

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 1150

By: Griffin of the Senate

and

Taylor and Downing of the
House

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10 COMMITTEE SUBSTITUTE

11 An Act relating to school employees; defining term;
12 directing officers and employees of school districts
13 to notify law enforcement of certain activities;
14 providing immunity from civil liability and
15 employment discipline; requiring a school employee
16 who has certain belief to report to the Department of
17 Human Services and local law enforcement; requiring
18 reports to the Department of Human Services to be
19 made via certain hotline; defining term; providing
20 for promulgation of rules; providing for
21 codification; providing an effective date; and
22 declaring an emergency.

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

24 SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 24-100.8 of Title 70, unless
there is created a duplication in numbering, reads as follows:

1 A. As used in this section, "threatening behavior" means any
2 verbal threat or threatening behavior, whether or not it is directed
3 at another person, which indicates potential for future harm to
4 students, school personnel or school property.

5 B. An officer or employee of a school district or member of a
6 board of education shall notify law enforcement of any verbal threat
7 or act of threatening behavior which reasonably may have the
8 potential to endanger students, school personnel or school property.

9 C. Officers or employees of a school district or members of a
10 board of education shall be immune from employment discipline and
11 any civil liability for communicating information pursuant to
12 subsection B of this section in good faith if they reasonably
13 believe a person is making verbal threats or is exhibiting
14 threatening behavior.

15 D. Nothing in this section shall be construed to impose a
16 specific liability on any school district.

17 SECTION 2. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1210.163 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. A school employee who has reason to believe that a student
21 is a victim of abuse or neglect shall report the matter promptly to
22 the Department of Human Services and to local law enforcement.
23 Reports to the Department of Human Services shall be made via the
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1 hotline provided for in subsection A of Section 1-2-101 of Title 10A
2 of the Oklahoma Statutes.

3 B. For the purposes of this section, "child abuse and neglect"
4 shall include, but not be limited to:

5 1. Child abuse as defined in Section 843.5 of Title 21 of the
6 Oklahoma Statutes;

7 2. Sexual abuse or sexual exploitation as defined in Section 1-
8 1-105 of Title 10A of the Oklahoma Statutes;

9 3. Contributing to the delinquency of a minor as defined in
10 Section 856 of Title 21 of the Oklahoma Statutes;

11 4. Trafficking in children, as defined in Section 866 of Title
12 21 of the Oklahoma Statutes;

13 5. Incest as described in Section 885 of Title 21 of the
14 Oklahoma Statutes;

15 6. Forcible sodomy, as described in Section 888 of Title 21 of
16 the Oklahoma Statutes;

17 7. Maliciously, forcibly or fraudulently taking or enticing a
18 child away, as described in Section 891 of Title 21 of the Oklahoma
19 Statutes;

20 8. Soliciting or aiding a minor child to perform or showing,
21 exhibiting, loaning or distributing obscene material or child
22 pornography, as described in Section 1021 of Title 21 of the
23 Oklahoma Statutes;

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1 9. Procuring or causing the participation of any minor child in
2 any child pornography or knowingly possessing, procuring or
3 manufacturing child pornography, as described in Section 1021.2 of
4 Title 21 of the Oklahoma Statutes;

5 10. Permitting or consenting the participation of a minor child
6 in any child pornography, as described in Section 1021.3 of Title 21
7 of the Oklahoma Statutes;

8 11. Facilitating, encouraging, offering or soliciting sexual
9 conduct with a minor, as described in Section 1040.13a of Title 21
10 of the Oklahoma Statutes;

11 12. Offering or offering to secure a minor child for the
12 purposes of prostitution or any other lewd or indecent act, as
13 described in Section 1087 of Title 21 of the Oklahoma Statutes;

14 13. Causing, inducing, persuading or encouraging a minor child
15 to engage or continue to engage in prostitution, as described in
16 Section 1088 of Title 21 of the Oklahoma Statutes;

17 14. Rape or rape by instrumentation, as described in Sections
18 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

19 15. Making any oral, written or electronically or computer-
20 generated lewd or indecent proposals to a minor child under the age
21 of sixteen (16) as described in Section 1123 of Title 21 of the
22 Oklahoma Statutes.

23 SECTION 3. This act shall become effective July 1, 2018.

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1 SECTION 4. It being immediately necessary for the preservation
2 of the public peace, health or safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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6 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 04/16/2018 - DO
7 PASS, As Amended and Coauthored.

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