rifle Association,
- 22 c. Oklahoma Rifle Association,
- 23 d. federal law enforcement agencies, or
- 24 e. other professionally recognized organizations;

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

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

5 4. Receive a course completion certificate.

6 All firearms instructors shall be required to meet the
7 eligibility requirements for a handgun license as provided in
8 Sections 1290.9, 1290.10, and 1290.11 of this title and the
9 application shall be processed as provided for applicants in Section
10 1290.12 of this title, including the state and national criminal
11 history records search and fingerprint search. A firearms
12 instructor shall be required to pay a fee of One Hundred Dollars
13 (\$100.00) to the Council on Law Enforcement Education and Training
14 (CLEET) each time the person makes application for CLEET approval as
15 a firearms instructor pursuant to the provisions of the Oklahoma
16 Self-Defense Act. The fee shall be retained by CLEET and shall be
17 deposited into the Firearms Instructors Revolving Fund. CLEET shall
18 promulgate the rules, forms and procedures necessary to implement
19 the approval of firearms instructors as authorized by the provisions
20 of this subsection. CLEET shall periodically review each approved
21 instructor during a training and qualification course to assure
22 compliance with the rules and course contents. Any violation of the
23 rules may result in the revocation or suspension of CLEET and
24 Oklahoma State Bureau of Investigation approval. Unless the

1 approval has been revoked or suspended, a firearms instructor's
2 CLEET approval shall be for a term of five (5) years. Beginning on
3 July 1, 2003, any firearms instructor who has been issued a four-
4 year CLEET approval shall not be eligible for the five-year approval
5 until the expiration of the approval previously issued. CLEET shall
6 be responsible for notifying all approved firearms instructors of
7 statutory and policy changes related to the Oklahoma Self-Defense
8 Act. A firearms instructor shall not be required to submit his or
9 her fingerprints for a fingerprint search when renewing a firearms
10 instructor's CLEET approval.

11 C. 1. All firearms instructors approved by CLEET to train and
12 qualify individuals for a handgun license shall be required to apply
13 for registration with the Oklahoma State Bureau of Investigation
14 after receiving CLEET approval. All firearms instructors teaching
15 the approved course for a handgun license must display their
16 registration certificate during each training and qualification
17 course. Each approved firearms instructor shall complete a
18 registration form provided by the Bureau and shall have the option
19 to pay a registration fee of either One Hundred Dollars (\$100.00)
20 for a five-year registration certificate or Two Hundred Dollars
21 (\$200.00) for a ten-year registration certificate to the Bureau at
22 the time of each application for registration, except as provided in
23 paragraph 2 of this subsection. Registration certificates issued by
24 the Bureau shall be valid for a period of five (5) years or ten (10)

1 years from the date of issuance. The Bureau shall issue a five-year
2 or ten-year handgun license to an approved firearms instructor at
3 the time of issuance of a registration certificate and no additional
4 fee shall be required or charged. The Bureau shall maintain a
5 current listing of all registered firearms instructors in this
6 state. Nothing in this paragraph shall be construed to eliminate
7 the requirement for registration and training with CLEET as provided
8 in subsection B of this section. Failure to register or be trained
9 as required shall result in a revocation or suspension of the
10 instructor certificate by the Bureau.

11 2. On or after July 1, 2003, the registered instructors listed
12 in subparagraphs a and b of this paragraph shall not be required to
13 renew the firearms instructor registration certificate with the
14 Oklahoma State Bureau of Investigation at the expiration of the
15 registration term, provided the instructor is not subject to any
16 suspension or revocation of the firearms instructor certificate.
17 The firearms instructor registration with the Oklahoma State Bureau
18 of Investigation shall automatically renew together with the handgun
19 license authorized in paragraph 1 of this subsection for an
20 additional five-year term and no additional cost or fee may be
21 charged for the following individuals:

22 a. an active duty law enforcement officer of this state
23 or any of its political subdivisions or of the federal
24 government who has a valid CLEET approval as a

1 firearms instructor pursuant to the Oklahoma Self-
2 Defense Act, and

3 b. a retired law enforcement officer authorized to carry
4 a firearm pursuant to Section 1289.8 of this title who
5 has a valid CLEET approval as a firearms instructor
6 pursuant to the Oklahoma Self-Defense Act.

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

17 E. The required firearms safety and training course and the
18 actual demonstration of competency and qualification required of the
19 applicant shall be designed and conducted in such a manner that the
20 course can be reasonably completed by the applicant within an eight-
21 hour period. CLEET shall establish the course content and
22 promulgate rules, procedures and forms necessary to implement the
23 provisions of this subsection. For the training and qualification
24 course, an applicant may be charged a fee which shall be determined

1 by the instructor or entity that is conducting the course. The
2 maximum class size shall be determined by the instructor conducting
3 the course; provided, however, practice shooting sessions shall not
4 have more than ten participating students at one time. CLEET may
5 establish criteria for assistant instructors and any other
6 requirements deemed necessary to conduct a safe and effective
7 training and qualification course. The course content shall include
8 a safety inspection of the firearm to be used by the applicant in
9 the training course; instruction on pistol handling, safety and
10 storage; dynamics of ammunition and firing; methods or positions for
11 firing a pistol; information about the criminal provisions of the
12 Oklahoma law relating to firearms; the requirements of the Oklahoma
13 Self-Defense Act as it relates to the applicant; self-defense and
14 the use of appropriate force; a practice shooting session; and a
15 familiarization course. The firearms instructor shall refuse to
16 train or qualify any person when the pistol to be used or carried by
17 the person is either deemed unsafe or unfit for firing or is a
18 weapon not authorized by the Oklahoma Self-Defense Act. The course
19 shall provide an opportunity for the applicant to qualify himself or
20 herself on either a derringer, a revolver, a semiautomatic pistol,
21 an air-powered pistol or any combination of a derringer, a revolver
22 and, a semiautomatic pistol, and an air-powered pistol, provided no
23 pistol shall be capable of firing larger than .45 caliber
24 ammunition. Any applicant who successfully trains and qualifies

1 himself or herself with a semiautomatic pistol may be approved by
2 the firearms instructor on the training certificate for a
3 semiautomatic pistol, a revolver ~~and~~, a derringer, and an air-
4 powered pistol upon request of the applicant. Any person who
5 qualifies on a derringer ~~or~~, revolver or an air-powered pistol shall
6 not be eligible for a semiautomatic rating until the person has
7 demonstrated competence and qualifications on a semiautomatic
8 pistol. Upon successful completion of the training and
9 qualification course, a certificate of training and a certificate of
10 competency and qualification shall be issued to each applicant who
11 successfully completes the course. The certificate of training and
12 certificate of competency and qualification shall comply with the
13 forms established by CLEET and shall be submitted with an
14 application for a handgun license pursuant to the provisions of
15 paragraph 2 of subsection A of Section 1290.12 of this title. The
16 certificate of training and certificate of competency and
17 qualification issued to an applicant shall be valid for a period of
18 three (3) years.

19 F. There is hereby created a revolving fund for the Council on
20 Law Enforcement Education and Training (CLEET), to be designated the
21 "Firearms Instructors Revolving Fund". The fund shall be a
22 continuing fund, not subject to fiscal year limitations, and shall
23 consist of all funds received for approval of firearms instructors
24 for purposes of the Oklahoma Self-Defense Act. All funds received

1 shall be deposited to the fund. All monies accruing to the credit
2 of said fund are hereby appropriated and may be budgeted and
3 expended by the Council on Law Enforcement Education and Training,
4 for implementation of the training and qualification course
5 contents, approval of firearms instructors and any other CLEET
6 requirement pursuant to the provisions of the Oklahoma Self-Defense
7 Act or as may otherwise be deemed appropriate by CLEET.
8 Expenditures from said fund shall be made upon warrants issued by
9 the State Treasurer against claims filed as prescribed by law with
10 the Director of the Office of Management and Enterprise Services for
11 approval and payment.

12 G. Firearms instructors shall keep on file for a period of not
13 less than three (3) years a roster of each training class, the
14 safety test score of each individual, the caliber and type of weapon
15 each individual used when qualifying and whether or not each
16 individual successfully completed the training course. Firearms
17 instructors shall be authorized to destroy all training documents
18 and records upon expiration of the three-year time period.

19 SECTION 3. This act shall become effective November 1, 2024.
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1 Passed the House of Representatives the 14th day of March, 2024.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ___ day of _____, 2024.

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8 _____
9 Presiding Officer of the Senate