

An Act

ENROLLED SENATE
BILL NO. 615

By: Bullard, Bergstrom,
Merrick, Jett, Pederson,
Kidd, Pemberton, Rogers,
Dugger, Standridge, Quinn,
Weaver, Allen, Murdock,
Stanley, Garvin, Hamilton,
Newhouse, Coleman, Daniels,
Dahm, Taylor, and Stephens
of the Senate

and

Williams, Gann, West
(Kevin), Crosswhite Hader,
Stearman, West (Josh),
Conley, Randleman, Moore,
Boles, Talley, Frix,
McDugle, Roe, Russ,
Kendrix, Stark, Ford,
Burns, Steagall, Bashore,
Luttrell, Smith, and
Roberts (Sean) of the House

An Act relating to schools; defining terms; directing certain schools to require certain restrooms or changing areas to be used by individuals based on their sex; requiring certain schools to provide reasonable accommodation to certain individuals; providing exceptions under certain circumstances; requiring school district boards of education and public charter school governing boards to adopt 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.

SUBJECT: Schools

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

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

A. As used in this section:

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

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

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

1. For the exclusive use of the male sex; or
2. For the exclusive use of the female sex.

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

D. The provisions of this section shall not apply to individuals entering a multiple occupancy restroom or changing area

designated for use by the opposite sex when entering in any of the following circumstance:

1. For custodial, maintenance, or inspection purposes; or
2. To render emergency medical assistance.

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

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

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

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

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

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

Passed the Senate the 19th day of May, 2022.

Presiding Officer of the Senate

Passed the House of Representatives the 19th day of May, 2022.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____