

1 STATE OF OKLAHOMA

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

3 SENATE BILL 730

By: Dahm

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6 AS INTRODUCED

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

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.

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