

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

Mr./Madame President:

I move to amend House Bill No. 2645, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Bergstrom

Bergstrom-BG-FS-Req#2122  
4/21/2021 9:28 PM

(Floor Amendments Only) Date and Time Filed: \_\_\_\_\_

Untimely

Amendment Cycle Extended

Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

FLOOR SUBSTITUTE  
FOR ENGROSSED

HOUSE BILL NO. 2645

By: Echols, Davis, Roberts  
(Sean), West (Kevin),  
Hardin (David), McDugle,  
Steagall, Crosswhite Hader,  
Bashore and Newton of the  
House

and

Bergstrom, Murdock,  
Bullard, Hamilton and  
Stephens of the Senate

FLOOR SUBSTITUTE

An Act relating to amending 21 O.S. 2011, Section 1277, as last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1277), which relates to the unlawful carry of firearms in certain places; prohibiting the carry of firearms on government property with minimum-security provisions; describing minimum-security features; clarifying exemption that authorizes the possession of firearms on certain property; authorizing concealed carry of firearms on government property during permitted events that lack minimum-security provisions; providing certain limitation; and declaring an emergency.

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 235, O.S.L. 2019 (21 O.S. Supp.  
3 2020, 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, including a person in  
7 possession of a valid handgun license issued pursuant to the  
8 provisions of the Oklahoma Self-Defense Act, to carry any concealed  
9 or unconcealed ~~handgun~~ firearm into 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; and

2       7. Any property set aside by a county, city, town, public trust  
3 with a county, city or town as a beneficiary, or state governmental  
4 authority for an event that is secured with minimum-security  
5 provisions. For purposes of this paragraph, a minimum-security  
6 provision consists of a location that is secured utilizing the  
7 following:

8           a. a metallic-style security fence that is at least eight  
9           (8) feet in height that encompasses the property and  
10           is secured in such a way as to deter unauthorized  
11           entry,

12           b. controlled access points staffed by a uniformed,  
13           commissioned peace officer, and

14           c. a metal detector whereby persons walk or otherwise  
15           travel with their property through or by the metal  
16           detector.

17       ~~B. For purposes of subsection A of this section, the prohibited~~  
18 ~~place does not include and specifically excludes~~ It shall be lawful  
19 for a person to carry a concealed or unconcealed firearm on the  
20 following ~~property~~ properties:

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

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

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

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

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

19           6. Any public property set aside temporarily by a county, city,  
20 town, public trust with a county, city or town as a beneficiary, or  
21 state governmental authority for the holder of an event permit that  
22 is without minimum-security provisions, as such term is defined in  
23 paragraph 7 of subsection A of this section; provided, the carry of  
24 firearms within said permitted event area shall be limited to

1 concealed carry of a handgun unless otherwise authorized by the  
2 holder of the event permit.

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 or otherwise in lawful possession of a firearm from carrying or  
9 possessing the firearm on the property 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 not be ~~immune from~~ subject to liability for any  
22 injuries arising from the adoption of the policy. The provisions of  
23 this subsection shall not apply to claims pursuant to the  
24 Administrative Workers' 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. ~~In~~ Notwithstanding the provisions of subsection A of this  
14 section, on any property designated as a municipal zoo or park of  
15 any size that is owned, leased, operated or managed by:

16 1. A public trust created pursuant to the provisions of Section  
17 176 of Title 60 of the Oklahoma Statutes; or

18 2. A nonprofit entity,  
19 an individual shall be allowed to carry a concealed handgun but not  
20 openly carry a handgun on the property.

21 F. Any person violating the provisions of paragraph 2 or 3 of  
22 subsection A of this section shall, upon conviction, be guilty of a  
23 misdemeanor punishable by a fine not to exceed Two Hundred Fifty  
24 Dollars (\$250.00). A person violating any other provision of

1 subsection A of this section may be denied entrance onto the  
2 property or removed from the property. If the person refuses to  
3 leave the property and a peace officer is summoned, the person may  
4 be issued a citation for an amount not to exceed Two Hundred Fifty  
5 Dollars (\$250.00).

6 G. No person in possession of a valid handgun license issued  
7 pursuant to the provisions of the Oklahoma Self-Defense Act or who  
8 is carrying or in possession of a firearm as otherwise permitted by  
9 law or who is carrying or in possession of a machete, blackjack,  
10 loaded cane, hand chain or metal knuckles shall be authorized to  
11 carry the firearm, machete, blackjack, loaded cane, hand chain or  
12 metal knuckles into or upon any college, university or technology  
13 center school property, except as provided in this subsection. For  
14 purposes of this subsection, the following property shall not be  
15 construed to be college, university or technology center school  
16 property:

17 1. Any property set aside for the use or parking of any motor  
18 vehicle, whether attended or unattended, provided the firearm,  
19 machete, blackjack, loaded cane, hand chain or metal knuckles are  
20 carried or stored as required by law and the firearm, machete,  
21 blackjack, loaded cane, hand chain or metal knuckles are not removed  
22 from the motor vehicle without the prior consent of the college or  
23 university president or technology center school administrator while  
24



1 the vehicle is on any college, university or technology center  
2 school property;

3 2. Any property authorized for possession or use of firearms,  
4 machetes, blackjacks, loaded canes, hand chains or metal knuckles by  
5 college, university or technology center school policy; and

6 3. Any property authorized by the written consent of the  
7 college or university president or technology center school  
8 administrator, provided the written consent is carried with the  
9 firearm, machete, blackjack, loaded cane, hand chain or metal  
10 knuckles and the valid handgun license while on college, university  
11 or technology center school property.

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

21 Nothing contained in any provision of this subsection shall be  
22 construed to authorize or allow any college, university or  
23 technology center school to establish any policy or rule that has  
24 the effect of prohibiting any person in lawful possession of a

1 handgun license or any person in lawful possession of a firearm,  
2 machete, blackjack, loaded cane, hand chain or metal knuckles from  
3 possession of a firearm, machete, blackjack, loaded cane, hand chain  
4 or metal knuckles in places described in paragraphs 1, 2 and 3 of  
5 this subsection. Nothing contained in any provision of this  
6 subsection shall be construed to limit the authority of any college,  
7 university or technology center school in this state from taking  
8 administrative action against any student for any violation of any  
9 provision of this subsection.

10 H. The provisions of this section shall not apply to the  
11 following:

12 1. Any peace officer or any person authorized by law to carry a  
13 firearm in the course of employment;

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

20 3. Private investigators with a firearms authorization when  
21 acting in the course and scope of employment;

22 4. Elected officials of a county, who are in possession of a  
23 valid handgun license issued pursuant to the provisions of the  
24 Oklahoma Self-Defense Act, may carry a concealed handgun when acting

1 in the performance of ~~their~~ his or her duties within the courthouses  
2 of the county in which he or she was elected. The provisions of  
3 this paragraph shall not allow the elected county official to carry  
4 the handgun into a courtroom;

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

18 6. The board of county commissioners of any county may  
19 authorize certain employees of the county, who possess a valid  
20 handgun license issued pursuant to the provisions of the Oklahoma  
21 Self-Defense Act, to carry a concealed handgun when acting in the  
22 course and scope of employment on county annex facilities or grounds  
23 surrounding the county courthouse.

24

1 I. For the purposes of this section, "motor vehicle" means any  
2 automobile, truck, minivan, sports utility vehicle, or motorcycle,  
3 as defined in Section 1-135 of Title 47 of the Oklahoma Statutes,  
4 equipped with a locked accessory container within or affixed to the  
5 motorcycle.

6 SECTION 2. It being immediately necessary for the preservation  
7 of the public peace, health or safety, an emergency is hereby  
8 declared to exist, by reason whereof this act shall take effect and  
9 be in full force from and after its passage and approval.

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