

1 **SENATE FLOOR VERSION**

2 February 22, 2021

3 SENATE BILL NO. 730

By: Dahm

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7 An Act relating to firearms; amending 21 O.S. 2011,  
8 Section 1289.7a, as amended by Section 13, Chapter  
9 259, O.S.L. 2012 (21 O.S. Supp. 2020, Section  
10 1289.7a), which relates to transporting or storing  
11 firearms; removing certain prohibition; prohibiting  
12 certain policy or rule; amending 21 O.S. 2011,  
13 Section 1290.22, as last amended by Section 12,  
14 Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section  
15 1290.22), which relates to business owner's rights;  
16 removing certain prohibition; prohibiting certain  
17 policy or rule; and providing an effective date.

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

19 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1289.7a, as  
20 amended by Section 13, Chapter 259, O.S.L. 2012 (21 O.S. Supp. 2020,  
21 Section 1289.7a), is amended to read as follows:

22 Section 1289.7a. A. No person, property owner, tenant,  
23 employer, or business entity shall maintain, establish, or enforce  
24 any policy or rule that has the effect of prohibiting any person,  
except a convicted felon, from transporting and storing firearms or  
ammunition in a locked motor vehicle, or from transporting and

1 storing firearms or ammunition locked in or locked to a motor  
2 vehicle on any property set aside for any motor vehicle.

3 B. No person, property owner, tenant, employer, or business  
4 entity shall ~~be liable in any civil action for occurrences which~~  
5 ~~result from the storing of~~ establish or enforce any policy or rule  
6 that prohibits any person or employee, except a convicted felon from  
7 transporting, carrying or storing firearms or ammunition in a locked  
8 motor vehicle on any property set aside for any motor vehicle,  
9 ~~unless the person, property owner, tenant, employer, or owner of the~~  
10 ~~business entity commits a criminal act involving the use of the~~  
11 ~~firearms or ammunition. The provisions of this subsection shall not~~  
12 ~~apply to claims pursuant to the Workers' Compensation Act~~ or a motor  
13 vehicle owned, leased or rented by the person or employee to conduct  
14 business for the business entity.

15 C. An individual may bring a civil action to enforce this  
16 section. If a plaintiff prevails in a civil action related to the  
17 personnel manual against a person, property owner, tenant, employer  
18 or business for a violation of this section, the court shall award  
19 actual damages, enjoin further violations of this section, and award  
20 court costs and attorney fees to the prevailing plaintiff.

21 D. As used in this section, "motor vehicle" means any  
22 automobile, truck, minivan, sports utility vehicle, motorcycle,  
23 motor scooter, and any other vehicle required to be registered under  
24 the Oklahoma Vehicle License and Registration Act.

1 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.22, as  
2 last amended by Section 12, Chapter 1, O.S.L. 2019 (21 O.S. Supp.  
3 2020, Section 1290.22), is amended to read as follows:

4 Section 1290.22.

5 BUSINESS OWNER'S RIGHTS

6 A. Except as provided in subsections B, C and D of this  
7 section, nothing contained in any provision of the Oklahoma Self-  
8 Defense Act shall be construed to limit, restrict or prohibit in any  
9 manner the existing rights of any person, property owner, tenant,  
10 employer, place of worship or business entity to control the  
11 possession of weapons on any property owned or controlled by the  
12 person or business entity.

13 B. No person, property owner, tenant, employer, holder of an  
14 event permit, place of worship or business entity shall be permitted  
15 to establish any policy or rule that ~~has the effect of prohibiting~~  
16 prohibits any person, except a convicted felon, from transporting  
17 and storing firearms in a locked vehicle on any property set aside  
18 for any vehicle or from transporting, carrying or storing firearms  
19 or ammunition in a motor vehicle owned, leased or rented by the  
20 person or employee while conducting business for the business  
21 entity.

22 C. A property owner, tenant, employer, place of worship or  
23 business entity may prohibit any person from carrying a concealed or  
24 unconcealed firearm on the property. If the building or property is

1 open to the public, the property owner, tenant, employer, place of  
2 worship or business entity shall post signs on or about the property  
3 stating such prohibition.

4 D. No person, property owner, tenant, employer, holder of an  
5 event permit, place of worship or business entity shall be permitted  
6 to establish any policy or rule that has the effect of prohibiting  
7 any person from carrying a concealed or unconcealed firearm on  
8 property within the specific exclusion provided for in paragraph 4  
9 of subsection B of Section 1277 of this title; provided that  
10 carrying a concealed or unconcealed firearm may be prohibited in the  
11 following places:

12 1. The portion of a public property structure or building  
13 during an event authorized by the city, town, county, state or  
14 federal governmental authority owning or controlling such building  
15 or structure;

16 2. Any public property sports field, including any adjacent  
17 seating or adjacent area set aside for viewing a sporting event,  
18 where an elementary or secondary school, collegiate, or professional  
19 sporting event or an International Olympic Committee or organization  
20 or any committee subordinate to the International Olympic Committee  
21 event is being held;

22 3. The fairgrounds during the Oklahoma State Fair or the Tulsa  
23 State Fair; and  
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1           4. The portion of a public property structure or building that  
2 is leased or under contract to a business or not-for-profit entity  
3 or group for offices.

4           E. The otherwise lawful carrying of a concealed or unconcealed  
5 firearm by a person on property that has signs prohibiting the  
6 carrying of firearms shall subject the person to being denied  
7 entrance onto the property or removed from the property. If the  
8 person:

9           1. Has been informed by the property owner, business entity or  
10 manager of the business that the person is in violation of a policy  
11 that prohibits firearms on the property; and

12           2. Refuses to leave the property and a peace officer is  
13 summoned,  
14 the person may be punished as provided in Section 1276 of this  
15 title.

16           F. A person, property owner, tenant, employer, holder of an  
17 event permit, place of worship or business entity that does or does  
18 not prohibit any individual, except a convicted felon, from carrying  
19 a loaded or unloaded, concealed or unconcealed weapon on property  
20 that the person, property owner, tenant, employer, holder of an  
21 event permit, place of worship or business entity owns, or has legal  
22 control of, is immune from any liability arising from that decision.  
23 Except for acts of gross negligence or willful or wanton misconduct,  
24 an employer who does or does not prohibit his or her employees from

1 carrying a concealed or unconcealed weapon is immune from any  
2 liability arising from that decision. A person, property owner,  
3 tenant, employer, holder of an event permit, place of worship or  
4 business entity that does not prohibit persons from carrying a  
5 concealed or unconcealed weapon pursuant to subsection D of this  
6 section shall be immune from any liability arising from the carrying  
7 of a concealed or unconcealed weapon, while in the scope of  
8 employment, on the property or in or about a business entity  
9 vehicle. The provisions of this subsection shall not apply to  
10 claims pursuant to the Administrative Workers' Compensation Act.

11 G. It shall not be considered part of an employee's job  
12 description or within the employee's scope of employment if an  
13 employee is allowed to carry or discharge a weapon pursuant to this  
14 section.

15 H. Nothing in subsections F and G of this section shall prevent  
16 an employer, employee or person who has suffered loss resulting from  
17 the discharge of a weapon to seek redress or damages of the person  
18 who discharged the weapon or used the weapon outside the provisions  
19 of the Oklahoma Self-Defense Act.

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

21 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
22 February 22, 2021 - DO PASS  
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