

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 HOUSE BILL 3012

By: Crosswhite Hader

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6 AS INTRODUCED

7 An Act relating to firearms; amending 21 O.S. 2021,
8 Section 1280.1, which relates to possession of
9 firearms on school property; authorizing the
10 transport and storage of firearms and weapons on
11 school property under certain circumstances; removing
12 certain qualifier; updating language; clarifying
13 liability provision; considering certain individuals
14 as licensed and verified pursuant to the federal Gun-
15 Free School Zones Act of 1990; and providing an
16 effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1280.1, is
18 amended to read as follows:

19 Section 1280.1 A. It shall be unlawful for any person to have
20 in his or her possession on any public or private school property or
21 while in any school bus or vehicle used by any school for
22 transportation of students or teachers any firearm or weapon
23 designated in Section 1272 of this title, except as provided in
24 subsection C of this section or as otherwise authorized by law.

1 B. For purposes of this section:

2 1. "School property" means any publicly owned property held for
3 purposes of elementary, secondary or vocational-technical education,
4 and shall not include property owned by public school districts or
5 where such property is leased or rented to an individual or
6 corporation and used for purposes other than educational;

7 2. "Private school" means a school that offers a course of
8 instruction for students in one or more grades from prekindergarten
9 through grade twelve and is not operated by a governmental entity;
10 and

11 3. "Motor vehicle" means any automobile, truck, minivan or
12 sports utility vehicle.

13 C. Firearms and weapons are allowed on school property and
14 deemed not in violation of subsection A of this section as follows:

15 1. A ~~gun~~ firearm or knife designed for self-defense or for
16 hunting or fishing purposes kept in a privately owned vehicle and
17 properly displayed or stored as required by law, ~~provided such~~
18 ~~vehicle containing said gun or knife is driven onto school property~~
19 ~~only to transport a student to and from school and such vehicle does~~
20 ~~not remain unattended on school property;~~

21 2. A ~~gun~~ firearm or knife used for the purposes of
22 participating in the Oklahoma Department of Wildlife Conservation
23 certified hunter training education course or any other hunting,
24 fishing, safety or firearms training courses, or a recognized

1 firearms sports event, team shooting program or competition, or
2 living history reenactment, provided the course or event is approved
3 by the principal or chief administrator of the school where the
4 course or event is offered, and provided the ~~weapon~~ firearm or knife
5 is properly displayed or stored as required by law pending
6 participation in the course, event, program or competition;

7 3. ~~Weapons~~ Firearms or weapons in the possession of any peace
8 officer or other person authorized by law to possess ~~a weapon~~
9 firearms or weapons in the performance of his or her duties and
10 responsibilities;

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

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1 provisions of this paragraph shall not apply to claims pursuant to
2 the Workers' Compensation Code;

3 5. A ~~gun~~ firearm, knife, bayonet or other weapon in the
4 possession of a member of a veterans group, the ~~national guard~~
5 National Guard, active military, the Reserve Officers' Training
6 Corps (ROTC) or Junior ROTC, in order to participate in a ceremony,
7 assembly or educational program approved by the principal or chief
8 administrator of a school or school district where the ceremony,
9 assembly or educational program is being held; provided, however,
10 the ~~gun~~ firearm or other weapon that uses projectiles is not loaded
11 and is inoperable at all times while on school property;

12 6. A ~~handgun~~ firearm carried in a motor vehicle pursuant to a
13 ~~valid handgun license authorized by~~ the provisions of the Oklahoma
14 Self-Defense Act onto property set aside by a public or private
15 elementary or secondary school for the use or parking of any
16 vehicle; provided, however, ~~said handgun~~ the firearm shall be stored
17 and hidden from view in a locked motor vehicle when the motor
18 vehicle is left unattended on school property; and

19 7. A handgun carried onto public school property by school
20 personnel who have been designated by the board of education,
21 provided such personnel either:

22 a. possess a valid armed security guard license as
23 provided for in Section 1750.1 et seq. of Title 59 of
24 the Oklahoma Statutes, or

1 b. hold a valid reserve peace officer certification as
2 provided for in Section 3311 of Title 70 of the
3 Oklahoma Statutes,
4 if a policy has been adopted by the board of education of the school
5 district that authorizes the carrying of a handgun onto public
6 school property by such personnel. Nothing in this subsection shall
7 be construed to restrict authority granted elsewhere in law to carry
8 firearms.

9 D. Any person violating the provisions of this section shall,
10 upon conviction, be guilty of a misdemeanor punishable by a fine of
11 not to exceed Two Hundred Fifty Dollars (\$250.00).

12 E. Considering the right to keep and bear arms provided in
13 Section 26 of Article II of the Oklahoma Constitution, any person
14 who is not precluded from lawfully owning and possessing a firearm
15 pursuant to state law shall be considered to be individually
16 authorized by the State of Oklahoma within the meaning of the
17 provisions regarding individual licensure and verification pursuant
18 to the federal Gun-Free School Zones Act of 1990.

19 SECTION 2. This act shall become effective November 1, 2024.

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21 59-2-9076 GRS 12/21/23

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