

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 730

By: Dahm, Hamilton and
Bergstrom of the Senate

6 and

7 Steagall and McDugle of the
8 House

9
10 COMMITTEE SUBSTITUTE

11 An Act relating to firearms; amending 21 O.S. 2011,
12 Section 1289.7a, as amended by Section 13, Chapter
13 259, O.S.L. 2012 (21 O.S. Supp. 2020, Section
14 1289.7a), which relates to transporting or storing
15 firearms; removing certain prohibition; prohibiting
16 certain policy or rule; amending 21 O.S. 2011,
17 Section 1290.22, as last amended by Section 12,
18 Chapter 1, O.S.L. 2019 (21 O.S. Supp. 2020, Section
19 1290.22), which relates to business owner's rights;
20 removing certain prohibition; prohibiting certain
21 policy or rule; and providing an effective date.

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

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

Section 1289.7a. A. No person, property owner, tenant,
employer, or business entity shall maintain, establish, or enforce

1 any policy or rule that has the effect of prohibiting any person,
2 except a convicted felon, from transporting and storing firearms or
3 ammunition in a locked motor vehicle, or from transporting and
4 storing firearms or ammunition locked in or locked to a motor
5 vehicle on any property set aside for any motor vehicle.

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

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

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

5 SECTION 2. AMENDATORY 21 O.S. 2011, Section 1290.22, as
6 last amended by Section 12, Chapter 1, O.S.L. 2019 (21 O.S. Supp.
7 2020, Section 1290.22), is amended to read as follows:

8 Section 1290.22.

9 BUSINESS OWNER'S RIGHTS

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

17 B. No person, property owner, tenant, employer, holder of an
18 event permit, place of worship or business entity shall be permitted
19 to establish any policy or rule that ~~has the effect of prohibiting~~
20 prohibits any person, except a convicted felon, from transporting
21 and storing firearms in a locked vehicle on any property set aside
22 for any vehicle or from transporting, carrying or storing firearms
23 or ammunition in a motor vehicle owned, leased or rented by the
24

1 person who is an employee or contract employee while conducting
2 business for the business entity.

3 C. A property owner, tenant, employer, place of worship or
4 business entity may prohibit any person from carrying a concealed or
5 unconcealed firearm on the property. If the building or property is
6 open to the public, the property owner, tenant, employer, place of
7 worship or business entity shall post signs on or about the property
8 stating such prohibition.

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

17 1. The portion of a public property structure or building
18 during an event authorized by the city, town, county, state or
19 federal governmental authority owning or controlling such building
20 or structure;

21 2. Any public property sports field, including any adjacent
22 seating or adjacent area set aside for viewing a sporting event,
23 where an elementary or secondary school, collegiate, or professional
24 sporting event or an International Olympic Committee or organization

1 or any committee subordinate to the International Olympic Committee
2 event is being held;

3 3. The fairgrounds during the Oklahoma State Fair or the Tulsa
4 State Fair; and

5 4. The portion of a public property structure or building that
6 is leased or under contract to a business or not-for-profit entity
7 or group for offices.

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

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

16 2. Refuses to leave the property and a peace officer is
17 summoned,
18 the person may be punished as provided in Section 1276 of this
19 title.

20 F. A person, property owner, tenant, employer, holder of an
21 event permit, place of worship or business entity that does or does
22 not prohibit any individual, except a convicted felon, from carrying
23 a loaded or unloaded, concealed or unconcealed weapon on property
24 that the person, property owner, tenant, employer, holder of an

1 event permit, place of worship or business entity owns, or has legal
2 control of, is immune from any liability arising from that decision.
3 Except for acts of gross negligence or willful or wanton misconduct,
4 an employer who does or does not prohibit his or her employees from
5 carrying a concealed or unconcealed weapon is immune from any
6 liability arising from that decision. A person, property owner,
7 tenant, employer, holder of an event permit, place of worship or
8 business entity that does not prohibit persons from carrying a
9 concealed or unconcealed weapon pursuant to subsection D of this
10 section shall be immune from any liability arising from the carrying
11 of a concealed or unconcealed weapon, while in the scope of
12 employment, on the property or in or about a business entity
13 vehicle. The provisions of this subsection shall not apply to
14 claims pursuant to the Administrative Workers' Compensation Act.

15 G. It shall not be considered part of an employee's job
16 description or within the employee's scope of employment if an
17 employee is allowed to carry or discharge a weapon pursuant to this
18 section.

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

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

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

58-1-8030 GRS 03/31/21