

1 **SENATE FLOOR VERSION**

February 15, 2024

2 **AS AMENDED**

3 SENATE BILL NO. 1936

By: Dahm

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5
6 **[firearms - unlawful carry - elected officials -**
7 **effective date]**

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

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

12 Section 1277.

13 UNLAWFUL CARRY IN CERTAIN PLACES

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

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

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

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

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

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

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

11 7. Any property set aside by a county, city, town, public trust
12 with a county, city or town as a beneficiary, or state governmental
13 authority for an event that is secured with minimum-security
14 provisions. For purposes of this paragraph, a minimum-security
15 provision consists of a location that is secured utilizing the
16 following:

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

21 b. controlled access points staffed by a uniformed,
22 commissioned peace officer, and

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1 c. a metal detector whereby persons walk or otherwise
2 travel with their property through or by the metal
3 detector.

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

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

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

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

15 4. Any property designated by a city, town, county or state
16 governmental authority as a park, recreational area, wildlife
17 refuge, wildlife management area or fairgrounds; provided, nothing
18 in this paragraph shall be construed to authorize any entry by a
19 person in possession of a concealed or unconcealed firearm into any
20 structure, building, office space or event which is specifically
21 prohibited by the provisions of subsection A of this section;

22 5. Any property set aside by a public or private elementary or
23 secondary school for the use or parking of any vehicle, whether
24 attended or unattended; provided, however, the firearm shall be

1 stored and hidden from view in a locked motor vehicle when the motor
2 vehicle is left unattended on school property; and

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

11 Nothing contained in any provision of this subsection or
12 subsection C of this section shall be construed to authorize or
13 allow any person in control of any place described in subsection A
14 of this section to establish any policy or rule that has the effect
15 of prohibiting any person in lawful possession of a handgun license
16 or otherwise in lawful possession of a firearm from carrying or
17 possessing the firearm on the property described in this subsection.

18 C. A concealed or unconcealed weapon may be carried onto
19 private school property or in any school bus or vehicle used by any
20 private school for transportation of students or teachers by a
21 person who is licensed pursuant to the Oklahoma Self-Defense Act,
22 provided a policy has been adopted by the governing entity of the
23 private school that authorizes the carrying and possession of a
24 weapon on private school property or in any school bus or vehicle

1 used by a private school. Except for acts of gross negligence or
2 willful or wanton misconduct, a governing entity of a private school
3 that adopts a policy which authorizes the possession of a weapon on
4 private school property, a school bus or vehicle used by the private
5 school shall not be subject to liability for any injuries arising
6 from the adoption of the policy. The provisions of this subsection
7 shall not apply to claims pursuant to the Administrative Workers'
8 Compensation Act.

9 D. Notwithstanding paragraph 3 of subsection A of this section,
10 a board of education of a school district may adopt a policy
11 pursuant to Section 5-149.2 of Title 70 of the Oklahoma Statutes to
12 authorize the carrying of a handgun onto school property by school
13 personnel specifically designated by the board of education,
14 provided such personnel either:

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

17 2. Hold a valid reserve peace officer certification as provided
18 for in Section 3311 of Title 70 of the Oklahoma Statutes.

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

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

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1 1. A public trust created pursuant to the provisions of Section
2 176 of Title 60 of the Oklahoma Statutes; or

3 2. A nonprofit entity,
4 an individual shall be allowed to carry a concealed handgun but not
5 openly carry a handgun on the property.

6 F. Any person violating the provisions of paragraph 2 or 3 of
7 subsection A of this section shall, upon conviction, be guilty of a
8 misdemeanor punishable by a fine not to exceed Two Hundred Fifty
9 Dollars (\$250.00). A person violating any other provision of
10 subsection A of this section may be denied entrance onto the
11 property or removed from the property. If the person refuses to
12 leave the property and a peace officer is summoned, the person may
13 be issued a citation for an amount not to exceed Two Hundred Fifty
14 Dollars (\$250.00).

15 G. No person in possession of a valid handgun license issued
16 pursuant to the provisions of the Oklahoma Self-Defense Act or who
17 is carrying or in possession of a firearm as otherwise permitted by
18 law or who is carrying or in possession of a machete, blackjack,
19 loaded cane, hand chain or metal knuckles shall be authorized to
20 carry the firearm, machete, blackjack, loaded cane, hand chain or
21 metal knuckles into or upon any college, university or technology
22 center school property, except as provided in this subsection. For
23 purposes of this subsection, the following property shall not be

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1 construed to be college, university or technology center school
2 property:

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

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

15 3. Any property authorized by the written consent of the
16 college or university president or technology center school
17 administrator, provided the written consent is carried with the
18 firearm, machete, blackjack, loaded cane, hand chain or metal
19 knuckles and the valid handgun license while on college, university
20 or technology center school property.

21 The college, university or technology center school may notify
22 the Oklahoma State Bureau of Investigation within ten (10) days of a
23 violation of any provision of this subsection by a licensee. Upon
24 receipt of a written notification of violation, the Bureau shall

1 give a reasonable notice to the licensee and hold a hearing. At the
2 hearing, upon a determination that the licensee has violated any
3 provision of this subsection, the licensee may be subject to an
4 administrative fine of Two Hundred Fifty Dollars (\$250.00) and may
5 have the handgun license suspended for three (3) months.

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

19 H. The provisions of this section shall not apply to the
20 following:

- 21 1. Any peace officer or any person authorized by law to carry a
22 firearm in the course of employment;
- 23 2. District judges, associate district judges and special
24 district judges, who are in possession of a valid handgun license

1 issued pursuant to the provisions of the Oklahoma Self-Defense Act
2 and whose names appear on a list maintained by the Administrative
3 Director of the Courts, when acting in the course and scope of
4 employment within the courthouses of this state;

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

7 4. ~~Elected officials~~ An elected official of a county, who ~~are~~
8 is in possession of a valid handgun license issued pursuant to the
9 provisions of the Oklahoma Self-Defense Act, may carry a concealed
10 handgun when acting in the performance of his or her duties within
11 the courthouses of the county in which he or she was elected. The
12 provisions of this paragraph shall not allow the elected county
13 official to carry the handgun into a courtroom;

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

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

9 7. A municipal official, who possesses a valid handgun license
10 issued pursuant to the provisions of the Oklahoma Self-Defense Act,
11 may carry a concealed handgun when acting in the performance of his
12 or her duties in the municipality in which he or she was elected.

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

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

19 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
20 February 15, 2024 - DO PASS AS AMENDED

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