

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 615

By: Bullard, Bergstrom,
Merrick, Jett, Pederson,
Kidd, Pemberton, Rogers,
Dugger, Standridge, and
Quinn of the Senate

7 and

8 Williams, Gann, West
9 (Kevin), Crosswhite Hader,
10 Stearman, West (Josh),
11 Conley, Randleman, Moore,
12 Boles, Talley, Frix,
13 McDugle, Roe, Russ, and
14 Kendrix of the House

15 CONFERENCE COMMITTEE SUBSTITUTE

16 An Act relating to schools; defining terms; directing
17 certain schools to require certain restrooms or
18 changing areas to be used by individuals based on
19 their sex; requiring certain schools to provide
20 reasonable accommodation to certain individuals;
21 providing exceptions under certain circumstances;
22 requiring school district boards of education and
23 public charter school governing boards to adopt
24 certain disciplinary policy; directing state funding
of a noncompliant school district or charter school
to be decreased by certain percentage in certain
fiscal year; creating a cause of action for certain
noncompliance; providing for promulgation of rules;
providing for codification; and declaring an
emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1-125 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 A. As used in this section:

5 1. "Sex" means the physical condition of being male or female
6 based on genetics and physiology, as identified on the individual's
7 original birth certificate; and

8 2. "Multiple occupancy restroom or changing area" means an area
9 in a public school or public charter school building designed or
10 designated to be used by more than one individual at a time, where
11 individuals may be in various stages of undress in the presence of
12 other individuals. The term may include but is not limited to a
13 school restroom, locker room, changing room, or shower room.

14 B. To ensure privacy and safety, each public school and public
15 charter school that serves students in prekindergarten through
16 twelfth grades in this state shall require every multiple occupancy
17 restroom or changing area designated as follows:

18 1. For the exclusive use of the male sex; or

19 2. For the exclusive use of the female sex.

20 C. Each public school or public charter school in this state
21 shall provide a reasonable accommodation to any individual who does
22 not wish to comply with the provisions of subsection B of this
23 section. A reasonable accommodation shall be access to a single-
24 occupancy restroom or changing room.

1 D. The provisions of this section shall not apply to
2 individuals entering a multiple occupancy restroom or changing area
3 designated for use by the opposite sex when entering in any of the
4 following circumstance:

5 1. For custodial, maintenance, or inspection purposes; or

6 2. To render emergency medical assistance.

7 E. 1. Each school district board of education and public
8 charter school governing board shall adopt a policy to provide
9 disciplinary action for individuals who refuse to comply with the
10 provisions of this section.

11 2. No school district board of education or charter school
12 governing board shall adopt a policy contrary to the provisions of
13 this section.

14 F. Upon a finding of noncompliance with the provisions of
15 subsections B and C of this section by the State Board of Education,
16 the noncompliant school district or public charter school shall
17 receive a five percent (5%) decrease in state funding for the school
18 district or public charter school for the fiscal year following the
19 year of noncompliance.

20 G. A parent or legal guardian of a student enrolled in and
21 physically attending a public school district or public charter
22 school shall have a cause of action against the public school
23 district or public charter school for noncompliance with the
24 provisions of subsections B and C of this section.

1 H. The State Board of Education shall promulgate rules to
2 implement the provisions of this section.

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

7

8 58-2-3883 EB 5/11/2022 3:30:34 PM

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24