

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1872

By: Standridge

AS INTRODUCED

An Act relating to firearms; amending 21 O.S. 2021, Sections 1277 and 1280.1, which relate to the unlawful carry of firearms in certain places; authorizing school personnel with a handgun license to carry on public school property under certain circumstances; requiring training every two years; authorizing school personnel with a handgun license to carry on public school property under certain circumstances; requiring ongoing education and training; amending 70 O.S. 2021, Section 5-149.2, which relates to handgun licenses for school personnel; 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; requiring ongoing education and training; authorizing boards of education to designate school personnel to attend certain training programs; clarifying immunity from liability provision; updating statutory language; updating statutory references; 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.

UNLAWFUL CARRY IN CERTAIN PLACES

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

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

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

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

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

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

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

21           7. Any property set aside by a county, city, town, public trust  
22 with a county, city or town as a beneficiary, or state governmental  
23 authority for an event that is secured with minimum-security  
24 provisions. For purposes of this paragraph, a minimum-security  
25

1 provision consists of a location that is secured utilizing the  
2 following:

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

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

- 14 1. Any property set aside for the use or parking of any  
15 vehicle, whether attended or unattended, by a city, town, county,  
16 state or federal governmental authority;
- 17 2. Any property set aside for the use or parking of any  
18 vehicle, whether attended or unattended, which is open to the  
19 public, or by any entity engaged in gambling authorized by law;
- 20 3. Any property adjacent to a structure, building or office  
21 space in which concealed or unconcealed weapons are prohibited by  
22 the provisions of this section;
- 23 4. Any property designated by a city, town, county or state  
24 governmental authority as a park, recreational area, wildlife

1 refuge, wildlife management area or fairgrounds; provided, nothing  
2 in this paragraph shall be construed to authorize any entry by a  
3 person in possession of a concealed or unconcealed firearm into any  
4 structure, building, office space or event which is specifically  
5 prohibited by the provisions of subsection A of this section;

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

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

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

1 or otherwise in lawful possession of a firearm from carrying or  
2 possessing the firearm on the property described in this subsection.

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

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

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. Have 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. Have 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 training every two (2)  
20 years to include, but not be limited to, four (4) hours of CLEET-  
21 certified weapon retention training, four (4) hours of campus-  
22 specific active shooter training as determined by the appropriate  
23 law enforcement agency having jurisdiction in that public school  
24 district, and any other training as deemed necessary by the

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

3 Nothing in this subsection shall be construed to restrict authority  
4 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~~ An elected official of a county, who ~~are~~  
14 is in possession of a valid handgun license issued pursuant to the  
15 provisions of the Oklahoma Self-Defense Act, may carry a concealed  
16 handgun when acting in the performance of his or her duties within  
17 the courthouses of the county in which he or she was elected. The  
18 provisions of this paragraph shall not allow the elected county  
19 official to carry the 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~~ the gun or  
22 knife is driven onto school property only to transport a student to  
23 and from school and such vehicle does not remain unattended on  
24 school 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  
25

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~~ National Guard,  
6 active military, the Reserve Officers' Training Corps (ROTC) or  
7 Junior ROTC, in order to participate in a ceremony, assembly or  
8 educational program approved by the principal or chief administrator  
9 of a school or school district where the ceremony, assembly or  
10 educational program is being held; provided, however, the gun or  
11 other weapon that uses projectiles is not loaded and is inoperable  
12 at all times while on 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)   have 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)   have 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 by school personnel  
11 ~~who have been issued a handgun license pursuant to the Oklahoma~~  
12 ~~Self-Defense Act~~ specifically designated by the public school board  
13 of education, provided such personnel:

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

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

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

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

23 c. Have demonstrated proficiency in handgun training and  
24 campus-specific active shooter training as determined  
25

1 by the appropriate law enforcement agency having  
2 jurisdiction in that public school district. Ongoing  
3 continuing education and training shall be required of  
4 any person authorized by the board of education to  
5 carry a handgun pursuant to the provisions and  
6 requirements provided in subsection D of Section 1277  
7 of Title 21 of the Oklahoma Statutes.

8 B. The board of education of a public school district may  
9 designate school personnel to attend an armed security guard  
10 training program, as provided for in Section 1750.5 of Title 59 of  
11 the Oklahoma Statutes, or a reserve peace officer certification  
12 program, as provided for in Section 3311 of Title 70 of ~~the Oklahoma~~  
13 ~~Statutes~~ this title, provided and developed by the Council on Law  
14 Enforcement Education and Training (CLEET). Nothing in this section  
15 shall be construed to prohibit or limit the board of education of a  
16 public school district from requiring ongoing education and  
17 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 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 training program ~~or~~, the reserve peace officer  
8 certification program, or the training to carry a handgun as  
9 provided in paragraph 3 of subsection A of this section may pay all  
10 necessary training, meal and lodging expenses associated with the  
11 training.

12 ~~D.~~ E. When carrying a firearm pursuant to the provisions of  
13 ~~this act~~ Sections 1277 and 1280.1 of Title 21 of the Oklahoma  
14 Statutes and this section, the person shall at all times carry the  
15 firearm on his or her person or the firearm shall be stored in a  
16 locked and secure location.

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

1 1277 and 1280.1 of Title 21 of the Oklahoma Statutes and this  
2 section. Any board of education of a public school district or  
3 participating local law enforcement agency shall not be ~~immune from~~  
4 subject to civil and criminal liability for any injury resulting  
5 from any act committed by school personnel who are designated to  
6 carry a concealed handgun on public school property pursuant to the  
7 provisions of ~~this act~~ Sections 1277 and 1280.1 of Title 21 of the  
8 Oklahoma Statutes and this section.

9 F. G. In order to carry out the provisions of this section, the  
10 board of education of a public school district is authorized to  
11 enter into a memorandum of understanding with local law enforcement  
12 entities.

13 SECTION 4. This act shall become effective July 1, 2024.

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

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