

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 3056

By: Steagall

5  
6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to firearms; amending 21 O.S. 2021,  
9 Section 1280.1, which relates to possession of  
10 firearms on school property; authorizing the  
11 transport and storage of firearms and weapons on  
12 school property under certain circumstances; removing  
13 certain qualifier; updating language; clarifying  
14 liability provision; considering certain individuals  
15 as licensed and verified pursuant to the federal Gun-  
16 Free School Zones Act of 1990; amending 21 O.S. 2021,  
17 Section 1290.14, which relates to the Oklahoma Self-  
18 Defense Act; allowing applicants to train and qualify  
19 with air-powered pistols; and providing an effective  
20 date.

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

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

24 Section 1280.1 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

1 designated in Section 1272 of this title, except as provided in  
2 subsection C of this 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 self-defense or for  
18 hunting or fishing purposes kept in a privately owned vehicle and  
19 properly displayed or stored as required by law, ~~provided such~~  
20 ~~vehicle containing said gun or knife is driven onto school property~~  
21 ~~only to transport a student to and from school and such vehicle does~~  
22 ~~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 E. Considering the right to keep and bear arms provided in  
16 Section 26 of Article II of the Oklahoma Constitution, any person  
17 who is not precluded from lawfully owning and possessing a firearm  
18 pursuant to state law shall be considered to be individually  
19 authorized by the State of Oklahoma within the meaning of the  
20 provisions regarding individual licensure and verification pursuant  
21 to the federal Gun-Free School Zones Act of 1990.

22 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1290.14, is  
23 amended to read as follows:

24 Section 1290.14 SAFETY AND TRAINING COURSE

1       A. Each applicant for a license to carry a concealed or  
2 unconcealed handgun pursuant to the Oklahoma Self-Defense Act must  
3 successfully complete a firearms safety and training course in this  
4 state conducted by a registered and approved firearms instructor as  
5 provided by the provisions of this section or from an interactive  
6 online firearms safety and training course available electronically  
7 via the Internet approved and certified by the Council on Law  
8 Enforcement Education and Training. The applicant must further  
9 demonstrate competence and qualification with an authorized pistol  
10 of the type or types that the applicant desires to carry as a  
11 concealed or unconcealed handgun pursuant to the provisions of the  
12 Oklahoma Self-Defense Act, except certain persons may be exempt from  
13 such training requirement as provided by the provisions of Section  
14 1290.15 of this title.

15       B. The Council on Law Enforcement Education and Training  
16 (CLEET) shall establish criteria for approving firearms instructors  
17 and interactive online firearms safety and training courses  
18 available electronically via the Internet for purposes of training  
19 and qualifying individuals for a handgun license pursuant to the  
20 provisions of the Oklahoma Self-Defense Act. Prior to submitting an  
21 application for CLEET approval as a firearms instructor, applicants  
22 shall attend a firearms instructor school, meeting the following  
23 minimum requirements:

24

1 1. Firearms instructor training conducted by one of the  
2 following entities:

- 3 a. Council on Law Enforcement Education and Training,
- 4 b. National Rifle Association,
- 5 c. Oklahoma Rifle Association,
- 6 d. federal law enforcement agencies, or
- 7 e. other professionally recognized organizations;

8 2. The course shall be at least sixteen (16) hours in length;

9 3. Upon completion of the course, the applicant shall be  
10 qualified to provide instruction on revolvers, semiautomatic  
11 pistols, or both; and

12 4. Receive a course completion certificate.

13 All firearms instructors shall be required to meet the  
14 eligibility requirements for a handgun license as provided in  
15 Sections 1290.9, 1290.10, and 1290.11 of this title and the  
16 application shall be processed as provided for applicants in Section  
17 1290.12 of this title, including the state and national criminal  
18 history records search and fingerprint search. A firearms  
19 instructor shall be required to pay a fee of One Hundred Dollars  
20 (\$100.00) to the Council on Law Enforcement Education and Training  
21 (CLEET) each time the person makes application for CLEET approval as  
22 a firearms instructor pursuant to the provisions of the Oklahoma  
23 Self-Defense Act. The fee shall be retained by CLEET and shall be  
24 deposited into the Firearms Instructors Revolving Fund. CLEET shall

1 promulgate the rules, forms and procedures necessary to implement  
2 the approval of firearms instructors as authorized by the provisions  
3 of this subsection. CLEET shall periodically review each approved  
4 instructor during a training and qualification course to assure  
5 compliance with the rules and course contents. Any violation of the  
6 rules may result in the revocation or suspension of CLEET and  
7 Oklahoma State Bureau of Investigation approval. Unless the  
8 approval has been revoked or suspended, a firearms instructor's  
9 CLEET approval shall be for a term of five (5) years. Beginning on  
10 July 1, 2003, any firearms instructor who has been issued a four-  
11 year CLEET approval shall not be eligible for the five-year approval  
12 until the expiration of the approval previously issued. CLEET shall  
13 be responsible for notifying all approved firearms instructors of  
14 statutory and policy changes related to the Oklahoma Self-Defense  
15 Act. A firearms instructor shall not be required to submit his or  
16 her fingerprints for a fingerprint search when renewing a firearms  
17 instructor's CLEET approval.

18 C. 1. All firearms instructors approved by CLEET to train and  
19 qualify individuals for a handgun license shall be required to apply  
20 for registration with the Oklahoma State Bureau of Investigation  
21 after receiving CLEET approval. All firearms instructors teaching  
22 the approved course for a handgun license must display their  
23 registration certificate during each training and qualification  
24 course. Each approved firearms instructor shall complete a

1 registration form provided by the Bureau and shall have the option  
2 to pay a registration fee of either One Hundred Dollars (\$100.00)  
3 for a five-year registration certificate or Two Hundred Dollars  
4 (\$200.00) for a ten-year registration certificate to the Bureau at  
5 the time of each application for registration, except as provided in  
6 paragraph 2 of this subsection. Registration certificates issued by  
7 the Bureau shall be valid for a period of five (5) years or ten (10)  
8 years from the date of issuance. The Bureau shall issue a five-year  
9 or ten-year handgun license to an approved firearms instructor at  
10 the time of issuance of a registration certificate and no additional  
11 fee shall be required or charged. The Bureau shall maintain a  
12 current listing of all registered firearms instructors in this  
13 state. Nothing in this paragraph shall be construed to eliminate  
14 the requirement for registration and training with CLEET as provided  
15 in subsection B of this section. Failure to register or be trained  
16 as required shall result in a revocation or suspension of the  
17 instructor certificate by the Bureau.

18 2. On or after July 1, 2003, the registered instructors listed  
19 in subparagraphs a and b of this paragraph shall not be required to  
20 renew the firearms instructor registration certificate with the  
21 Oklahoma State Bureau of Investigation at the expiration of the  
22 registration term, provided the instructor is not subject to any  
23 suspension or revocation of the firearms instructor certificate.  
24 The firearms instructor registration with the Oklahoma State Bureau

1 of Investigation shall automatically renew together with the handgun  
2 license authorized in paragraph 1 of this subsection for an  
3 additional five-year term and no additional cost or fee may be  
4 charged for the following individuals:

5 a. an active duty law enforcement officer of this state  
6 or any of its political subdivisions or of the federal  
7 government who has a valid CLEET approval as a  
8 firearms instructor pursuant to the Oklahoma Self-  
9 Defense Act, and

10 b. a retired law enforcement officer authorized to carry  
11 a firearm pursuant to Section 1289.8 of this title who  
12 has a valid CLEET approval as a firearms instructor  
13 pursuant to the Oklahoma Self-Defense Act.

14 D. The Oklahoma State Bureau of Investigation shall approve  
15 registration for a firearms instructor applicant who is in full  
16 compliance with CLEET rules regarding firearms instructors and the  
17 provisions of subsection B of this section, if completion of the  
18 federal fingerprint search is the only reason for delay of  
19 registration of that firearms instructor applicant. Upon receipt of  
20 the federal fingerprint search information, if the Bureau receives  
21 information which precludes the person from having a handgun  
22 license, the Bureau shall revoke both the registration and the  
23 handgun license previously issued to the firearms instructor.

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1 E. The required firearms safety and training course and the  
2 actual demonstration of competency and qualification required of the  
3 applicant shall be designed and conducted in such a manner that the  
4 course can be reasonably completed by the applicant within an eight-  
5 hour period. CLEET shall establish the course content and  
6 promulgate rules, procedures and forms necessary to implement the  
7 provisions of this subsection. For the training and qualification  
8 course, an applicant may be charged a fee which shall be determined  
9 by the instructor or entity that is conducting the course. The  
10 maximum class size shall be determined by the instructor conducting  
11 the course; provided, however, practice shooting sessions shall not  
12 have more than ten participating students at one time. CLEET may  
13 establish criteria for assistant instructors and any other  
14 requirements deemed necessary to conduct a safe and effective  
15 training and qualification course. The course content shall include  
16 a safety inspection of the firearm to be used by the applicant in  
17 the training course; instruction on pistol handling, safety and  
18 storage; dynamics of ammunition and firing; methods or positions for  
19 firing a pistol; information about the criminal provisions of the  
20 Oklahoma law relating to firearms; the requirements of the Oklahoma  
21 Self-Defense Act as it relates to the applicant; self-defense and  
22 the use of appropriate force; a practice shooting session; and a  
23 familiarization course. The firearms instructor shall refuse to  
24 train or qualify any person when the pistol to be used or carried by

1 the person is either deemed unsafe or unfit for firing or is a  
2 weapon not authorized by the Oklahoma Self-Defense Act. The course  
3 shall provide an opportunity for the applicant to qualify himself or  
4 herself on either a derringer, a revolver, a semiautomatic pistol,  
5 an air-powered pistol or any combination of a derringer, a revolver  
6 and, a semiautomatic pistol, and an air-powered pistol, provided no  
7 pistol shall be capable of firing larger than .45 caliber  
8 ammunition. Any applicant who successfully trains and qualifies  
9 himself or herself with a semiautomatic pistol may be approved by  
10 the firearms instructor on the training certificate for a  
11 semiautomatic pistol, a revolver and, a derringer, and an air-  
12 powered pistol upon request of the applicant. Any person who  
13 qualifies on a derringer ~~or,~~ revolver or an air-powered pistol shall  
14 not be eligible for a semiautomatic rating until the person has  
15 demonstrated competence and qualifications on a semiautomatic  
16 pistol. Upon successful completion of the training and  
17 qualification course, a certificate of training and a certificate of  
18 competency and qualification shall be issued to each applicant who  
19 successfully completes the course. The certificate of training and  
20 certificate of competency and qualification shall comply with the  
21 forms established by CLEET and shall be submitted with an  
22 application for a handgun license pursuant to the provisions of  
23 paragraph 2 of subsection A of Section 1290.12 of this title. The  
24 certificate of training and certificate of competency and

1 qualification issued to an applicant shall be valid for a period of  
2 three (3) years.

3 F. There is hereby created a revolving fund for the Council on  
4 Law Enforcement Education and Training (CLEET), to be designated the  
5 "Firearms Instructors Revolving Fund". The fund shall be a  
6 continuing fund, not subject to fiscal year limitations, and shall  
7 consist of all funds received for approval of firearms instructors  
8 for purposes of the Oklahoma Self-Defense Act. All funds received  
9 shall be deposited to the fund. All monies accruing to the credit  
10 of said fund are hereby appropriated and may be budgeted and  
11 expended by the Council on Law Enforcement Education and Training,  
12 for implementation of the training and qualification course  
13 contents, approval of firearms instructors and any other CLEET  
14 requirement pursuant to the provisions of the Oklahoma Self-Defense  
15 Act or as may otherwise be deemed appropriate by CLEET.  
16 Expenditures from said fund shall be made upon warrants issued by  
17 the State Treasurer against claims filed as prescribed by law with  
18 the Director of the Office of Management and Enterprise Services for  
19 approval and payment.

20 G. Firearms instructors shall keep on file for a period of not  
21 less than three (3) years a roster of each training class, the  
22 safety test score of each individual, the caliber and type of weapon  
23 each individual used when qualifying and whether or not each  
24 individual successfully completed the training course. Firearms

1 instructors shall be authorized to destroy all training documents  
2 and records upon expiration of the three-year time period.

3 SECTION 3. This act shall become effective November 1, 2024.

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