

1 **SENATE FLOOR VERSION**

2 April 11, 2024

3 **AS AMENDED**

4 ENGROSSED HOUSE
5 BILL NO. 3056

6 By: Steagall, Crosswhite Hader,
7 Conley, and West (Kevin) of
8 the House

9 and

10 Stewart and Stephens of the
11 Senate

12 An Act relating to firearms; amending 21 O.S. 2021,
13 Section 1280.1, which relates to possession of
14 firearms on school property; authorizing the
15 transport and storage of firearms and weapons on
16 school property under certain circumstances; removing
17 certain qualifier; updating language; clarifying
18 liability provision; and providing an effective date.

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

20 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1280.1, is
21 amended to read as follows:

22 Section 1280.1

23 POSSESSION OF FIREARM ON SCHOOL PROPERTY

24 A. It shall be unlawful for any person to have in his or her
possession on any public or private school property or while in any
school bus or vehicle used by any school for transportation of
students or teachers any firearm or weapon designated in Section

1 1272 of this title, except as provided in subsection C of this
2 section or as otherwise authorized by law.

3 B. For purposes of this section:

4 1. "School property" means any publicly owned property held for
5 purposes of elementary, secondary or vocational-technical education,
6 and shall not include property owned by public school districts or
7 where such property is leased or rented to an individual or
8 corporation and used for purposes other than educational;

9 2. "Private school" means a school that offers a course of
10 instruction for students in one or more grades from prekindergarten
11 through grade twelve and is not operated by a governmental entity;
12 and

13 3. "Motor vehicle" means any automobile, truck, minivan or
14 sports utility vehicle.

15 C. Firearms and weapons are allowed on school property and
16 deemed not in violation of subsection A of this section as follows:

17 1. A ~~gun~~ firearm or knife ~~designed for hunting or fishing~~
18 ~~purposes~~ kept in a locked privately owned vehicle and ~~properly~~
19 ~~displayed~~ hidden from view or stored as required by law, ~~provided~~
20 ~~such vehicle containing said gun or knife is driven onto school~~
21 ~~property only to transport a student to and from school and such~~
22 ~~vehicle does not remain unattended on school property;~~

23 2. A ~~gun~~ firearm or knife used for the purposes of
24 participating in the Oklahoma Department of Wildlife Conservation

1 certified hunter training education course or any other hunting,
2 fishing, safety or firearms training courses, or a recognized
3 firearms sports event, team shooting program or competition, or
4 living history reenactment, provided the course or event is approved
5 by the principal or chief administrator of the school where the
6 course or event is offered, and provided the ~~weapon~~ firearm or knife
7 is properly displayed or stored as required by law pending
8 participation in the course, event, program or competition;

9 3. ~~Weapons~~ Firearms or weapons in the possession of any peace
10 officer or other person authorized by law to possess a ~~weapon~~
11 firearms or weapons in the performance of his or her duties and
12 responsibilities;

13 4. A concealed or unconcealed firearm or weapon carried onto
14 private school property or in any school bus or vehicle used by any
15 private school for transportation of students or teachers by a
16 person who is licensed pursuant to the Oklahoma Self-Defense Act,
17 provided a policy has been adopted by the governing entity of the
18 private school that authorizes the possession of a firearm or weapon
19 on private school property or in any school bus or vehicle used by a
20 private school. Except for acts of gross negligence or willful or
21 wanton misconduct, a governing entity of a private school that
22 adopts a policy which authorizes the possession of a firearm or
23 weapon on private school property, a school bus or vehicle used by
24 the private school shall be immune from and not subject to liability

1 for any injuries arising from the adoption of the policy. The
2 provisions of this paragraph shall not apply to claims pursuant to
3 the Workers' Compensation Code;

4 5. A ~~gun~~ firearm, knife, bayonet or other weapon in the
5 possession of a member of a veterans group, the ~~national guard~~
6 National Guard, active military, the Reserve Officers' Training
7 Corps (ROTC) or Junior ROTC, in order to participate in a ceremony,
8 assembly or educational program approved by the principal or chief
9 administrator of a school or school district where the ceremony,
10 assembly or educational program is being held; provided, however,
11 the ~~gun~~ firearm or other weapon that uses projectiles is not loaded
12 and is inoperable at all times while on school property;

13 6. A ~~handgun~~ firearm carried in a motor vehicle pursuant to a
14 ~~valid handgun license authorized by the provisions of the Oklahoma~~
15 Self-Defense Act onto property set aside by a public or private
16 elementary or secondary school for the use or parking of any
17 vehicle; provided, however, ~~said handgun~~ the firearm shall be stored
18 and hidden from view in a locked motor vehicle when the motor
19 vehicle is left unattended on school property; and

20 7. A handgun carried onto public school property by school
21 personnel who have been designated by the board of education,
22 provided such personnel either:
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24

1 a. possess a valid armed security guard license as
2 provided for in Section 1750.1 et seq. of Title 59 of
3 the Oklahoma Statutes, or

4 b. hold a valid reserve peace officer certification as
5 provided for in Section 3311 of Title 70 of the
6 Oklahoma Statutes,

7 if a policy has been adopted by the board of education of the school
8 district that authorizes the carrying of a handgun onto public
9 school property by such personnel. Nothing in this subsection shall
10 be construed to restrict authority granted elsewhere in law to carry
11 firearms.

12 D. Any person violating the provisions of this section shall,
13 upon conviction, be guilty of a misdemeanor punishable by a fine of
14 not to exceed Two Hundred Fifty Dollars (\$250.00).

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

16 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
17 April 11, 2024 - DO PASS AS AMENDED
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