

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 2527

By: Cleveland of the House

and

Dahm, Standridge and
Bergstrom of the Senate

8 An Act relating to firearms; amending 21 O.S. 2011,
9 Section 1277, as last amended by Section 1, Chapter
10 165, O.S.L. 2017 (21 O.S. Supp. 2017, Section 1277),
11 which relates to the unlawful carry of firearms in
12 certain places; providing exception for county
13 employees; and providing an effective date.

14 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
15 entire bill and insert

16 "An Act relating to firearms; amending 21 O.S. 2011,
17 Section 1277, as last amended by Section 1, Chapter
18 165, O.S.L. 2017 (21 O.S. Supp. 2017, Section 1277),
19 which relates to the unlawful carry of firearms in
20 certain places; providing exception for county
21 employees; allowing for additional training
22 requirements; providing exceptions; and providing an
23 effective date.

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

1 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as
2 last amended by Section 1, Chapter 165, O.S.L. 2017 (21 O.S. Supp.
3 2017, Section 1277), is amended to read as follows:

4 Section 1277.

5 UNLAWFUL CARRY IN CERTAIN PLACES

6 A. It shall be unlawful for any person in possession of a valid
7 handgun license issued pursuant to the provisions of the Oklahoma
8 Self-Defense Act to carry any concealed or unconcealed handgun into
9 any of the following places:

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

13 2. Any courthouse, courtroom, prison, jail, detention facility
14 or any facility used to process, hold or house arrested persons,
15 prisoners or persons alleged delinquent or adjudicated delinquent,
16 except as provided in Section 21 of Title 57 of the Oklahoma
17 Statutes;

18 3. Any public or private elementary or public or private
19 secondary school, except as provided in subsections C and D of this
20 section;

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

23 5. Any place where gambling is authorized by law, unless
24 allowed by the property owner; and

1 6. Any other place specifically prohibited by law.

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

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

8 2. Any property set aside for the use or parking of any
9 vehicle, whether attended or unattended, which is open to the
10 public, or by any entity engaged in gambling authorized by law;

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

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

21 5. Any property set aside by a public or private elementary or
22 secondary school for the use or parking of any vehicle, whether
23 attended or unattended; provided, however, said handgun shall be
24

1 stored and hidden from view in a locked motor vehicle when the motor
2 vehicle is left unattended on school property.

3 Nothing contained in any provision of this subsection or
4 subsection C of this section shall be construed to authorize or
5 allow any person in control of any place described in subsection A
6 of this section to establish any policy or rule that has the effect
7 of prohibiting any person in lawful possession of a handgun license
8 from possession of a handgun allowable under such license in places
9 described in this subsection.

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

1 D. Notwithstanding paragraph 3 of subsection A of this section,
2 a board of education of a school district may adopt a policy
3 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
4 authorize the carrying of a handgun onto school property by school
5 personnel specifically designated by the board of education,
6 provided such personnel either:

7 1. Possess a valid armed security guard license as provided for
8 in Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes; or

9 2. Hold a valid reserve peace officer certification as provided
10 for in Section 3311 of Title 70 of the Oklahoma Statutes.

11 Nothing in this subsection shall be construed to restrict authority
12 granted elsewhere in law to carry firearms.

13 E. 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 F. No person in possession of a valid handgun license issued
23 pursuant to the provisions of the Oklahoma Self-Defense Act shall be
24 authorized to carry the handgun into or upon any college, university

1 or technology center school property, except as provided in this
2 subsection. For purposes of this subsection, the following property
3 shall not be construed as prohibited for persons having a valid
4 handgun license:

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

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

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

19 The college, university or technology center school may notify
20 the Oklahoma State Bureau of Investigation within ten (10) days of a
21 violation of any provision of this subsection by a licensee. Upon
22 receipt of a written notification of violation, the Bureau shall
23 give a reasonable notice to the licensee and hold a hearing. At the
24 hearing, upon a determination that the licensee has violated any

1 provision of this subsection, the licensee may be subject to an
2 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may
3 have the handgun license suspended for three (3) months.

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

15 G. The provisions of this section shall not apply to the
16 following:

17 1. Any peace officer or any person authorized by law to carry a
18 pistol in the course of employment;

19 2. District judges, associate district judges and special
20 district judges, who are in possession of a valid handgun license
21 issued pursuant to the provisions of the Oklahoma Self-Defense Act
22 and whose names appear on a list maintained by the Administrative
23 Director of the Courts, when acting in the course and scope of
24 employment within the courthouses of this state;

1 3. Private investigators with a firearms authorization when
2 acting in the course and scope of employment; ~~and~~

3 4. Elected officials of a county, who are in possession of a
4 valid handgun license issued pursuant to the provisions of the
5 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
6 in the performance of their duties within the courthouses of the
7 county in which he or she was elected. The provisions of this
8 paragraph shall not allow the elected county official to carry the
9 handgun into a courtroom;

10 5. The sheriff of any county may authorize certain employees of
11 the county, who possess a valid handgun license issued pursuant to
12 the provisions of the Oklahoma Self-Defense Act, to carry a
13 concealed handgun when acting in the course and scope of employment
14 within the courthouses in the county in which the person is
15 employed. Nothing in this act shall prohibit the sheriff from
16 requiring additional instruction or training before receiving
17 authorization to carry a concealed handgun within the courthouse.
18 The provisions of this paragraph and of paragraph 6 of this
19 subsection shall not allow the county employee to carry the handgun
20 into a courtroom, sheriff's office, adult or juvenile jail or any
21 other prisoner detention area; and

22 6. The board of county commissioners of any county may
23 authorize certain employees of the county, who possess a valid
24 handgun license issued pursuant to the provisions of the Oklahoma

1 Self-Defense Act, to carry a concealed handgun when acting in the
2 course and scope of employment on county annex facilities or grounds
3 surrounding the county courthouse.

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

6 SECTION 2. This act shall become effective November 1, 2018."

7 Passed the Senate the 24th day of April, 2018.

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Presiding Officer of the Senate

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11 Passed the House of Representatives the ____ day of _____,

12 2018.

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Presiding Officer of the House
of Representatives

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2 BILL NO. 2527

By: Cleveland of the House

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4 Dahm, Standridge and
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8 Section 1277, as last amended by Section 1, Chapter
9 165, O.S.L. 2017 (21 O.S. Supp. 2017, Section 1277),
10 which relates to the unlawful carry of firearms in
11 certain places; providing exception for county
12 employees; and providing an effective date.

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

14 SECTION 3. AMENDATORY 21 O.S. 2011, Section 1277, as
15 last amended by Section 1, Chapter 165, O.S.L. 2017 (21 O.S. Supp.
16 2017, Section 1277), is amended to read as follows:

17 Section 1277.

18 UNLAWFUL CARRY IN CERTAIN PLACES

19 A. It shall be unlawful for any person in possession of a valid
20 handgun license issued pursuant to the provisions of the Oklahoma
21 Self-Defense Act to carry any concealed or unconcealed handgun into
22 any of the following places:

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

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

6 3. Any public or private elementary or public or private
7 secondary school, except as provided in subsections C and D of this
8 section;

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

11 5. Any place where gambling is authorized by law, unless
12 allowed by the property owner; and

13 6. Any other place specifically prohibited by law.

14 B. For purposes of subsection A of this section, the prohibited
15 place does not include and specifically excludes the following
16 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, which is open to the
22 public, or by any entity engaged in gambling authorized by law;

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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 subsection A
19 of this section to establish any policy or rule that has the effect
20 of prohibiting any person in lawful possession of a handgun license
21 from possession of a handgun allowable under such license in places
22 described in this subsection.

23 C. A concealed or unconcealed weapon may be carried onto
24 private school property or in any school bus or vehicle used by any

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

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

- 20 1. Possess a valid armed security guard license as provided for
21 in Section 1750.1 et seq. of Title 59 of the Oklahoma Statutes; or
- 22 2. Hold a valid reserve peace officer certification as provided
23 for in Section 3311 of Title 70 of the Oklahoma Statutes.

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1 Nothing in this subsection shall be construed to restrict authority
2 granted elsewhere in law to carry firearms.

3 E. Any person violating the provisions of paragraph 2 or 3 of
4 subsection A of this section shall, upon conviction, be guilty of a
5 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
6 Dollars (\$250.00). A person violating any other provision of
7 subsection A of this section may be denied entrance onto the
8 property or removed from the property. If the person refuses to
9 leave the property and a peace officer is summoned, the person may
10 be issued a citation for an amount not to exceed Two Hundred Fifty
11 Dollars (\$250.00).

12 F. No person in possession of a valid handgun license issued
13 pursuant to the provisions of the Oklahoma Self-Defense Act shall be
14 authorized to carry the handgun into or upon any college, university
15 or technology center school property, except as provided in this
16 subsection. For purposes of this subsection, the following property
17 shall not be construed as prohibited for persons having a valid
18 handgun license:

19 1. Any property set aside for the use or parking of any
20 vehicle, whether attended or unattended, provided the handgun is
21 carried or stored as required by law and the handgun is not removed
22 from the vehicle without the prior consent of the college or
23 university president or technology center school administrator while
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1 the vehicle is on any college, university or technology center
2 school property;

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

5 3. Any property authorized by the written consent of the
6 college or university president or technology center school
7 administrator, provided the written consent is carried with the
8 handgun and the valid handgun license while on college, university
9 or technology center school property.

10 The college, university or technology center school may notify
11 the Oklahoma State Bureau of Investigation within ten (10) days of a
12 violation of any provision of this subsection by a licensee. Upon
13 receipt of a written notification of violation, the Bureau shall
14 give a reasonable notice to the licensee and hold a hearing. At the
15 hearing, upon a determination that the licensee has violated any
16 provision of this subsection, the licensee may be subject to an
17 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may
18 have the handgun license suspended for three (3) months.

19 Nothing contained in any provision of this subsection shall be
20 construed to authorize or allow any college, university or
21 technology center school to establish any policy or rule that has
22 the effect of prohibiting any person in lawful possession of a
23 handgun license from possession of a handgun allowable under such
24 license in places described in paragraphs 1, 2 and 3 of this

1 subsection. Nothing contained in any provision of this subsection
2 shall be construed to limit the authority of any college, university
3 or technology center school in this state from taking administrative
4 action against any student for any violation of any provision of
5 this subsection.

6 G. The provisions of this section shall not apply to the
7 following:

8 1. Any peace officer or any person authorized by law to carry a
9 pistol in the course of employment;

10 2. District judges, associate district judges and special
11 district judges, who are in possession of a valid handgun license
12 issued pursuant to the provisions of the Oklahoma Self-Defense Act
13 and whose names appear on a list maintained by the Administrative
14 Director of the Courts, when acting in the course and scope of
15 employment within the courthouses of this state;

16 3. Private investigators with a firearms authorization when
17 acting in the course and scope of employment; ~~and~~

18 4. Elected officials of a county, who are in possession of a
19 valid handgun license issued pursuant to the provisions of the
20 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
21 in the performance of their duties within the courthouses of the
22 county in which he or she was elected. The provisions of this
23 paragraph shall not allow the elected county official to carry the
24 handgun into a courtroom; and

