



OFFICE OF

No. SB 41

THE GOVERNOR
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA.,

May 11, 2015

TIME SIGNED: 2:35 pm

TO THE HONORABLE PRESIDENT PRO TEMPORE
AND MEMBERS OF THE OKLAHOMA SENATE
FIRST SESSION OF THE
FIFTY FIFTH OKLAHOMA LEGISLATURE

ENROLLED SENATE BILL NO. 41:

This is to advise you that on this date, pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution to approve or object to legislation presented to me, I have VETOED Senate Bill 41.

Senate Bill 41 is a law that seeks to clarify the Business Owner's Rights Act, and specifically, whether a "property owner, tenant, employer, place of worship or business entity may prohibit any person from carrying a concealed or unconcealed firearm on the property" if that property is "designated by a city, town, county, or state governmental authority as a park, recreational area, or fairgrounds."

Although I strongly defend Oklahomans' right to bear arms, and understand that the Business Owner's Rights Act may need to be strengthened by the Legislature at some time in the future, this Act is currently the subject of pending litigation in District Court in Cleveland County. Our Constitution clearly prohibits the Legislature from passing legislation that would "take away [a] cause of action, or destroy any existing defense" to a suit that has already commenced.

As a result, because Senate Bill 41 could substantively influence or even determine the outcome of pending litigation, any approval of it at this time is likely unconstitutional. It is for this reason that I hereby veto Senate Bill 41.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Mary Fallin