

1 ENGROSSED HOUSE
2 BILL NO. 2136

By: McDugle and Steagall of the
House

3 and

4 Stephens of the Senate
5

6 An Act relating to crimes and punishments; amending
7 21 O.S. 2021, Section 1277, which relates to the
8 unlawful carry of firearms in certain places;
9 providing an exception to certain prohibited act;
10 authorizing municipalities to allow employees or
11 public officials to carry firearms under certain
12 circumstances; providing restrictions; defining term;
13 providing construing provision; providing for the
14 public display of firearms subject to policies; and
15 providing an effective date.

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

17 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1277, is
18 amended to read as follows:

19 Section 1277.

20 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

1 Notwithstanding the provisions of this subsection, the governing
2 body of a city or town may authorize the concealed carry of handguns
3 into any structure, building or office space, except those places
4 listed in paragraph 2 of this subsection, which is owned or leased
5 by a city or town;

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

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

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

16 5. Any place where gambling is authorized by law, unless
17 allowed by the property owner;

18 6. Any other place specifically prohibited by law; and

19 7. Any property set aside by a county, city, town, public trust
20 with a county, city or town as a beneficiary, or state governmental
21 authority for an event that is secured with minimum-security
22 provisions. For purposes of this paragraph, a minimum-security
23 provision consists of a location that is secured utilizing the
24 following:

- a. a metallic-style security fence that is at least eight (8) feet in height that encompasses the property and is secured in such a way as to deter unauthorized entry,
- b. controlled access points staffed by a uniformed, commissioned peace officer, and
- c. a metal detector whereby persons walk or otherwise travel with their property through or by the metal detector.

B. It shall be lawful for a person to carry a concealed or unconcealed firearm on the following properties:

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

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

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

4. Any property designated by a city, town, county or state governmental authority as a park, recreational area, wildlife refuge, wildlife management area or fairgrounds; provided, nothing in this paragraph shall be construed to authorize any entry by a

1 person in possession of a concealed or unconcealed firearm into any
2 structure, building, office space or event which is specifically
3 prohibited by the provisions of subsection A of this section;

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

9 6. Any public property set aside temporarily by a county, city,
10 town, public trust with a county, city or town as a beneficiary, or
11 state governmental authority for the holder of an event permit that
12 is without minimum-security provisions, as such term is defined in
13 paragraph 7 of subsection A of this section; provided, the carry of
14 firearms within said permitted event area shall be limited to
15 concealed carry of a handgun unless otherwise authorized by the
16 holder of the event permit.

17 Nothing contained in any provision of this subsection or
18 subsection C of this section shall be construed to authorize or
19 allow any person in control of any place described in subsection A
20 of this section to establish any policy or rule that has the effect
21 of prohibiting any person in lawful possession of a handgun license
22 or otherwise in lawful possession of a firearm from carrying or
23 possessing the firearm on the property described in this subsection.

24

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

16 D. Notwithstanding paragraph 3 of subsection A of this section,
17 a board of education of a school district may adopt a policy
18 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
19 authorize the carrying of a handgun onto school property by school
20 personnel specifically designated by the board of education,7;
21 provided, such personnel either:

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

1 2. Hold a valid reserve peace officer certification as provided
2 for in Section 3311 of Title 70 of the Oklahoma Statutes.
3 Nothing in this subsection shall be construed to restrict authority
4 granted elsewhere in law to carry firearms.

5 E. Notwithstanding the provisions of subsection A of this
6 section, on any property designated as a municipal zoo or park of
7 any size that is owned, leased, operated, or managed by:

8 1. A public trust created pursuant to the provisions of Section
9 176 of Title 60 of the Oklahoma Statutes; or

10 2. A nonprofit entity,
11 an individual shall be allowed to carry a concealed handgun but not
12 openly carry a handgun on the property.

13 F. 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 G. No person in possession of a valid handgun license issued
23 pursuant to the provisions of the Oklahoma Self-Defense Act or who
24 is carrying or in possession of a firearm as otherwise permitted by

1 law or who is carrying or in possession of a machete, blackjack,
2 loaded cane, hand chain or metal knuckles shall be authorized to
3 carry the firearm, machete, blackjack, loaded cane, hand chain or
4 metal knuckles into or upon any college, university or technology
5 center school property, except as provided in this subsection. For
6 purposes of this subsection, the following property shall not be
7 construed to be college, university or technology center school
8 property:

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

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

21 3. Any property authorized by the written consent of the
22 college or university president or technology center school
23 administrator, provided the written consent is carried with the
24 firearm, machete, blackjack, loaded cane, hand chain or metal

1 knuckles and the valid handgun license while on college, university
2 or technology center school property.

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

12 Nothing contained in any provision of this subsection shall be
13 construed to authorize or allow any college, university or
14 technology center school to establish any policy or rule that has
15 the effect of prohibiting any person in lawful possession of a
16 handgun license or any person in lawful possession of a firearm,
17 machete, blackjack, loaded cane, hand chain or metal knuckles from
18 possession of a firearm, machete, blackjack, loaded cane, hand chain
19 or metal knuckles in places described in paragraphs 1, 2 and 3 of
20 this subsection. Nothing contained in any provision of this
21 subsection shall be construed to limit the authority of any college,
22 university or technology center school in this state from taking
23 administrative action against any student for any violation of any
24 provision of this subsection.

1 H. The provisions of this section shall not apply to the
2 following:

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

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

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

13 4. Elected officials of a county, who are in possession of a
14 valid handgun license issued pursuant to the provisions of the
15 Oklahoma Self-Defense Act, may carry a concealed handgun when acting
16 in the performance of his or her duties within the courthouses of
17 the county in which he or she was elected. The provisions of this
18 paragraph shall not allow the elected county official to carry the
19 handgun into a courtroom;

20 5. The sheriff of any county may authorize certain employees of
21 the county, who possess a valid handgun license issued pursuant to
22 the provisions of the Oklahoma Self-Defense Act, to carry a
23 concealed handgun when acting in the course and scope of employment
24 within the courthouse in the county in which the person is employed.

1 Nothing in the Oklahoma Self-Defense Act shall prohibit the sheriff
2 from requiring additional instruction or training before granting
3 authorization to carry a concealed handgun within the courthouse.
4 The provisions of this paragraph and of paragraph 6 of this
5 subsection shall not allow the county employee to carry the handgun
6 into a courtroom, sheriff's office, adult or juvenile jail or any
7 other prisoner detention area; and

8 6. The board of county commissioners of any county may
9 authorize certain employees of the county, who possess a valid
10 handgun license issued pursuant to the provisions of the Oklahoma
11 Self-Defense Act, to carry a concealed handgun when acting in the
12 course and scope of employment on county annex facilities or grounds
13 surrounding the county courthouse.

14 I. 1. Municipalities may authorize certain employees or public
15 officials of the municipality, municipal public trust, or municipal
16 authority who possess a valid handgun license issued pursuant to the
17 provisions of the Oklahoma Self-Defense Act and who have
18 successfully completed any additional training or requirements, as
19 established by ordinance or resolution, to carry a concealed
20 handgun when acting in the course and scope of employment.

21 2. For purposes of this subsection, firearms may not be present
22 in a location that is a firearm-prohibited location. As used in
23 this paragraph, "firearm-prohibited location" shall include the
24 following locations:

1 a. any structure, building, or office space on
2 municipally owned, leased, or maintained property
3 designated as a firearm-prohibited location by the
4 municipality, municipal public trust, or municipal
5 authority, and

6 b. any police department, courthouse, courtroom, prison,
7 jail, detention facility, or any facility used to
8 process, hold, or house arrested persons, prisoners,
9 or persons alleged delinquent or adjudicated
10 delinquent.

11 3. Nothing in this section shall be construed as a mechanism to
12 allow municipal employees to carry a firearm as a duty or function
13 of their employment with the municipality, municipal public trust,
14 or municipal authority.

15 4. Municipalities may authorize the public display of firearms
16 in public buildings subject to policies established by the
17 municipality, municipal public trust, or municipal authority.

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

23 SECTION 2. This act shall become effective November 1, 2023.

1 Passed the House of Representatives the 21st day of March, 2023.

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3 _____
4 Presiding Officer of the House
5 of Representatives

6 Passed the Senate the ____ day of _____, 2023.

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8 _____
9 Presiding Officer of the Senate