

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2334

By: Steagall

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5  
6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1277, as last amended by Section 1, Chapter  
9 235, O.S.L. 2019 (21 O.S. Supp. 2020, Section 1277),  
10 which relates to the unlawful carry of firearms;  
11 clarifying exemption that authorizes the possession  
12 of firearms on certain property; authorizing open  
13 carry on property of nonprofit entities and public  
14 trusts under certain circumstances; stating exclusion  
15 for certain properties and events; and providing an  
16 effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1277, as  
19 last amended by Section 1, Chapter 235, O.S.L. 2019 (21 O.S. Supp.  
20 2020, Section 1277), is amended to read as follows:

Section 1277.

21 UNLAWFUL CARRY IN CERTAIN PLACES

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

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 courthouse, courtroom, prison, jail, detention facility  
5 or any facility used to process, hold or house arrested persons,  
6 prisoners or persons alleged delinquent or adjudicated delinquent,  
7 except as provided in Section 21 of Title 57 of the Oklahoma  
8 Statutes;

9 3. Any public or private elementary or public or private  
10 secondary school, except as provided in subsections C and D of this  
11 section;

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

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

16 6. Any other place specifically prohibited by law.

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;

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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 statute, ordinance, resolution,  
8 policy or use by a city, town, county or state governmental  
9 authority as a street, plaza, sidewalk, alley, park, recreational  
10 area, wildlife refuge, wildlife management area or fairgrounds;  
11 provided, nothing in this paragraph shall be construed to authorize  
12 any entry by a person in possession of a concealed or unconcealed  
13 firearm into any structure, building or office space which is  
14 specifically prohibited by the provisions of subsection A of this  
15 section; and

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

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

1 of prohibiting any person in lawful possession of a handgun license  
2 or otherwise in lawful possession of a firearm from carrying or  
3 possessing the firearm on the property described in this subsection.

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

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

- 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; or  
3           2. Hold a valid reserve peace officer certification as provided  
4 for in Section 3311 of Title 70 of the Oklahoma Statutes.

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

7           E. ~~In~~ For any property designated by statute, ordinance,  
8 resolution, policy or use by a municipality as a municipal zoo or  
9 park of any size that is owned, leased, operated or managed by:

10           1. A public trust created pursuant to the provisions of Section  
11 176 of Title 60 of the Oklahoma Statutes; or

12           2. A nonprofit entity,  
13 an individual shall be allowed to carry a concealed handgun but not  
14 openly carry a handgun on the property; provided, however, an  
15 individual may openly carry a handgun or other firearm on the  
16 property with permission from the public trust or nonprofit entity.

17           F. Any person violating the provisions of paragraph 2 or 3 of  
18 subsection A of this section shall, upon conviction, be guilty of a  
19 misdemeanor punishable by a fine not to exceed Two Hundred Fifty  
20 Dollars (\$250.00). A person violating any other provision of  
21 subsection A of this section may be denied entrance onto the  
22 property or removed from the property. If the person refuses to  
23 leave the property and a peace officer is summoned, the person may  
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1 be issued a citation for an amount not to exceed Two Hundred Fifty  
2 Dollars (\$250.00).

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

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

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

4        3. Any property authorized by the written consent of the  
5 college or university president or technology center school  
6 administrator, provided the written consent is carried with the  
7 firearm, machete, blackjack, loaded cane, hand chain or metal  
8 knuckles 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 or any person in lawful possession of a firearm,  
24 machete, blackjack, loaded cane, hand chain or metal knuckles from

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

8 H. The provisions of this section shall not apply to the  
9 following:

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

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

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

20 4. Elected officials of a county, who are in possession of a  
21 valid handgun license issued pursuant to the provisions of the  
22 Oklahoma Self-Defense Act, may carry a concealed handgun when acting  
23 in the performance of their duties within the courthouses of the  
24 county in which he or she was elected. The provisions of this



1 paragraph shall not allow the elected county official to carry the  
2 handgun into a courtroom;

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

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

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

3 SECTION 2. This act shall become effective November 1, 2021.

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5 58-1-5835 GRS 12/4/20

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