

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 SENATE BILL 557

By: Shortey

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5
6 AS INTRODUCED

7 An Act relating to unlawful carrying of firearms;
8 amending 21 O.S. 2011, Section 1277, as last amended
9 by Section 1, Chapter 325, O.S.L. 2014 (21 O.S. Supp.
10 2014, Section 1277), which relates to unlawful carry
11 in certain places; modifying restrictions of unlawful
12 carry; requiring license; requiring notification; and
13 providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
16 last amended by Section 1, Chapter 325, O.S.L. 2014 (21 O.S. Supp.
17 2014, Section 1277), is amended to read as follows:

18 Section 1277.

19 UNLAWFUL CARRY IN CERTAIN PLACES

20 A. It shall be unlawful for any person in possession of a valid
21 handgun license issued pursuant to the provisions of the Oklahoma
22 Self-Defense Act to carry any concealed or unconcealed handgun into
23 any of the following places:
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1 1. Any structure, building, or office space which is owned or
2 leased by a city, town, county, state, or federal governmental
3 authority for the purpose of conducting business with the public;

4 2. Any prison, jail, detention facility or any facility used to
5 process, hold, or house arrested persons, prisoners or persons
6 alleged delinquent or adjudicated delinquent;

7 3. Any public or private elementary or public or private
8 secondary school, except as provided in subsection C of this
9 section;

10 4. Any sports arena during a professional sporting event;

11 5. Any place where pari-mutuel wagering is authorized by law;

12 and

13 6. Any other place specifically prohibited by law.

14 B. For purposes of paragraphs 1, 2, 3, 4 and 5 of subsection A
15 of this section, the prohibited place does not include and
16 specifically excludes the following property:

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

20 2. Any property set aside for the use or parking of any
21 vehicle, whether attended or unattended, by any entity offering any
22 professional sporting event which is open to the public for
23 admission, or by any entity engaged in pari-mutuel wagering
24 authorized by law;

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

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

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

16 Nothing contained in any provision of this subsection or
17 subsection C of this section shall be construed to authorize or
18 allow any person in control of any place described in paragraph 1,
19 2, 3, 4 or 5 of subsection A of this section to establish any policy
20 or rule that has the effect of prohibiting any person in lawful
21 possession of a handgun license from possession of a handgun
22 allowable under such license in places described in paragraph 1, 2,
23 3, 4 or 5 of this subsection.

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

15 D. Any person violating the provisions of subsection A of this
16 section shall, upon conviction, be guilty of a misdemeanor
17 punishable by a fine not to exceed Two Hundred Fifty Dollars
18 (\$250.00).

19 E. No person in possession of a valid handgun license issued
20 pursuant to the provisions of the Oklahoma Self-Defense Act shall be
21 authorized to carry the handgun into or upon any college,
22 university, or technology center school property, except as provided
23 in this subsection. Except that any full time, part time or adjunct
24 faculty of the public college, public university or technology

1 center who are in possession of a valid handgun license issued
2 pursuant to the provisions of the Oklahoma Self-Defense Act, and
3 provided proper notification is made to the college, university or
4 technology center of the intent to carry licensed weapon on campus.

5 For purposes of this subsection, the following property shall not be
6 construed as prohibited for persons having a valid handgun license:

7 1. Any property set aside for the use or parking of any
8 vehicle, whether attended or unattended, provided the handgun is
9 carried or stored as required by law and the handgun is not removed
10 from the vehicle without the prior consent of the college or
11 university president or technology center school administrator while
12 the vehicle is on any college, university, or technology center
13 school property;

14 2. Any property authorized for possession or use of handguns by
15 college, university, or technology center school policy; ~~and~~

16 3. Any property authorized by the written consent of the
17 college or university president or technology center school
18 administrator, provided the written consent is carried with the
19 handgun and the valid handgun license while on college, university,
20 or technology center school property; and

21 4. The college, university, or technology center school may
22 notify the Oklahoma State Bureau of Investigation within ten (10)
23 days of a violation of any provision of this subsection by a
24 licensee. Upon receipt of a written notification of violation, the

1 Bureau shall give a reasonable notice to the licensee and hold a
2 hearing. At the hearing, upon a determination that the licensee has
3 violated any provision of this subsection, the licensee may be
4 subject to an administrative fine of Two Hundred Fifty Dollars
5 (\$250.00) and may have the handgun license suspended for three (3)
6 months.

7 Nothing contained in any provision of this subsection shall be
8 construed to authorize or allow any college, university, or
9 technology center school to establish any policy or rule that has
10 the effect of prohibiting any person in lawful possession of a
11 handgun license from possession of a handgun allowable under such
12 license in places described in paragraphs 1, 2 and 3 of this
13 subsection. Nothing contained in any provision of this subsection
14 shall be construed to limit the authority of any college, university
15 or technology center school in this state from taking administrative
16 action against any student for any violation of any provision of
17 this subsection.

18 F. The provisions of this section shall not apply to any peace
19 officer or to any person authorized by law to carry a pistol in the
20 course of employment. District judges, associate district judges
21 and special district judges, who are in possession of a valid
22 handgun license issued pursuant to the provisions of the Oklahoma
23 Self-Defense Act and whose names appear on a list maintained by the
24 Administrative Director of the Courts, shall be exempt from this

1 section when acting in the course and scope of employment within the
2 courthouses of this state. Private investigators with a firearms
3 authorization shall be exempt from this section when acting in the
4 course and scope of employment.

5 G. For the purposes of this section, "motor vehicle" means any
6 automobile, truck, minivan or sports utility vehicle.

7 SECTION 2. This act shall become effective November 1, 2015.

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