

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 872

By: Bullard

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6 AS INTRODUCED

7 An Act relating to schools; amending Section 1,
8 Chapter 106, O.S.L. 2022 (70 O.S. Supp. 2022, Section
9 11-201), which relates to library media programs;
10 prohibiting certain materials and resources located
11 in certain library or elsewhere on certain school
12 premises from containing certain depictions or
13 descriptions; providing certain exception; requiring
14 public school districts and charter schools to
15 conduct certain audit by certain date; directing
16 removal of certain materials and resources; requiring
17 maintenance of certain inventory list; directing
18 certain materials and resources to be available for
19 certain inspection; directing certain recommendations
20 to be made by certain individuals; requiring a
21 superintendent to approve or disapprove certain
22 recommendations; providing process for a parent or
23 legal guardian to request a review of certain
24 materials and resources; providing penalty for
failure to remove certain material or resource;
providing for promulgation of rules; providing an
effective date; and declaring an emergency.

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

20 SECTION 1. AMENDATORY Section 1, Chapter 106, O.S.L.
21 2022 (70 O.S. Supp. 2022, Section 11-201), is amended to read as
22 follows:

23 Section 11-201. A. As school library media center resources
24 are finite, the library media program shall be reflective of the

1 community standards for the population the library media center
2 serves when acquiring an age-appropriate collection of print
3 materials, nonprint materials, multimedia resources, equipment, and
4 supplies adequate in quality and quantity to meet the needs of
5 students in all areas of the school library media program.

6 B. To provide a library media program that meets the provisions
7 of subsection A of this section, no print or nonprint materials or
8 multimedia resources located in a public school district or public
9 charter school library or elsewhere on the premises of the district
10 or charter school shall contain:

11 1. Visual or visually implied depictions of sexual acts or
12 simulations of such acts;

13 2. Explicit or implied written descriptions of sexual acts; or

14 3. Visual depictions of nudity or implied nudity, except for
15 such depictions which may appear in a biology textbook.

16 C. By July 1, 2024, and by July 1 annually thereafter, each
17 public school district and public charter school in this state shall
18 conduct an audit of print and nonprint materials and multimedia
19 resources located in a library or elsewhere on the premises of the
20 district or charter school and shall remove any materials or
21 resources that have content prohibited by subsection B of this
22 section. Beginning July 1, 2024, each public school district and
23 public charter school shall maintain an inventory list of all print

1 and nonprint materials and multimedia resources located in a library
2 or elsewhere on the premises of the district or charter school.

3 D. All print and nonprint materials and multimedia resources
4 shall be available for inspection by parents or legal guardians of
5 students enrolled in a public school district or public charter
6 school.

7 E. Recommendations for new print or nonprint materials and
8 multimedia resources shall be made by the school librarian, library
9 media specialist, or a designee of the superintendent of the public
10 school district or public charter school. The superintendent of the
11 public school district or public charter school shall review and
12 approve or disapprove the recommendations for new print and nonprint
13 materials and multimedia resources.

14 F. 1. The parent or legal guardian of a student enrolled in a
15 public school district or public charter school may submit a written
16 request to the superintendent of the district or charter school to
17 review print or nonprint materials or multimedia resources located
18 on school premises to determine whether they violate the provisions
19 of subsection B of this section.

20 2. Upon receipt of the written request, the superintendent and
21 the principal of the school site where the material or resource is
22 located shall review the material or resource and within ten (10)
23 business days shall either remove the material or resource from
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1 school premises or submit to the parent or legal guardian a written
2 explanation for not removing the material or resource.

3 3. A parent or legal guardian may appeal the decision of a
4 superintendent and principal to not remove the material or resource
5 from school premises to the school district board of education or
6 the governing board of the charter school. Upon receipt of a
7 written request for appeal, the school district board of education
8 or charter school governing board shall review the material or
9 resource. As part of the appeal process, the parent or legal
10 guardian may read a portion of the material or resource during a
11 public meeting of the school district board of education or charter
12 school governing board. The school district board of education or
13 charter school governing board shall either direct that the material
14 or resource be removed from school premises or submit to the parent
15 or legal guardian a written explanation for not removing the
16 material or resource.

17 4. A parent or legal guardian may appeal the decision of a
18 school district board of education or charter school governing board
19 to not remove the material or resource from school premises to the
20 State Board of Education. Upon receipt of a written request for
21 appeal, the State Board of Education shall review the material or
22 resource and shall either direct that the material or resource be
23 removed from school premises or submit to the parent or legal
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1 guardian a written explanation for not removing the material or
2 resource.

3 5. A school district or charter school that fails to remove a
4 material or resource as directed by the State Board of Education
5 pursuant to this subsection shall receive a five percent (5%)
6 reduction in state funding for the fiscal year following the fiscal
7 year during which the district or charter school failed to remove
8 the material or resource.

9 G. The State Board of Education shall promulgate rules to
10 implement the provisions of this section.

11 SECTION 2. This act shall become effective July 1, 2023.

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

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