

1 ENGROSSED SENATE  
2 BILL NO. 1036

By: Smalley of the Senate

3 and

4 Coody (Jeff) of the House

5  
6 An Act relating to school personnel; amending Section  
7 3, Chapter 310, O.S.L. 2015 (70 O.S. Supp. 2015,  
8 Section 5-149.2), which relates to handgun licenses  
9 for school personnel; modifying designating  
10 authority; directing names of certain designated  
11 school personnel to be kept confidential; exempting  
12 certain names from certain act; providing an  
13 effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY Section 3, Chapter 310, O.S.L.  
16 2015 (70 O.S. Supp. 2015, Section 5-149.2), is amended to read as  
17 follows:

18 Section 5-149.2. A. The board of education of a school  
19 district may, through a majority vote of the board, authorize the  
20 school district superintendent to designate school personnel who  
21 have been issued a handgun license pursuant to the Oklahoma Self-  
22 Defense Act to attend an armed security guard training program, as  
23 provided for in Section 1750.5 of Title 59 of the Oklahoma Statutes,  
24 or a reserve peace officer certification program, as provided for in  
Section 3311 of Title 70 of the Oklahoma Statutes, provided and  
developed by the Council on Law Enforcement Education and Training

1 (CLEET). Nothing in this section shall be construed to prohibit or  
2 limit the board of education of a school district from requiring  
3 ongoing education and training.

4 B. Participation in either the armed security guard training  
5 program or the reserve peace officer certification program shall be  
6 voluntary and shall not in any way be considered a requirement for  
7 continued employment with the school district. The board of  
8 education of a school district shall have the final authority to  
9 determine and designate the school personnel who will be authorized  
10 to obtain and use an armed security guard license or reserve peace  
11 officer certification in conjunction with their employment as school  
12 personnel.

13 C. The board of education of a school district that authorizes  
14 school personnel to participate in either the armed security guard  
15 program or the reserve peace officer program may pay all necessary  
16 training, meal and lodging expenses associated with the training.

17 D. When carrying a firearm pursuant to the provisions of this  
18 act, the person shall at all times carry the firearm on his or her  
19 person or the firearm shall be stored in a locked and secure  
20 location.

21 E. Any school personnel who have successfully completed either  
22 training and while acting in good faith shall be immune from civil  
23 and criminal liability for any injury resulting from the carrying of  
24 a handgun onto public school property as provided for in this act.

1 Any board of education of a school district or participating local  
2 law enforcement agency shall be immune from civil and criminal  
3 liability for any injury resulting from any act committed by school  
4 personnel who are designated to carry a concealed handgun on public  
5 school property pursuant to the provisions of this act.

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

9 G. The names of school personnel who have been designated to  
10 carry a firearm pursuant to this section shall be kept confidential  
11 and shall be exempt from the Oklahoma Open Records Act.

12 SECTION 2. This act shall become effective July 1, 2016.

13 SECTION 3. It being immediately necessary for the preservation  
14 of the public peace, health and safety, an emergency is hereby  
15 declared to exist, by reason whereof this act shall take effect and  
16 be in full force from and after its passage and approval.

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1 Passed the Senate the 1st day of March, 2016.

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3 \_\_\_\_\_  
4 Presiding Officer of the Senate

5 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
6 2016.

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9 Presiding Officer of the House  
10 of Representatives