

OKLAHOMA STATUTES
TITLE 25. DEFINITIONS AND GENERAL PROVISIONS

§25-1. Statutes, meaning of words in.	5
§25-2. Statutory definitions, application of.	5
§25-3. Degrees of care.	6
§25-4. Degrees of care defined.	6
§25-5. Degrees of negligence.	6
§25-6. Degrees of negligence defined.	6
§25-7. Children.	6
§25-8. Debtor and creditor.	6
§25-9. Good faith.	6
§25-10. Notice.	7
§25-11. Actual notice.	7
§25-12. Constructive notice.	7
§25-13. Circumstances putting one on inquiry deemed constructive notice.	7
§25-14. False notice.	7
§25-15. Paper.	7
§25-16. Person and related terms.	7
§25-17. Several.	8
§25-18. Third person.	8
§25-19. Usage.	8
§25-20. Usual and customary.	8
§25-21. Valuable consideration.	8
§25-22. Verdict.	8
§25-23. Time.	8
§25-24. Gender.	9
§25-25. Number.	9
§25-26. Other definitions.	9
§25-27. Compound interest.	9
§25-28. Writing and printing.	9
§25-29. Liberal construction of statutes in derogation of common law.	10
§25-30. Seal.	10
§25-31. Joint authority.	10
§25-32. Repeal does not revive.	10
§25-33. Definitions.	10
§25-34. "Kerosene" defined.	10
§25-35. Geology, geologist.	11
§25-36. Definitions.	11
§25-40. References to persons with disabilities.	12
§25-51. Modification of United States Census Bureau terminology.	12
§25-82.1. Designation and dates of holidays - Executive Order - Acts to be performed on next succeeding business day - State employees authorized to observe certain holidays - "Holiday" defined.	13
§25-82.2. Additional holidays - Acts performable - Optional closing by banks and offices.	14
§25-82.3. Place and time for celebration of Oklahoma Day.	15
§25-82.4. Juneteenth National Freedom Day.	15
§25-83. Flag week - Observance and display of flag.	15
§25-84. Oklahoma Historical Day.	15
§25-85. Citizenship Recognition Day - Setting aside and proclaiming.	16
§25-86. Will Rogers Day.	16
§25-87. Bird day.	16
§25-88. Oklahoma week.	16
§25-89. Official day for Indian tribes.	16
§25-90.1. Oklahoma Heritage Week.	17

§25-90.2. Oklahoma Heritage Association - Duties.	17
§25-90.3. Shut-In Day.....	17
§25-90.4. Prisoners of War Remembrance Day in Oklahoma.....	17
§25-90.5. Bill of Rights Day.	17
§25-90.6. Bill of Responsibilities Day.	18
§25-90.7. Purple Heart Day.....	18
§25-90.8. Jim Thorpe Day.	18
§25-90.9. Oklahoma City Bombing Remembrance Day.	19
§25-90.10. Oklahoma Pearl Harbor Remembrance Day.....	19
§25-90.11. Vietnam Veterans Day.	19
§25-90.12. Oklahoma Native American Day.	20
§25-90.13. POW/MIA Recognition Day.....	20
§25-90.14. Injury Prevention Month.	20
§25-90.15. Senator Keith Leftwich Day.....	20
§25-90.16. Motorcycle Safety Month.	21
§25-90.17. President Ronald Reagan Day.	21
§25-90.18. Medal of Honor Day.....	21
§25-90.19. Legislative Findings - Flying flags at half-staff for service member memorial services.	21
§25-90.20. Second Amendment Day.	22
§25-90.21. Oklahoma Aviation and Aerospace Day.....	22
§25-90.22. Oklahoma Women in Aviation and Aerospace Day.	22
§25-90.23. A Day of Remembrance.	23
§25-90.24. Oklahoma Overdose Awareness Day.....	23
§25-90.25. Golf Day.	23
§25-90.26. Pregnancy, Infant, and Childhood Loss Awareness Month.	23
§25-90.27. Veteran Suicide Awareness Day.	23
§25-90.28. Space Day.....	23
§25-90.29. Daylight saving standard.....	24
§25-91. State flag - Design.	24
§25-91.1. Public institutions - Display of state flag.....	25
§25-91.2. Public schools - Display of state flag.	25
§25-91.3. State Flag Day.	25
§25-91a. State agencies and boards of education - Display of state flag.	26
§25-92. State floral emblem and official flower.	26
§25-92.1. State wild flower - Indian Blanket.....	26
§25-93. State colors.	26
§25-93.1. Governor's flag.....	26
§25-93.2. Alfred P. Murrah Federal building commemorative flag.	26
§25-93.3. 9/11 Remembrance Freedom Flag.	27
§25-94.1. Official state song.	27
§25-94.2. Official depository of state song.	27
§25-94.3. Words of state song.	27
§25-94.5. Official state children's song.....	27
§25-94.6. Official depository of state children's song.	28
§25-94.7. Words of the state children's song.	28
§25-94.8. State Folk Song.....	28
§25-94.9. Official depository of the state folk song.....	28
§25-94.10. Lyrics to state folk song.	28
§25-94.11. Official state gospel song.....	29
§25-94.12. Official depository of state gospel song.....	29
§25-94.13. Words to official state gospel song.....	30
§25-94.14. Official inspirational song of the State of Oklahoma.	30
§25-94.15. Official depository for the official inspirational song of the State of Oklahoma.	31

§25-94.16. Words to the official inspirational song of the State of Oklahoma.	31
§25-94.17. State horse.	31
§25-94.18. State legume.	31
§25-98. State bird.	31
§25-98.1. State rock.	32
§25-98.2. State fish.	32
§25-98.3. State percussive musical instrument.	32
§25-98.4. State Poet Laureate.	32
§25-98.5. State butterfly.	32
§25-98.6. State fossil.	32
§25-98.7. Official state drink.	33
§25-98.8. Official state crystal.	33
§25-98.9. State cartoon character.	33
§25-98.10. Official state fruit.	33
§25-98.11. Official state flying mammal.	33
§25-98.13. State game bird.	33
§25-98.14. State dinosaur.	33
§25-98.15. Official state vegetable.	33
§25-98.16. National Day of the Cowboy.	34
§25-98.17. State raptor.	34
§25-98.18. State astronomical object.	34
§25-98.19. Official state steak.	34
§25-98.20. Short title – Cali's Law – State pet of Oklahoma.	34
§25-98.25. Official state theatre.	34
§25-101. Daily paper defined.	34
§25-103. Sufficiency of publication of legal notices.	35
§25-104. Change of name of newspaper.	35
§25-105. Designation of newspaper by party or attorney.	35
§25-106. Newspapers for publication of legal notices.	35
§25-107. Honest Mistake Act - Papers within provisions.	36
§25-108. Proof of publication.	37
§25-109. Suspension of publication because of induction or enlistment.	37
§25-110. Affidavit as to suspension - Resumption of publication.	37
§25-111. Owners to whom act applicable.	38
§25-112. Change in frequency of publication - Status as legal newspaper.	38
§25-113. Publication in newspaper published in county, but not at county seat.	38
§25-114. Validation of publication elsewhere than at county seat.	39
§25-115. Minutes of school board and municipal meetings to be furnished to legal newspapers upon request – Business day defined.	39
§25-151. Flag day - Proclamation by Governor.	39
§25-152. Administration buildings - Display of flag daily.	40
§25-153. Schools to display flag daily.	40
§25-154. Election polling places - Display of flag.	40
§25-155. Printing or lettering on flag prohibited.	40
§25-156. Parades - Carrying flag without color guards prohibited.	40
§25-157. Violation of act a misdemeanor - Fine.	40
§25-158. Purchase of flags manufactured in United States.	41
§25-221. Use of certified mail with return receipt requested in place of registered mail.	41
§25-301. Citation.	41
§25-302. Public policy.	41
§25-303. Times and places - Advance notice.	41
§25-304. Definitions.	42
§25-305. Recording of votes.	43

§25-306. Circumvention of act – Teleconferences and videoconferences excepted.	44
§25-307. Executive sessions.....	44
§25-307.1. Videoconferences and teleconferences.	48
§25-308. Meeting between Governor and majority members of public body.....	50
§25-309. Legislature.....	50
§25-310. Legislative committee members attending executive sessions.....	50
§25-311. Public bodies - Notice.	51
§25-311.1. Public meetings – Posting of schedules and agendas on Internet.....	54
§25-312. Minutes of meetings - Recording of proceedings.....	55
§25-313. Actions taken in willful violation of act.....	55
§25-314. Violations - Misdemeanor - Penalty - Civil suit.	55
§25-1101. Purposes - Construction.....	56
§25-1201. Definitions.....	56
§25-1202. Vital statistics — Gender identification.	57
§25-1301. Definitions.....	57
§25-1302. Discriminatory practices - Employers.	58
§25-1303. Discriminatory practices - Employment agencies.....	59
§25-1304. Discriminatory practices - Labor organizations.....	59
§25-1305. Discriminatory practices - Training programs.....	59
§25-1306. Other discriminatory practices.	60
§25-1307. Exemptions.	60
§25-1308. Exceptions.....	60
§25-1309. Seniority and merit systems - Compulsory retirement.....	61
§25-1310. Imbalance.	61
§25-1311. Male and female employees.....	62
§25-1312. Status Verification System - Definitions.....	62
§25-1313. Status Verification System - Registration and use by public employers - Discriminatory discharge of citizens or permanent resident aliens.	63
§25-1350. Employment based discrimination - Cause of action - Remedies - Procedure.....	64
§25-1401. Definitions.....	66
§25-1402. Discriminatory practice.....	66
§25-1451. Definitions.....	66
§25-1452. Discriminatory housing practices - Categories or classes of persons protected - Jurisdiction of Attorney General's Office of Civil Rights Enforcement.....	68
§25-1453. Exempt practices and acts.	72
§25-1501. Attorney General's Office of Civil Rights Enforcement - Powers.	74
§25-1502. Proceedings after complaint.....	75
§25-1502.1. Temporary injunction or restraining order.....	77
§25-1502.2. Investigations - Complaint - Limitation - Filing by Attorney General - Amendment of complaint - Notice to respondent.....	77
§25-1502.3. Answer to complaint - Amendment - Effect of investigation.	78
§25-1502.4. Referral of complaint from federal government - Investigations - Administrative proceedings - Time limits - Delays.	78
§25-1502.5. Joinder of additional or substitute respondent - Notice - Explanation.	78
§25-1502.6. Conciliation - Time period - Conciliation agreement - Provisions - Disclosure.	79
§25-1502.7. Civil action for temporary or preliminary relief - Filing by Attorney General - Effects on administrative hearing.....	79
§25-1502.8. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1502.9. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1502.10. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1502.11. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1502.12. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1502.13. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80

§25-1502.14. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1502.15. Civil action on behalf of aggrieved person - Venue - Intervention - Relief - Compliance with discovery orders.....	80
§25-1503. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1504. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	80
§25-1505. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	81
§25-1505.1. Determination of housing discrimination.....	81
§25-1506. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	81
§25-1506.1. Civil action - Time period - Tolling - Restrictions.....	81
§25-1506.2. Court-appointed attorney.....	82
§25-1506.3. Remedies.....	82
§25-1506.4. Effect of relief granted upon contracts, sales, encumbrances, or leases.....	82
§25-1506.5. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.....	82
§25-1506.6. Civil action relating to pattern of discrimination or issue of general public importance - Remedies - Persons who may intervene.....	82
§25-1506.7. Subpoenas - Enforcement.....	83
§25-1506.8. Attorney fees.....	83
§25-1506.9. Violations - Misdemeanor.....	83
§25-1507. Inspection - Records.....	84
§25-1508. Subpoenas - Witnesses.....	84
§25-1601. Other discriminatory practices.....	85
§25-1602. Conciliation agreements.....	85
§25-1603. Attempts.....	85
§25-1604. Public contractors.....	85
§25-1605. Prima facie evidence.....	86
§25-1701. Definitions.....	86
§25-1702. Local ordinances.....	86
§25-1703. Local commissions.....	86
§25-1704. Powers of local commissions.....	87
§25-1705. Referral to local commission.....	87
§25-1706. Transfer to Attorney General.....	88
§25-1901. Repealed by Laws 2011, c. 270, § 21, eff. Nov. 1, 2011.....	88
§25-2001. Short title - Parents' Bill of Rights – Scope of rights.....	88
§25-2002. Parental rights.....	88
§25-2003. School district policy on parental involvement – Information to provide to parents.....	90
§25-2004. Written consent required for medical treatment of minors – Exceptions - Penalties.....	92
§25-2005. Written consent required for mental health treatment of minors – Exceptions - Penalties.....	93
§25-2101. Display of replicas of historical documents on public grounds.....	94

§25-1. Statutes, meaning of words in.

Words used in any statute are to be understood in their ordinary sense, except when a contrary intention plainly appears, and except also that the words hereinafter explained are to be understood as thus explained.

R.L.1910, § 2914.

§25-2. Statutory definitions, application of.

Whenever the meaning of a word or phrase is defined in any statute, such definition is applicable to the same word or phrase

wherever it occurs, except where a contrary intention plainly appears.

R.L.1910, § 2915.

§25-3. Degrees of care.

There are three degrees of care and of diligence, namely, slight, ordinary and great. The latter includes the former.

R.L.1910, § 2916. R.L.1910, § 2916.

§25-4. Degrees of care defined.

Slight care or diligence is such as persons of ordinary prudence usually exercise about their own affairs of slight importance; ordinary care or diligence is such as they usually exercise about their own affairs of ordinary importance; and great care or diligence is such as they usually exercise about their own affairs of great importance.

R.L.1910, § 2917.

§25-5. Degrees of negligence.

There are three degrees of negligence, namely, slight, ordinary and gross. The latter includes the former.

R.L. 1910, § 2918.

§25-6. Degrees of negligence defined.

Slight negligence consists in the want of great care and diligence; ordinary negligence in the want of ordinary care and diligence; and gross negligence in the want of slight care and diligence.

R.L.1910, § 2919.

§25-7. Children.

The term children includes children by birth and by adoption.

R.L.1910, § 2920.

§25-8. Debtor and creditor.

Except as defined and used in Sections 2892 and 2893, every one who owes to another the performance of an obligation is called a debtor, and one to whom he owes it is called a creditor.

R.L.1910, § 2921.

§25-9. Good faith.

Good faith consists in an honest intention to abstain from taking any unconscientious advantage of another, even through the forms or technicalities of law, together with an absence of all information or belief of facts which would render the transaction unconscientious.

R.L.1910, § 2922.

§25-10. Notice.

Notice is either actual or constructive.

R.L.1910, § 2923.

§25-11. Actual notice.

Actual notice consists in express information of a fact.

R.L.1910, § 2924.

§25-12. Constructive notice.

Constructive notice is notice imputed by the law to a person not having actual notice.

R.L.1910, § 2925.

§25-13. Circumstances putting one on inquiry deemed constructive notice.

Every person who has actual notice of circumstances sufficient to put a prudent man upon inquiry as to a particular fact, and who omits to make such inquiry with reasonable diligence, is deemed to have constructive notice of the fact itself.

R.L.1910, § 2926.

§25-14. False notice.

A notice which is false when given is not valid by the subsequent happening of the event.

R.L.1910, § 2927.

§25-15. Paper.

The word "paper," means any flexible material upon which it is usual to write.

R.L.1910, § 2928.

§25-16. Person and related terms.

As used in the Oklahoma Statutes:

1. "Father" means the male parent of a child or children as defined in Section 7 of this title;

2. "Female" means an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes eggs for fertilization;

3. "Male" means an individual who naturally has, had, will have, or would have, but for a developmental or genetic anomaly or historical accident, the reproductive system that at some point produces, transports, and utilizes sperm for fertilization;

4. "Man" or "boy" means a natural person who is male;

5. "Mother" means the female parent of a child or children as defined in Section 7 of this title;

6. "Natural person" means a person as defined in paragraph 7 of this section, except for bodies politic or corporate;

7. "Person", except when used by way of contrast, includes not only human beings, but bodies politic or corporate;

8. "Sex" means a natural person's biological sex at birth; and

9. "Woman" or "girl" means a natural person who is female.

R.L. 1910, § 2929. Amended by Laws 2024, c. 365, § 2, eff. Nov. 1, 2024.

§25-17. Several.

The word "several," in relation to number, means two or more.

R.L.1910, § 2930.

§25-18. Third person.

The words "third person" include all who are not parties to the obligation or transaction concerning which the phrase is used.

R.L.1910, § 2931.

§25-19. Usage.

Usage is a reasonable and lawful public custom concerning transactions of the same nature as those which are to be affected thereby, existing at the place where the obligation is to be performed, and either known to the parties, or so well established, general and uniform, that they must be presumed to have acted with reference thereto.

R.L.1910, § 2938.

§25-20. Usual and customary.

The words "usual," and "customary," mean "according to usage."

R.L.1910, § 2939.

§25-21. Valuable consideration.

A valuable consideration is a thing of value parted with, or a new obligation assumed, at the time of obtaining a thing, which is a substantial compensation for that which is obtained thereby. It is also called simply "value."

R.L.1910, § 2940. R.L.1910, § 2940.

§25-22. Verdict.

The word "verdict" includes not only the verdict of a jury, but also the finding upon the facts, of a judge, or of a referee appointed to determine the issues in a cause.

R.L.1910, § 2941.

§25-23. Time.

The word "year" means a calendar year, and "month," a calendar month. Fractions of a year are to be computed by the number of

months, thus: half a year is six (6) months. Fractions of a day are to be disregarded in computations which include more than one (1) day, and involve no question of priority.

R.L.1910, § 2942.

§25-24. Gender.

Words used in the masculine gender include the feminine and neuter.

R.L.1910, § 2943.

§25-25. Number.

Words used in the singular number include the plural, and the plural the singular, except where a contrary intention plainly appears.

R.L.1910, § 2944.

§25-26. Other definitions.

Words used in the present tense include future as well as the present; the word "oath" includes "affirmation;" and every mode of oral statement under oath or affirmation is embraced by the term "testify," and every written one in the term "depose;" "signature" or "subscription" includes mark, when the person cannot write, his name being written near it, and written by a person who writes his own name as a witness. The following words also have the signification attached to them in this section, unless otherwise apparent from the context:

1. The word "property" includes property, real and personal.

2. The words "real property" are coextensive with lands, tenements and hereditaments.

3. The words "personal property" include money, goods, chattels, things in action and evidences of debt.

4. The word "will" includes codicils.

R.L.1910, § 2945.

§25-27. Compound interest.

The words "compound interest" mean interest added to the principal as the former becomes due, and thereafter made to bear interest.

R.L.1910, § 2946.

§25-28. Writing and printing.

The words "writing" and "written" include "printing" and "printed," except in the case of signatures, and where the words are used by way of contrast to printing. Writing may be made in any manner, except that when a person entitled to require the execution of a writing demands that it be made with ink it must be so made.

R.L.1910, § 2947.

§25-29. Liberal construction of statutes in derogation of common law.

The rule of the common law, that statutes in derogation thereof are to be strictly construed, has no application to the laws of this state, which are to be liberally construed with a view to effect their objects and to promote justice.
R.L.1910, § 2948.

§25-30. Seal.

When the seal of a court, public officer corporation or person is required by law to be affixed to any process, commission, paper or instrument, the word "seal" includes an impression of such seal upon the paper alone, as well as upon wax, or a wafer affixed thereto.
R.L.1910, § 2949.

§25-31. Joint authority.

Words giving a joint authority to three or more public officers or other persons, are construed as giving such authority to a majority of them, unless it is otherwise expressed in the act giving the authority.
R.L.1910, § 2950.

§25-32. Repeal does not revive.

Whenever any act of the Legislature is repealed, which repealed a former act, such former act shall not thereby be revived, unless it shall be expressly so provided, and the act revived be set out in full.
R.L.1910, § 2951.

§25-33. Definitions.

The terms "state agency", "agency of the state", "public officer" or "state officer", when used in any statute other than the Public Trust Act, Sections 176 through 180.55 of Title 60 of the Oklahoma Statutes, and Sections 164 through 166 of Title 60 of the Oklahoma Statutes, shall not include the Oklahoma Ordnance Works Authority or its Trustees, or the Northeast Oklahoma Public Facilities Authority except where a contrary intention plainly and expressly appears.
Added by Laws 1985, p. 1682, H.J.Res. No. 1039, § 1, eff. Nov. 1, 1985. Amended by Laws 1998, c. 203, § 1, emerg. eff. May 11, 1998.

§25-34. "Kerosene" defined.

Pursuant to the authority granted by Section 2 of Article XX of the Oklahoma Constitution, the term "kerosene" shall mean a petroleum product having an A.P.I. gravity of not less than forty

(40) degrees, at a temperature of sixty (60) degrees Fahrenheit and a minimum flash point of one hundred (100) degrees Fahrenheit. Added by Laws 1990, c. 26, § 1, emerg. eff. April 3, 1990.

§25-35. Geology, geologist.

As used in the Oklahoma Statutes:

1. "Geology" means the science which is:
 - a. the study of the earth and its origin and history, in general,
 - b. the investigation, including collection of specimens, of the earth's constituent rocks, minerals, fossils, solids, fluids including surface and underground waters, gases, and other materials, from the center of its core to the outer limits of its atmosphere, and
 - c. the application and utilization of this knowledge of the earth for the benefit of mankind; provided, the knowledge and principles of geology may also be applied to extraterrestrial bodies; and
2. "Geologist" means a person who:
 - a. has earned a baccalaureate or higher degree in a geological science from an institution of higher education which is accredited by a regional or national accrediting agency, with a minimum of thirty (30) semester hours or forty-five (45) quarter hours of undergraduate or graduate work in a field of geology, or
 - b. has a specific and continuous record of related and verifiable geological work experience for five (5) years prior to the effective date of this act. Publication in a geologic publication or prior qualification as an expert witness in an administrative or judicial proceeding, hearing, or trial shall be prima facie verification of geological work experience.

Added by Laws 1993, c. 226, § 1, emerg. eff. May 26, 1993.

§25-36. Definitions.

Except as otherwise specifically provided by law, the term "flammable liquids" shall mean all liquids having a flash point below seventy degrees Fahrenheit (70 F) as determined in accordance with the standard method of test for flash point by means of a tag closed tester (ASTM D56-56) or equivalent test device and having a vapor pressure not exceeding forty (40) pounds per square inch absolute at one hundred degrees Fahrenheit (100 F).

Added by Laws 1959, p. 262, § 1, emerg. eff. July 17, 1959. Amended by Laws 1995, c. 344, § 30, eff. Nov. 1, 1995. Renumbered from § 134 of Title 63 by Laws 1995, c. 344, § 36, eff. Nov. 1, 1995.

§25-40. References to persons with disabilities.

A. All new and revised statutes, administrative rules, local laws, ordinances, charters, or regulations promulgated or any publication published by the state or any political subdivision that refers to persons with disabilities shall:

1. Avoid language that:
 - a. implies that a person as a whole is disabled, such as the "mentally ill" or the "learning disabled", or
 - b. equates persons with their condition, such as "epileptics", "autistics", or "quadriplegics"; and
2. Replace nonrespectful language by:
 - a. referring to persons with disabilities as persons first; for example, persons with disabilities, persons with developmental disabilities, persons with mental illness, persons with autism, or persons with intellectual disabilities, and
 - b. referring to terms such as "mental retardation" or "mentally retarded" with terms such as "intellectual disabilities" or "intellectually disabled".

B. Violation of this section shall not be grounds to invalidate any new or revised statutes, administrative rules, local laws, ordinances, charters, or regulations promulgated or any publication published by the state or any political subdivision; provided, however, such documents shall be changed to reflect the provisions of this section in subsequent revisions.

C. Nothing in this section shall constitute a requirement to change the name of any agency or program. Existing printed material may be utilized until such time as supplies are required to be replenished.

Added by Laws 2006, c. 296, § 3, eff. Nov. 1, 2006. Amended by Laws 2019, c. 475, § 27, eff. Nov. 1, 2019.

§25-51. Modification of United States Census Bureau terminology.

A. The Legislature finds that the United States Census Bureau has initiated a number of reform efforts related to the means by which information is compiled, analyzed and reported by the Bureau, including changes in the terminology used by the Bureau to describe the methods by which data is compiled, analyzed and reported. The Legislature finds that numerous statutory provisions make direct or indirect reference to the United States Census or to the United States Census Bureau and to the information which is compiled and reported by the Bureau. The Legislature finds that there is a need to allow for flexible interpretation of statutory provisions based upon changes in terminology used by the United States Census Bureau. Periodic changes in terminology or methodology with respect to demographic and economic data gathered by the federal government

should not require frequent amendments to state statutory provisions. The Legislature finds that it is desirable public policy and in the interest of established principles of statutory construction to enact the provisions of this section due to the need for consistent interpretation of statutory provisions which rely for operative effect upon specific information, such as population.

B. Unless a statutory provision relies for its operative effect on a population count contained in a Federal Decennial Census or a population count determined by using data from the United States Census Bureau, a reference in the Oklahoma Statutes to the "census", the "Federal Decennial Census" or other similar reference shall include any applicable means or method used by the United States Census Bureau to report demographic or economic information.

C. Statutory provisions which contain a reference to a specific population count or population range shall not be considered to have been modified because of a change in terminology by the United States Census Bureau or as a result of the provisions of this section.

Added by Laws 2010, c. 138, § 1, eff. July 1, 2010.

§25-82.1. Designation and dates of holidays - Executive Order - Acts to be performed on next succeeding business day - State employees authorized to observe certain holidays - "Holiday" defined.

A. The designation and dates of holidays in Oklahoma shall be as follows: Each Saturday, Sunday, New Year's Day on the 1st day of January, Martin Luther King, Jr.'s Birthday on the third Monday in January, Presidents' Day on the third Monday in February, Memorial Day on the last Monday in May, Independence Day on the 4th day of July, Labor Day on the first Monday in September, Veterans' Day on the 11th day of November, Thanksgiving Day on the fourth Thursday in November, the day after Thanksgiving Day, Christmas on the 25th day of December, the day before or after Christmas if Christmas is not on a Saturday or Sunday, the Thursday and Friday before Christmas if Christmas is on a Saturday, the Monday and Tuesday after Christmas, if Christmas is on a Sunday; and if any of such holidays other than Christmas fall on Saturday, the preceding Friday shall be a holiday in that year and if any of such holidays other than Christmas fall on Sunday, the succeeding Monday shall be a holiday in that year.

B. The Governor shall issue an Executive Order each year specifying the dates on which the holidays other than Saturdays and Sundays designated in subsection A of this section occur. If the President of the United States declares any day other than those listed in subsection A of this section as a national holiday, the Governor may issue an Executive Order declaring such day a state holiday.

C. Any act authorized, required, or permitted to be performed on a holiday as designated in subsection A of this section may be performed on the next succeeding business day, and no liability or loss of rights of any kind shall result from such delay.

D. State employees, except for temporary and other limited term employees, shall be entitled to a day off work without loss of pay on those holidays specified in an Executive Order issued by the Governor pursuant to subsection B of this section. Those state employees, except for temporary and other limited term employees, who are required to work on a holiday specified in subsection B of this section shall be entitled to a day off work, without loss of pay, on an alternative date or payment in lieu thereof at the discretion of the appointing authority and in accordance with rules of the Director of the Office of Management and Enterprise Services.

E. For the purposes of this section, "holiday" means that agencies whose mission does not require them to be open for business every day of the year shall be closed for official business.

Added by Laws 1947, p. 235, § 1, emerg. eff. April 3, 1947. Amended by Laws 1959, p. 114, § 1, emerg. eff. June 5, 1959; Laws 1971, c. 54, § 1, emerg. eff. April 2, 1971; Laws 1985, c. 50, § 1, eff. Jan. 1, 1986; Laws 1996, c. 122, § 1, emerg. eff. April 23, 1996; Laws 1998, c. 47, § 1, eff. Nov. 1, 1998; Laws 2010, c. 371, § 1, eff. Nov. 1, 2010; Laws 2012, c. 304, § 96.

§25-82.2. Additional holidays - Acts performable - Optional closing by banks and offices.

The following additional days are designated as holidays:

Jefferson Day on the 13th day of April; Oklahoma Day on the 22nd day of April; Mother's Day on the second Sunday in May; Juneteenth National Freedom Day on the third Saturday in June; Indian Day on the first Saturday after the full moon in September; Cherokee Strip Day on the 16th day of September; Will Rogers Day on the 4th day of November; Citizenship Recognition Day on such date as may be fixed by the Governor; Oklahoma Historical Day on the 10th day of October; Senior Citizens' Week beginning with the first Sunday in the month of May; Senior Citizens' Day the Wednesday of Senior Citizens' Week; Grandparents' Week beginning with the second Sunday in September; Youth Day on the third Sunday in March each year; each day in which a state election is held throughout the State of Oklahoma; and such other days as may be designated by the President of the United States or the Governor of the State of Oklahoma. Notwithstanding the day designated for Veterans' Day by Section 82.1 of this title, any bank, savings and loan association or credit union may observe the fourth Monday in October as Veterans' Day. Any act authorized, required or permitted to be performed on any holiday as designated in this section may and shall be performed on said day the same as on any business day; provided any state, national or federal reserve

bank, building and loan association, credit union, state, federal, county or municipal office may close on any day designated in this section as a holiday, and, upon such bank, building and loan association, credit union, or public office being closed on such day, any act authorized, required or permitted to be performed at or by such bank, building and loan association, credit union, public office or public official may be performed on the next succeeding business day and no liability or loss of rights of any kind shall result from such delay.

Added by Laws 1947, p. 235, § 2, emerg. eff. April 3, 1947. Amended by Laws 1955, p. 201, § 1, emerg. eff. Feb. 23, 1955; Laws 1959, p. 115, § 2, emerg. eff. June 5, 1959; Laws 1971, c. 54, § 2, emerg. eff. April 2, 1971; Laws 1972, c. 170, § 1; Laws 1977, c. 115, § 1, emerg. eff. May 30, 1977; Laws 1983, c. 10, § 1, emerg. eff. March 17, 1983; Laws 1994, S.J.R. No. 21, § 1, emerg. eff. May 2, 1994; Laws 1995, c. 42, § 1, emerg. eff. April 10, 1995.

§25-82.3. Place and time for celebration of Oklahoma Day.

The city of Guthrie, in the county of Logan, is declared to be the official city for the celebration of Oklahoma Day on the 22nd day of April of each year.

Laws 1949, p. 768, § 1.

§25-82.4. Juneteenth National Freedom Day.

The third Saturday in June of each year is hereby declared an official holiday, to be known as "Juneteenth National Freedom Day".

Added by Laws 1994, S.J.R. No. 21, § 2, emerg. eff. May 2, 1994.

§25-83. Flag week - Observance and display of flag.

The Governor is hereby authorized and requested to proclaim June 8 to June 14, 1939 and each succeeding year thereafter as Flag Week. To direct each state, county, municipal and district official to arrange for a suitable observance of Flag Week in all public schools, cities and communities throughout the state. To provide for the display of the Flag in accordance with the rules and regulations set forth by the National Americanism Commission of the American Legion, focusing the attention of the people upon the National Emblem and uniting reverence and devotion to the principal of liberty in order that the spirit of the Union may be regenerated, and the perpetuity of democracy be insured now and forever.

Laws 1939, H.C.Res. No. 18.

§25-84. Oklahoma Historical Day.

Now, Therefore, be it resolved by the House of Representatives of the Seventeenth Session of the Oklahoma Legislature, the Senate joining therein, that October 10th be declared Oklahoma Historical Day and that the same be observed by the Governor issuing a

proclamation setting forth that Major Jean Pierre Chouteau established the first white settlement on October 10th, 1796 at Salina, and from that date many struggles for the advancement of civilization worthy of mention and discussion, and that it is fitting and proper for universities, colleges and schools throughout the state to observe said day by extra programs depicting the advancement and history of the State of Oklahoma, that all officers, state, county, and city be requested to observe and call attention of the citizens everywhere, that the mayors of cities and towns be requested to issue proclamations calling attention to Oklahoma Historical Day.

Laws 1939, p. 665.

§25-85. Citizenship Recognition Day - Setting aside and proclaiming.

That the Governor of the State of Oklahoma be, and he is hereby empowered and directed to issue a proclamation setting aside a day each year as "Citizenship Recognition Day" which will as nearly as possible conform to a day which the Congress or the President of the United States may set aside as Citizenship Day.

Laws 1941, p. 90, § 1.

§25-86. Will Rogers Day.

The fourth day of November each year is hereby declared a public holiday, to be known as "Will Rogers Day". Provided, this act shall not affect the legality of judicial proceedings, the service of process, making or execution of agreements or instruments in writing, or the transaction of other business on said day.

Laws 1947, p. 236, § 1.

§25-87. Bird day.

May 1st of each year is hereby established as "Bird Day" in Oklahoma, to be commemorated in such manner as the Societies for the Preservation of Wildlife may prescribe, from time to time.

Laws 1951, p. 356, § 2.

§25-88. Oklahoma week.

That the week beginning with November 11th through November 16th (Statehood Day) of each year is hereby designated as "Oklahoma Week".

That every city in Oklahoma, every business, every organization, every man, woman and child are hereby urged during this week to conduct a personal campaign to let the world know that "we are proud of Oklahoma, and prouder to be Oklahomans."

Laws 1957, p. 663, §§ 1, 2.

§25-89. Official day for Indian tribes.

The Governor of the State of Oklahoma shall declare an official day for each Indian tribe in the State of Oklahoma. The particular designated day for each Indian tribe shall be selected by the respective Indian tribes.

Laws 1972, p. 619, S.J.R.No.29, § 1. der

§25-90.1. Oklahoma Heritage Week.

The week in each year in which November 16 falls is hereby declared to be "Oklahoma Heritage Week," beginning on a Sunday when November 16 falls on such day or a following day of the week through Saturday.

Laws 1972, p. 621, S.J.R.No.51, § 1.

§25-90.2. Oklahoma Heritage Association - Duties.

The Oklahoma Heritage Association, aforementioned herein, is hereby designated as the coordinating and planning agency for statewide annual observance of "Oklahoma Heritage Week", and is charged with the duty of creating observance thereof through pulpits and mass communication media, through public and parochial schools, through private and state institutions of higher learning and other dignified noncommercial means, so that the patriotism and idealism of our heritage be not forgotten but the lives of the citizens of the state may be enriched by reminders from our history.

Laws 1972, p. 621, S.J.R.No.51, § 2.

§25-90.3. Shut-In Day.

The first Sunday in June each year is hereby established as "Shut-In Day" in Oklahoma to be commemorated by calling upon the people of Oklahoma to observe such day by visiting at least one shut-in person on the special day if possible, and by participating in other appropriate ceremonies and activities.

Laws 1982, H.J.R. No. 1028, § 1.

§25-90.4. Prisoners of War Remembrance Day in Oklahoma.

April ninth of each year is hereby established as "Prisoners of War Remembrance Day" in Oklahoma. The sacrifices of those persons who suffered captivity in foreign lands while in the service of their country shall be commemorated on this day. All citizens of this state are requested to devote some portion of Prisoners of War Remembrance Day to solemn contemplation on the plight of the men and women of this country who have been held prisoners of war. Teachers and students of the schools of this state are requested to observe the day with appropriate exercises.

Added by Laws 1988, c. 6, § 1, emerg. eff. March 10, 1988. d

§25-90.5. Bill of Rights Day.

The 15th day of December of each year is hereby established as "Bill of Rights Day" in Oklahoma. All citizens of this state are requested to devote some portion of Bill of Rights Day to reflection on the liberties and freedoms guaranteed to American citizens by the Bill of Rights.

Added by Laws 1991, c. 69, § 1, eff. Sept. 1, 1991.

§25-90.6. Bill of Responsibilities Day.

The 16th day of December of each year is hereby established as "Bill of Responsibilities Day" in Oklahoma. All citizens of this state are requested to devote some portion of Bill of Responsibilities Day to reflection and acceptance of the responsibilities of being a citizen of this nation in order to secure and expand our freedom as individual members of a free society.

Added by Laws 1991, c. 69, § 2, eff. Sept. 1, 1991.

§25-90.7. Purple Heart Day.

Purple Heart Day. The seventh day of August of each year is hereby established as "Purple Heart Day" in Oklahoma. The Purple Heart, as established by George Washington in 1782 and revived in 1932, is a decoration of honor awarded to members of the Armed Forces and to United States citizens honorably wounded in action.

All residents of this state are requested to devote some portion of Purple Heart Day to recognizing and commemorating the recipients of the Purple Heart who have demonstrated a commitment to fighting for the ideals which have made this nation great, have served this nation so valiantly, and are role models for all to emulate.

It is the intent of the Oklahoma Legislature that:

1. The Governor execute a proclamation each year in recognition of Purple Heart Day;

2. The Secretary of Veterans Affairs encourage the observance of Purple Heart Day with appropriate activities;

3. Each local chapter of all veterans' organizations plan special activities and events to honor the Purple Heart recipients in that chapter; and

4. That the State of Oklahoma be designated as a Purple Heart State in recognition of the many citizens of the state who have earned the Purple Heart Medal as a result of being wounded while engaged in combat with an enemy force.

Added by Laws 1992, c. 8, § 1, emerg. eff. March 24, 1992. Amended by Laws 2015, c. 111, § 1, eff. Nov. 1, 2015; Laws 2019, c. 87, § 1, eff. Nov. 1, 2019.

§25-90.8. Jim Thorpe Day.

The 22nd day of May of each year is hereby established as "Jim Thorpe Day" in Oklahoma. All citizens of this state are requested

to devote some portion of Jim Thorpe Day to commemorate the accomplishments of Jim Thorpe, the greatest American athlete of the half century and this true native son of Oklahoma, to pay tribute to his athletic versatility, and to recognize the inspiration that his personal achievements have provided to all of the citizens of this state.

Added by Laws 1992, c. 62, § 1, emerg. eff. Sept. 1, 1992.

§25-90.9. Oklahoma City Bombing Remembrance Day.

April nineteenth of each year is hereby established as "Oklahoma City Bombing Remembrance Day" in Oklahoma. The sacrifices of those persons who lost their lives or were injured in the bombing and their loved ones shall be commemorated on this day. All citizens of this state are requested to devote some portion of Oklahoma City Bombing Remembrance Day to solemn contemplation of the tragedy and to reflect on the courage and spirit of cooperation demonstrated by the people of Oklahoma during and after the tragedy. Teachers and students of the schools of this state are requested to observe the day with appropriate exercises.

Added by Laws 1996, c. 44, § 1, eff. Nov. 1, 1996.

§25-90.10. Oklahoma Pearl Harbor Remembrance Day.

December 7 of each year is designated as "Oklahoma Pearl Harbor Remembrance Day", and the Governor is authorized and requested to:

1. Issue annually a proclamation calling on the citizens of the State of Oklahoma to observe the day with appropriate ceremonies and activities; and

2. Urge all state agencies, interested organizations, groups, and individuals to fly the flag of the United States at half-staff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor and in honor of those who died or were injured in World War II.

Added by Laws 1996, H.J.R. No. 1074, § 1.

§25-90.11. Vietnam Veterans Day.

The third Thursday of March of each year is hereby designated as "Vietnam Veterans Day", and the Governor is authorized and requested to:

1. Issue annually a proclamation calling on the citizens of this state to observe the day with appropriate ceremonies and activities; and

2. Urge all state agencies, interested organizations, groups, and individuals to fly the flag of the United States at half-staff the third Thursday of each March in honor of the veterans who served in Vietnam, Cambodia, or Laos during the Vietnam Conflict.

Added by Laws 1998, c. 7, § 1, emerg. eff. March 11, 1998.

§25-90.12. Oklahoma Native American Day.

The second Monday in October of each year is designated as "Oklahoma Native American Day" in Oklahoma. All citizens of this state are requested to devote some portion of Oklahoma Native American Day to commemorate the accomplishments of Oklahoma's Native Americans. Teachers and students of the schools of this state are requested to observe the day with appropriate activities.

Added by Laws 1998, c. 27, § 1, eff. Nov. 1, 1998. Amended by Laws 2019, c. 160, § 1, eff. Sept. 1, 2019.

NOTE: Editorially renumbered from § 90.11 of this title to avoid a duplication in numbering.

§25-90.13. POW/MIA Recognition Day.

The third Friday of September of each year is hereby designated as "POW/MIA Recognition Day", and the Governor is authorized and requested to:

1. Issue annually a proclamation calling on all the citizens of this state to observe the day with appropriate ceremonies and activities; and

2. Authorize all state agencies, interested organizations, groups and individuals to fly the flag of the National League of Families of American Prisoners of War and Missing in Action on the third Friday of each September to symbolize America's missing military personnel and our determination to account for them.

Added by Laws 1999, c. 42, § 1, emerg. eff. April 5, 1999.

§25-90.14. Injury Prevention Month.

May of each year is hereby established as "Injury Prevention Month". Recognizing that injuries are the third leading cause of death in Oklahoma, and are the leading cause of death for persons between the ages of one (1) and forty-four (44), that many injuries are preventable, that the number of injuries can be substantially reduced through the use of proven, cost-effective injury prevention approaches and that these approaches should be promoted through public information and education:

1. The Governor shall annually issue a proclamation encouraging the widespread dissemination of injury prevention information; and

2. All state agencies, businesses, and interested organizations should take the opportunity to provide their employees and members with injury prevention information during Injury Prevention Month.

Added by Laws 2002, c. 54, § 1, emerg. eff. April 11, 2002.

§25-90.15. Senator Keith Leftwich Day.

The first Tuesday in February in a presidential election year is hereby designated as "Senator Keith Leftwich Day" to commemorate the Senator who was the principal author of the legislation that moved

the presidential primary to the first Tuesday in February and made the State of Oklahoma a player on the national political stage. Added by Laws 2004, c. 38, § 1, emerg. eff. March 30, 2004.

§25-90.16. Motorcycle Safety Month.

The month of May of each year is hereby designated as "Motorcycle Safety Month" in the State of Oklahoma. Added by Laws 2004, S.J.R. No. 50, § 1, emerg. eff. April 1, 2004. NOTE: Editorially renumbered from Title 25, § 90.15 to avoid a duplication in numbering.

§25-90.17. President Ronald Reagan Day.

The sixth day of February of each year is hereby designated as "President Ronald Reagan Day" to commemorate the anniversary of the birth of the 40th President of the United States of America. Added by Laws 2005, H.J.R. No. 1001, § 1, emerg. eff. April 18, 2005.

§25-90.18. Medal of Honor Day.

The twenty-fifth of March of each year is hereby designated as "Medal of Honor Day", and the Governor is authorized and requested to issue a proclamation honoring Oklahomans, while serving as a member of the Armed Services, distinguishes himself or herself conspicuously by gallantry at the risk of his or her life above and beyond the call of duty engaged in action against any enemy of the United States. All citizens of this state are requested to devote some portion of Oklahoma's Medal of Honor Day to recognize the recipients of the Medal of Honor. Added by Laws 2006, c. 35, § 1, emerg. eff. April 13, 2006.

§25-90.19. Legislative Findings - Flying flags at half-staff for service member memorial services.

A. The Legislature finds that:

1. The Congress of the United States has authorized the President to use military force against "nations, organizations, or persons the President determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons", Pub. L. 107-40, and has further authorized the President to use military force in order to "defend the national security of the United States against the continuing threat posed by Iraq", Pub. L. 107-243;

2. Although these policies have resulted in some degree of controversy, it is incontrovertible that the members of the Armed Forces of the United States who have been deployed with respect thereto have served with honor, dignity, and bravery, and that public support for the members of the Armed Forces, and for their families, has been steadfast and unwavering; and

3. For as long as members of the Armed Forces are so deployed, such public support must continue and be demonstrated in every way possible.

B. Until such time as such use of military force as referenced in subsection A of this section is concluded, whether by Presidential or congressional action, the Governor is directed to order flags of the United States and the State of Oklahoma, on state property, be flown at half-staff on the day of the memorial service for any Oklahoman who lost his or her life while a member of the Armed Forces of the United States.

C. On each such day of remembrance, all state agencies, interested organizations, groups, and individuals are authorized and requested to fly the flag of the United States at half-staff. The Director of the Office of Management and Enterprise Services shall cause the provisions of this section to be implemented by all appropriate agencies of state government.

Added by Laws 2009, c. 9, § 1, eff. July 1, 2009. Amended by Laws 2012, c. 304, § 97.

§25-90.20. Second Amendment Day.

A. It is the intent of the Legislature to commemorate the date that the United States Supreme Court, in the case of *McDonald v. City of Chicago, Illinois*, 130 S.Ct 3020 (2010), declared that through the Fourteenth Amendment to the United States Constitution, the Second Amendment right of individuals to bear arms is fully applicable to the states.

B. The twenty-eighth of June of each year is hereby designated "Second Amendment Day" in Oklahoma.

Added by Laws 2011, c. 61, § 1, emerg. eff. April 14, 2011.

§25-90.21. Oklahoma Aviation and Aerospace Day.

The 19th day of August of each year is hereby established as "Oklahoma Aviation and Aerospace Day" in Oklahoma. All citizens of this state are requested to devote some portion of Oklahoma Aviation and Aerospace Day to commemorate the achievements of Oklahoma in aviation and aerospace and recognize the inspiration that aviation and aerospace have provided to the citizens of the state.

Added by Laws 2017, c.35, § 1, eff. Nov. 1, 2017.

§25-90.22. Oklahoma Women in Aviation and Aerospace Day.

The 9th day of December of each year is hereby established as "Oklahoma Women in Aviation and Aerospace Day" in Oklahoma. All citizens of this state are requested to devote some portion of Oklahoma Women in Aviation and Aerospace Day to commemorate the achievements of Oklahoma women in aviation and aerospace and recognize the inspiration that aviation and aerospace has provided to the citizens of this state.

Added by Laws 2017, c. 100, § 1, eff. Nov. 1, 2017.

NOTE: This section was editorially renumbered to avoid duplication in numbering.

§25-90.23. A Day of Remembrance.

The second Saturday of December of each year is hereby designated as "A Day of Remembrance", and the Governor is authorized and requested to issue a proclamation commemorating the day and honoring soldiers buried at the Fort Gibson National Cemetery and the Fort Sill National Cemetery. On or before the second Saturday in December, holiday wreaths will be placed on the graves of those soldiers in remembrance of their service and to show respect during the holiday season.

Added by Laws 2019, c. 22, § 1, eff. Nov. 1, 2019.

§25-90.24. Oklahoma Overdose Awareness Day.

The eleventh day of May each year is hereby designated as "Oklahoma Overdose Awareness Day".

Added by Laws 2022, c. 163, § 1, emerg. eff. May 2, 2022.

§25-90.25. Golf Day.

The third Wednesday of June each year shall be known as "Golf Day" in the State of Oklahoma.

Added by Laws 2022, c. 145, § 1, eff. Nov. 1, 2022.

NOTE: Editorially renumbered from § 90.24 of this title to avoid a duplication in numbering.

§25-90.26. Pregnancy, Infant, and Childhood Loss Awareness Month.

The month of October each year is hereby designated as "Pregnancy, Infant, and Childhood Loss Awareness Month".

Added by Laws 2023, c. 40, § 1, emerg. eff. April 20, 2023.

§25-90.27. Veteran Suicide Awareness Day.

September 22 of each year is hereby designated as "Veteran Suicide Awareness Day", to bring awareness to the twenty-two veterans who end their lives every day.

Added by Laws 2023, c. 144, § 1, eff. Sept. 1, 2023.

NOTE: Editorially renumbered from § 90.26 of this title to avoid a duplication in numbering.

§25-90.28. Space Day.

September 17 of each year is hereby designated as "Space Day", in honor of the birthday of Thomas P. Stafford, retired Lieutenant General, United States Air Force, and native Oklahoman, and to bring awareness regarding human achievements related to the study of space and its exploration, including but not limited to travel to and from the moon, the use of probes to learn more about our solar system,

planets, asteroids and other celestial objects, the possibility of travel to and from planets in our solar system and the value of space exploration with its associated impact on science and technology.

Added by Laws 2024, c. 97, § 1, emerg. eff. April 23, 2024.

§25-90.29. Daylight saving standard.

A. If a federal law is passed that authorizes states to observe daylight saving time year-round, this state shall adopt daylight saving time as the year-round standard of time for the entire state and all its political subdivisions.

B. This section shall not be construed to affect the standard time established by federal law governing the movement of common carriers engaged in interstate commerce or the time for performance of an act by an officer or department of the United States, as established by a statute, lawful order, rule, or regulation of the United States or an agency thereof.

Added by Laws 2024, c. 161, § 1, emerg. eff. April 26, 2024.

NOTE: Editorially renumbered from § 90.28 of this title to avoid duplication in numbering.

§25-91. State flag - Design.

A. The banner, or flag, of the design prescribed by Senate Concurrent Resolution No. 25, Third Legislature of the State of Oklahoma shall be, and it hereby is superseded and replaced by the following design, to wit:

A sky blue field with a circular rawhide shield of an American Indian Warrior, decorated with six painted crosses on the face thereof, the lower half of the shield to be fringed with seven pendant eagle feathers and superimposed upon the face of the shield a calumet or peace pipe, crossed at right angles by an olive branch, as illustrated by the design accompanying this resolution, and underneath said shield or design in white letters shall be placed the word "Oklahoma", and the same is hereby adopted as the official flag and banner of the State of Oklahoma.

B. The standard design and colors in the state flag shall be as follows:

1. The Osage Indian warrior's circular rawhide shield of amber buckskin is center upon a field of French Blue. On the face of the shield shall be six small gold brown crosses that match the thongs lacing the edge of the shield. The vertical bar of each cross shall be twenty-five percent (25%) longer than the horizontal bar, the lower width line of which shall be placed at the fifty percent (50%) mark of the vertical bar and the top width line shall be placed at the top twenty-five percent (25%) mark of the vertical bar. The width of the horizontal bar shall be seventy-five percent (75%) of the vertical bar;

2. The edge of the lower half of the shield shall be fringed with seven pendant eagle feathers of white tipped with gold brown;

3. Across the face of the shield at right angle shall be a calumet or Indian pipe of peace, which shall have a ruby red bowl, flesh stem and be decorated with a ruby red tassel at the end. Above the calumet, lying at a right angle shall be an olive branch of Dartmouth green; and

4. The name Oklahoma in white letters shall appear under the shield on the face of the flag.

C. The standard colors used in production of the state flag shall be:

1. Pantone Matching System, Pantone Inc., latest edition:
 - a. field: French Blue PMS 285c,
 - b. shield: amber PMS 465c,
 - c. feathers shading: flesh and gold brown combination PMS 486c and PMS 174c,
 - d. crosses and thongs: gold brown PMS 174c, and
 - e. calumet: stem of pipe flesh PMS 486c, body of pipe and tassel ruby red PMS 195c, and olive branch Dartmouth green PMS 554c; and

2. Colors shall be colorfast and shall not bleed one into another.

Added by Laws 1925, c. 234, p. 340, § 1. Amended by Laws 1941, p. 90, § 1; Laws 2006, c. 181, § 1, eff. Nov. 1, 2006.

§25-91.1. Public institutions - Display of state flag.

Every officer, board or person having jurisdiction over the main administration building of any public institution in this state, shall have the flag of the State of Oklahoma displayed on the respective administration building every day except Sunday and when the weather is inclement.

Laws 1953, p. 99, § 1.

§25-91.2. Public schools - Display of state flag.

It shall be the duty of the district boards or boards of education of every public school in this state, to cause the flag of the State of Oklahoma to be displayed during every school day from a flagstaff or pole, except that the flag need not be displayed in inclement weather.

Laws 1953, p. 99, § 2.

§25-91.3. State Flag Day.

Statehood Day, the 16th day of November of each year, is also designated as the official Oklahoma State Flag Day, and it is recommended that said day be observed by the people of this state by the display of the official flag of the State of Oklahoma and in

such other ways as will be in harmony with the general character of the day.

Laws 1968, p. 823, H.J.R.No. 563, § 1, emerg. eff. April 29, 1968.

§25-91a. State agencies and boards of education - Display of state flag.

It shall be the duty of all state agencies and boards of education of this state to display the state flag with the standard design and colors as specified in Section 91 of Title 25 of the Oklahoma Statutes.

Added by Laws 2006, c. 181, § 2, eff. Nov. 1, 2006.

§25-92. State floral emblem and official flower.

A. The mistletoe shall be the floral emblem of the state.

B. The Oklahoma Rose shall be the official flower of the State of Oklahoma.

R.L.1910, § 2952. Amended by Laws 2004, c. 89, § 1, eff. Nov. 1, 2004.

§25-92.1. State wild flower - Indian Blanket.

The official state wild flower of the State of Oklahoma shall be the Indian Blanket (*Gaillardia pulchella*).

R.L.1910, § 2952.

§25-93. State colors.

The said colors of green and white be adopted as permanent and appropriate colors for the State of Oklahoma.

Laws 1915, House Concurrent Resolution, No. 9.

§25-93.1. Governor's flag.

The flag of the Governor of the State of Oklahoma shall be forest green, bearing on each side the following: the Great Seal of the State of Oklahoma, centered, surrounded by five equidistant white stars with one of the stars placed directly above the Great Seal; and the flag to be edged with golden fringe.

Laws 1957, p. 657, § 1.

§25-93.2. Alfred P. Murrah Federal building commemorative flag.

In memory of the April 19, 1995, bombing of the Alfred P. Murrah Federal Building in Oklahoma City which killed or injured hundreds of residents of this and other states, flags commemorating this incident and the courage and compassion of the people of this state, this country and the world who have been involved in the rescue of and aid to these residents are encouraged to be flown on flagpoles throughout this state the week of each year in which April 19th falls beginning on the Sunday of such week through to the following Saturday.

The Governor may select which commemorative flag may be flown on state property each year, and citizens and the governing body of each political subdivision of the state may select the commemorative flag of choice for their own respective property.

Added by Laws 1996, c. 4, § 1, emerg. eff. March 12, 1996.

§25-93.3. 9/11 Remembrance Freedom Flag.

In memory of the September 11, 2001, terrorist attacks on the World Trade Center, Pentagon, and the plane crash victims of the United Airlines Flight 93, the 9/11 Remembrance "Freedom Flag" that commemorates this day in American history, shall be authorized to be flown on flagpoles throughout the state in remembrance.

Added by Laws 2022, c. 275, § 1, emerg. eff. May 16, 2022.

§25-94.1. Official state song.

The official song and anthem of the State of Oklahoma is hereby declared to be the words and music of the song "Oklahoma," composed and written by Richard Rodgers and Oscar Hammerstein.

Added by Laws 1953, p. 101, § 2.

§25-94.2. Official depository of state song.

The State Library shall be the official depository of the official State song, and the State Librarian shall cause a copy thereof to be kept in the State Library.

Laws 1953, p. 101, § 3.

§25-94.3. Words of state song.

"Brand new state, Brand new state, gonna treat you great!

Gonna give you barley, carrots and pertaters,

Pasture fer the cattle, Spinach and Termayters!

Flowers on the prairie where the June bugs zoom,

Plen'y of air and plen'y of room,

Plen'y of room to swing a rope!

Plen'y of heart and plen'y of hope!

Oklahoma, where the wind comes sweepin' down the plain,

And the wavin' wheat can sure smell sweet

When the wind comes right behind the rain.

Oklahoma, ev'ry night my honey lamb and I

Sit alone and talk and watch a hawk makin' lazy circles in the

sky.

We know we belong to the land

And the land we belong to is grand!

And when we say - Yeeow! A-yip-i-o-ee ay!

We're only sayin' You're doin' fine, Oklahoma! Oklahoma - O.K."

Added by Laws 1953, p. 101, § 4.

§25-94.5. Official state children's song.

The official children's song of the State of Oklahoma is hereby declared to be the words and music of the song "Oklahoma, My Native Land", composed and written by Martha Kemm Barrett. Added by Laws 1996, c. 25, § 1, eff. Nov. 1, 1996.

§25-94.6. Official depository of state children's song.

The State Library, maintained by the Oklahoma Department of Libraries, shall be the official depository of the official state children's song, and the State Librarian shall cause a copy of the song to be kept in the State Library.

Added by Laws 1996, c. 25, § 2, eff. Nov. 1, 1996.

§25-94.7. Words of the state children's song.

The words of the official state children's song are:

"As I travel the roads of America, such wonderful sights I can see.

But nothing compares to the place I love;

The perfect home for you and for me.

Yes, Oklahoma, my native land. I am proud to say your future's looking grand. Yes, Oklahoma, such history. Ev'ry day you give a gift just for me.

I see a Scissortail Flycatcher cut through the clean air as mistletoe kisses the branches ev'rywhere. Redbuds open ev'ry single spring. I hear a Pow Wow beat the rhythm of the old ways as oil wells pump back mem'ries of the boom days. Only Oklahoma has these things.

Yes, Oklahoma, my native land. I am proud to say your future's looking grand. Yes, Oklahoma, such history. Ev'ry day you give a gift just for me. Perfect home for you. The perfect home for me. It's only Oklahoma for me."

Added by Laws 1996, c. 25, § 3, eff. Nov. 1, 1996.

§25-94.8. State Folk Song.

The official Oklahoma State Folk Song is hereby declared to be the words and music of the song "Oklahoma Hills", composed and written by Woody Guthrie and Jack Guthrie. Except for nonprofit educational use, state use of the state folk song shall be preceded by notice of the intended nonprofit use to the copyright holder.

Added by Laws 2001, c. 47, § 1, eff. Nov. 1, 2001.

§25-94.9. Official depository of the state folk song.

The State Library shall be the official depository of the official Oklahoma State Folk Song, and the State Librarian shall cause a copy thereof to be kept in the State Library.

Added by Laws 2001, c. 47, § 2, eff. Nov. 1, 2001.

§25-94.10. Lyrics to state folk song.

The words to the Oklahoma State Folk Song, "Oklahoma Hills", words and music by Woody Guthrie and Jack Guthrie, are as follows:

Many a month has come and gone
Since I've wandered from my home
In those Oklahoma Hills
Where I was born
Many a page of my life has turned
Many lessons I have learned
And I feel like in those hills
Where I belong

CHORUS:

Way down yonder in the Indian nation
Ridin' my pony on the reservation
In the Oklahoma Hills where I was born
Way down yonder in the Indian nation
A cowboy's life is my occupation
In the Oklahoma Hills where I was born
But as I sit here today
Many miles I am away
From the place I rode my pony
Through the draw
Where the oak and black-jack trees
Kiss the playful prairie breeze
And I feel back in those hills
Where I belong

CHORUS

Now as I turn life a page
To the land of the great Osage
In those Oklahoma hills
Where I was born
Where the black oil rolls and flows
And the snow white cotton grows
And I feel like in those hills
Where I belong

CHORUS

©Renewed 1973 Michael H. Goldsen, Inc.

Added by Laws 2001, c. 47, § 3, eff. Nov. 1, 2001.

§25-94.11. Official state gospel song.

The official state gospel song of the State of Oklahoma is hereby declared to be the words of the song "Swing Low, Sweet Chariot", composed and written by Wallis Willis, a Choctaw freedman living in Indian Territory before 1862.

Added by Laws 2011, c. 118, § 1, eff. Nov. 1, 2011.

§25-94.12. Official depository of state gospel song.

The State Library shall be the official depository of the official Oklahoma State Gospel Song, and the State Librarian shall cause a copy thereof to be kept in the State Library.
Added by Laws 2011, c. 118, § 2, eff. Nov. 1, 2011.

§25-94.13. Words to official state gospel song.

The words to the Oklahoma State Gospel Song, "Swing Low, Sweet Chariot", words by Wallis Willis, are as follows:

Swing low, sweet chariot,
Coming for to carry me home,
Swing low, sweet chariot;
Comin' for to carry me home.
I looked over Jordan, and what did I see,
Comin' for to carry me home,
A band of angels comin' after me,
Comin' for to carry me home.
Swing low, sweet chariot,
Comin' for to carry me home,
Swing low, sweet chariot,
Comin' for to carry me home.
If you get there before I do,
Comin' for to carry me home,
Tell all my friends I'm comin' too,
Comin' for to carry me home.
Swing low, sweet chariot,
Comin' for to carry me home,
Swing low, sweet chariot,
Comin' for to carry me home.
I'm sometimes up and sometimes down,
Comin' for to carry me home,
But still my soul feels heavenly bound,
Comin' for to carry me home.
Swing low, sweet chariot,
Comin' for to carry me home,
Swing low, sweet chariot,
Comin' for to carry me home.
The brightest day that I can say,
Comin' for to carry me home,
When Jesus washed my sins away,
Comin' for to carry me home.
Swing low, sweet chariot,
Comin' for to carry me home,
Swing low, sweet chariot,
Comin' for to carry me home.

Added by Laws 2011, c. 118, § 3, eff. Nov. 1, 2011.

§25-94.14. Official inspirational song of the State of Oklahoma.

The official inspirational song of the State of Oklahoma is hereby declared to be "I Can Only Imagine" by MercyMe. Added by Laws 2018, c. 58, § 1, eff. Nov. 1, 2018.

§25-94.15. Official depository for the official inspirational song of the State of Oklahoma.

The State Library shall be the official depository of the official inspirational song of the State of Oklahoma, and the State Librarian shall cause a copy thereof to be kept in the State Library.

Added by Laws 2018, c. 58, § 2, eff. Nov. 1, 2018.

§25-94.16. Words to the official inspirational song of the State of Oklahoma.

The words to the official inspirational song for the State of Oklahoma, "I Can Only Imagine", written and composed by lead vocalist Bart Millard of the band MercyMe, are as follows:

"I can only imagine what it will be like
When I walk by your side
I can only imagine what my eyes will see
When your face is before me
I can only imagine
Surrounded by your glory, what will my heart feel
Will I dance for you Jesus or in awe of you be still
Will I stand in your presence or to my knees will I fall
Will I sing hallelujah, will I be able to speak at all
I can only imagine
I can only imagine
I can only imagine when that day comes
And I find myself standing in the Son
I can only imagine when all I will do
Is forever, forever worship You
I can only imagine
I can only imagine."

Added by Laws 2018, c. 58, § 3, eff. Nov. 1, 2018.

§25-94.17. State horse.

The American Quarter Horse is hereby designated and adopted as the state horse of Oklahoma.

Added by Laws 2022, c. 216, § 1, eff. Nov. 1, 2022.

§25-94.18. State legume.

The soybean is hereby designated and adopted as the state legume of Oklahoma.

Added by Laws 2024, c. 187, § 1.

§25-98. State bird.

The scissor-tailed flycatcher, *Muscivora Forficata*, is hereby designated and adopted as the state bird of the State of Oklahoma. Laws 1951, p. 356, § 1.

§25-98.1. State rock.

The Barite Rose, commonly known and referred to as the "rose rock", is hereby designated as the official rock of this state. Laws 1968, c. 140, § 1, emerg. eff. April 8, 1968.

§25-98.2. State fish.

The white bass, *Morone chrysops*, sometimes known as sand bass, is hereby designated and adopted as the state fish of the State of Oklahoma.

Laws 1974, c. 38, § 1, emerg. eff. April 13, 1974.

§25-98.3. State percussive musical instrument.

The drum is hereby designated and adopted as the percussive musical instrument of the State of Oklahoma.

Added by Laws 1993, c. 286, § 1, eff. Sept. 1, 1993.

§25-98.4. State Poet Laureate.

There is hereby designated the honorary position of State Poet Laureate. The State Poet Laureate shall be appointed by the Governor from lists provided by poetry societies and organizations and such person shall have this honorary position for a period of two (2) years. Each appointment shall be made by January 1 of every odd year beginning January 1, 1995. The person appointed to the honorary position of State Poet Laureate shall not be considered a state official or a state employee for such person's service in the honorary position of State Poet Laureate. The State Poet Laureate shall not be prohibited because of said appointed position from:

1. Running for and being elected to any office in the state or a political subdivision of the state; or
2. Being employed as a classified or unclassified employee of the state or a political subdivision of the state.

Added by Laws 1994, c. 53, § 1.

§25-98.5. State butterfly.

The black swallowtail, *Papilio polyxenes*, is hereby designated and adopted as the state butterfly of the State of Oklahoma.

Added by Laws 1996, c. 11, § 2, eff. Nov. 1, 1996.

§25-98.6. State fossil.

Because of the extraordinarily rich paleontological heritage of the State of Oklahoma, the Legislature hereby declares *Saurophaganax Maximus* to be the State Fossil of Oklahoma. This spectacular dinosaur, the "greatest king of reptile eaters", once roamed this

great land. It is only known from Oklahoma and has surpassed the Tyrannosaurus rex, the "king of the dinosaurs", as the greatest predator of earth's history.

Added by Laws 2000, c. 72, § 1, emerg. eff. April 14, 2000.

§25-98.7. Official state drink.

Milk is hereby designated and adopted as the official drink of the State of Oklahoma.

Added by Laws 2002, c. 173, § 1, emerg. eff. May 6, 2002.

§25-98.8. Official state crystal.

The hourglass selenite crystal is hereby designated and adopted as the official crystal of the State of Oklahoma.

Added by Laws 2005, c. 14, § 1, emerg. eff. April 1, 2005.

§25-98.9. State cartoon character.

GUSTY® is hereby designated and adopted as the state cartoon character of the State of Oklahoma.

Added by Laws 2005, c. 32, § 1, emerg. eff. April 6, 2005.

§25-98.10. Official state fruit.

The strawberry is hereby designated and adopted as the official fruit of the State of Oklahoma.

Added by Laws 2005, c. 63, § 1, eff. Nov. 1, 2005.

NOTE: Editorially renumbered from § 98.8 of this title to avoid duplication in numbering.

§25-98.11. Official state flying mammal.

The Mexican free-tailed bat, *Tadarida brasiliensis*, is hereby designated and adopted as the official state flying mammal of the State of Oklahoma.

Added by Laws 2006, c. 37, § 1, eff. Nov. 1, 2006.

§25-98.13. State game bird.

The wild turkey *Meleagris gallopavo* is hereby designated and adopted as the state game bird of the State of Oklahoma.

Added by Laws 2006, c. 232, § 1, emerg. eff. June 6, 2006.

§25-98.14. State dinosaur.

The dinosaur *Acrocanthosaurus atokensis* is hereby designated and adopted as the state dinosaur of Oklahoma.

Added by Laws 2006, c. 232, § 2, emerg. eff. June 6, 2006.

§25-98.15. Official state vegetable.

The watermelon is hereby designated and adopted as the official vegetable of the State of Oklahoma.

Added by Laws 2007, c. 45, § 1, eff. Nov. 1, 2007.

§25-98.16. National Day of the Cowboy.

The fourth Saturday of July of each year shall be declared as the National Day of the Cowboy and set aside to celebrate the contribution of the Cowboy and Cowgirl to this state and all of America's culture and heritage. All citizens of this state are encouraged to recognize and celebrate annually on this day our state's long and proud tradition of cowboy culture with appropriate ceremonies, events and activities.

Added by Laws 2013, c. 182, § 1, emerg. eff. April 29, 2013.

§25-98.17. State raptor.

The red-tailed hawk, *Buteo jamaicensis*, is hereby designated and adopted as the state raptor of the State of Oklahoma.

Added by Laws 2018, c. 142, § 1, eff. Nov. 1, 2018.

§25-98.18. State astronomical object.

The Rosette Nebula, NGC 2237, is hereby designated and adopted as the official astronomical object of the State of Oklahoma.

Added by Laws 2019, c. 100, § 1, eff. Nov. 1, 2019.

§25-98.19. Official state steak.

The ribeye steak is hereby designated and adopted as the state steak of the State of Oklahoma.

Added by Laws 2019, c. 275, § 1, eff. Nov. 1, 2019.

NOTE: Editorially renumbered from § 98.18 of this title to avoid duplication in numbering.

§25-98.20. Short title - Cali's Law - State pet of Oklahoma.

This act shall be known and may be cited as "Cali's Law". The rescue animal is hereby designated and adopted as the state pet of the State of Oklahoma. As used in this section, "rescue animal" shall mean any companion animal adopted from an animal shelter licensed pursuant to the Commercial Pet Breeders and Animal Shelter Licensing Act or animal welfare or rescue organization that facilitates the adoption or housing of companion animals with the intention of finding permanent adoptive homes or providing lifelong care for companion animals.

Added by Laws 2021, c. 210, § 1, eff. Nov. 1, 2021.

§25-98.25. Official state theatre.

The Lyric Theatre of Oklahoma is hereby recognized and designated as the official theatre of Oklahoma.

Added by Laws 2022, c. 227, § 1, eff. Nov. 1, 2022.

§25-101. Daily paper defined.

Any newspaper which is regularly published as often as five (5) days in each week shall be considered to be a daily newspaper. This section shall apply to publications heretofore made.
R.L.1910, § 2953.

§25-103. Sufficiency of publication of legal notices.

It shall not be necessary to publish a legal notice, when published in a daily newspaper or in a semiweekly newspaper, in every issue thereof, but it shall be sufficient to publish such notice one (1) day each week during the required period of publication. Said one (1) day of publishing legal notice each week may be any day of the week in which the newspaper is published but the said legal notice must appear in said newspaper on the same day each week during the required period of publication as it was originally published.

Legal notices, within the meaning of this act, shall include all notices, the publication of which is provided for by some law of the State of Oklahoma.

Laws 1925, c. 55, p. 83, § 1; Laws 1961, p. 240, § 1.

§25-104. Change of name of newspaper.

It shall be lawful for any legal newspaper now published in this state to change the name of such newspaper, without removing from the city of its publication, and without losing its qualifications to carry legal notices; provided, that said newspaper has been published for sufficient time and is already otherwise qualified to carry legal advertising; and provided, further, that it shall carry the new name of such paper as successor to the name theretofore used by it for a period of at least one (1) year; and providing, further, that all legal notices running in said paper at the date of such change shall be completed and as valid as though no change had been made.

Laws 1925, c. 55, p. 83, § 1; Laws 1961, p. 240, § 1.

§25-105. Designation of newspaper by party or attorney.

In all cases provided by law for the publication of notice in a newspaper, the party or attorney upon whose application or behalf the notice shall be published shall have the right to designate the newspaper in which such publication shall be had, and it shall be the duty of the officer whose duty it shall be to sign or certify to such notice to have the publication in the newspaper so designated, and no other; provided such newspaper shall come within the provisions of Section 2954 of the Revised Laws of Oklahoma, 1910.
Laws 1915, c. 45, § 1.

§25-106. Newspapers for publication of legal notices.

No legal notice, advertisement, or publication of any kind required or provided for by the laws of this state to be published in a newspaper shall have force or effect unless published in a legal newspaper of the county. A legal newspaper of the county is any newspaper which, during a period of one hundred four (104) consecutive weeks immediately prior to the first publication of such notice, advertisement, or publication:

1. has maintained a paid general subscription circulation in the county; and

2. has been admitted to the United States mails as paid second-class mail matter; and

3. has been continuously and uninterruptedly published in the county.

If there is no legal newspaper in a county, then all legal notices, advertisements, or publications of any kind required or provided for by the laws of this state shall be published in a legal newspaper in an adjoining county of this state, which newspaper has general circulation in the county or political subdivision in which such notice is required.

Nothing in this section shall invalidate the publication of such legal notices, advertisements, or publications in a newspaper which has moved its place of publication from one location in the county to another location in the same county without breaking the continuity of its regular issues for the requisite length of time, or the name of which may have been changed when said change of location was made as permitted by United States postal laws and regulations. Failure to issue or publish said newspaper for a period of fourteen (14) days due to fire, accident, or other unforeseen cause, or by reason of the pendency of mortgage foreclosure, attachment, execution, or other legal proceedings against the type, presses, or other personal property used by the newspaper, shall not be deemed a failure to maintain continuous and consecutive publication as required by the provisions of this section, nor shall said failure invalidate the publication of a notice otherwise valid. Failure to issue or publish a newspaper qualified to publish legal notices, advertisements, or publications of any kind, for a period totaling not more than fourteen (14) consecutive days during a calendar year shall not be deemed a failure to maintain continuous and consecutive publication as required by the provisions of this section, nor shall said failure invalidate the publication of a notice otherwise valid.

Amended by Laws 1983, c. 22, § 1, eff. Nov. 1, 1983.

§25-107. Honest Mistake Act - Papers within provisions.

Only such newspapers as are defined in Section 1 hereof shall come within the provisions of Title 12, Section 1446a, O.S. 1951, "The Honest Mistake Act".

Laws 1943, p. 85, § 2.

§25-108. Proof of publication.

A. Any publisher or any authorized employee of any newspaper making proof of publication by affidavit of any legal notice, advertisement or publication of any kind, required or provided by any of the laws of this state shall specifically set forth in the affidavit that the newspaper carrying the notice, advertisement or publication, comes within the prescription and requirement of Section 106 of this title.

B. An affidavit of publication provided by a publisher or authorized employee pursuant to subsection A of this section shall constitute conclusive proof that the newspaper has published the notice, advertisement or publication and shall be incontestable in any court in this state.

Added by Laws 1943, p. 85, § 3. Amended by Laws 2021, c. 76, § 1, eff. Nov. 1, 2021.

§25-109. Suspension of publication because of induction or enlistment.

From and after the effective date of this act all newspapers in this state having the status of a legal publication under existing laws, which by reason of induction or enlistment into the Armed Service of the United States of the owner or principal owner thereof, in the war between the United States of America, Germany, Italy and Japan, or in service during a state of national emergency as declared by the President of the United States, which are forced to suspend publication, may upon resuming publication do so without loss of status as such legal publication by reason of the failure to publish said newspaper during the period covered herein by complying with the provisions of this act.

Laws 1943, p. 85, § 4; Laws 1951, p. 64, § 1.

§25-110. Affidavit as to suspension - Resumption of publication.

When the owner or principal owner of any newspaper in this state determines that he shall enter the Armed Forces of the United States to serve in the war against Germany, Italy and Japan, or during a state of national emergency as declared by the President of the United States, and that by reason thereof it is determined that the publication of the newspaper of which he is owner or principal owner must suspend publication, such owner or principal owner may file with the court clerk of the county in which said newspaper is located, an affidavit setting forth the fact, and said affidavit shall be docketed and recorded by the court clerk in the manner of cases filed in the district court; and any time such owner or principal owner desires to resume publication of such suspended newspaper, he may file an application with a district judge of the

county in which such newspaper is printed, which application shall state the date when said newspaper was suspended and the reason therefor and pray for an order of the district court authorizing that said newspaper resume publication without loss of status as a legal publication. Upon a hearing and proper showing of fact before a judge of the district court of said county, the judge of the district court may issue an order finding that said newspaper has complied with the provisions of this act and ordering that said newspaper upon resuming publication shall have the same legal status as it possessed before such involuntary suspension of such newspaper. The application and court order provided for herein shall be docketed and recorded in the same manner as the affidavit originally filed. The court clerk shall collect no fee for filing and recording the papers required under the provisions of this act; and providing further that when any newspaper resumes publication upon the order of the court as provided herein, the original subscription list and circulation list used by said newspaper shall be used by said owner or principal owner in reestablishing its publication.

Laws 1943, p. 86, § 5; Laws 1951, p. 65, § 2.

§25-111. Owners to whom act applicable.

The provisions of this act shall be applicable to any owner or principal owner, his heirs or assigns, of any newspaper during his services in the Armed Forces of the United States of America in the war between the United States and Germany, Italy and Japan, and for six (6) months after the termination of hostilities between the United States of America and the enemy countries mentioned herein, or during a state of national emergency as declared by the President of the United States.

Laws 1943, p. 86, § 6; Laws 1951, p. 65, § 3.

§25-112. Change in frequency of publication - Status as legal newspaper.

Any newspaper qualified to publish legal notices and advertisements as a legal newspaper, as defined in 25 O.S.Supp.1967, Section 106, may change its frequency of publication without losing its status and qualifications as a legal newspaper to publish all legal notices and advertisements so long as said newspaper complies with the provisions of 25 O.S.Supp.1967, Section 106.

Laws 1943, p. 86, § 7; Laws 1968, c. 45, § 1, emerg. eff. March 7, 1968.

§25-113. Publication in newspaper published in county, but not at county seat.

In all cases under the statutes of this state where publication of any notice or advertisement is required to be made in a newspaper

published in the county seat of any county, and there is no legal newspaper published in such county seat, it shall be sufficient for such notice to be published in any newspaper published in the county which shall comply with the requirements of 25 O.S.1951, Section 106.

Laws 1953, p. 101, § 1.

§25-114. Validation of publication elsewhere than at county seat.

All publications of notices or advertisements, required by law to be published in a newspaper published in the county seat of any county, which publications or advertisements were made in a newspaper published in the county and complying with the requirements of 25 O.S.1951, Section 106, and at such time there was no legal newspaper published in the county seat, hereby are validated.

Laws 1953, p. 102, § 2.

§25-115. Minutes of school board and municipal meetings to be furnished to legal newspapers upon request - Business day defined.

A. It shall be the mandatory duty of the minute clerk of the board of each school district and the clerk of the governing body of each city and town to furnish the tentative minutes of every regular and/or special meeting of such school boards and municipal governing bodies to legal newspapers requesting the same in writing, provided any such newspaper must be located in the same county as all or a part of the school district or municipality to which such request is made.

B. Provided further that such minutes shall be furnished no later than the close of the business day within four (4) business days, excluding the day of the meeting, after the meeting. Any such written request shall be effective and said minutes shall be furnished in compliance therewith for the current calendar year or remaining portion thereof unless a shorter period shall be specified in said request.

C. For purposes of this section, "business days" shall mean Monday through Friday and does not include Saturday, Sunday or holidays legally declared by the State of Oklahoma.

Added by Laws 1961, p. 240, § 1, eff. July 13, 1961. Amended by Laws 1988, c. 90, § 1, operative July 1, 1988; Laws 2017, c. 33, § 1, eff. Nov. 1, 2017.

§25-151. Flag day - Proclamation by Governor.

The Governor of this state shall, on or before the 1st day of June of each year, issue a proclamation recommending that June 14th, Flag Day, be observed by the people of this state by the display of the flag of the United States of America, and in such other ways as will be in harmony with the general character of the day.

Laws 1939, p. 7, § 1.

§25-152. Administration buildings - Display of flag daily.

Every officer, board or person having jurisdiction of the main administration building of any public institution in this state shall have the flag of the United States of America displayed on said administration building each day except the flag need not be so displayed when the weather is inclement.

Laws 1939, p. 7, § 2.

§25-153. Schools to display flag daily.

It shall be the duty of the district boards or boards of education of every public school, or proprietor of a private or parochial school in this state, to provide a suitable flag of the United States of America with staff or flagpole for every schoolhouse, and cause the flag to be displayed during every school day either from a flagstaff or pole, and in inclement weather, within the school building.

Laws 1939, p. 7, § 3.

§25-154. Election polling places - Display of flag.

Every person in this state charged with the duty of providing supplies at any election polling place, shall provide a suitable flag of the United States of America and shall cause the same to be displayed in each polling place on the day of each and every municipal, county, state and national election.

Laws 1939, p. 8, § 4.

§25-155. Printing or lettering on flag prohibited.

It shall be unlawful for any person, firm or corporation to cause any printing or lettering of any kind to be placed on any flag of the United States of America or to use such a flag in any manner for advertising purpose or as a receptacle for receiving, holding, carrying or delivering anything whatsoever.

Laws 1939, p. 8, § 5.

§25-156. Parades - Carrying flag without color guards prohibited.

It shall be unlawful for any lodge, fraternity, association, or club, when putting on a parade, to carry the flag without proper color guards.

Laws 1939, p. 8, § 6.

§25-157. Violation of act a misdemeanor - Fine.

Any person, firm, association, lodge, fraternity, or club who shall fail to comply with the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any

sum not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00).

Laws 1939, p. 8, § 7.

§25-158. Purchase of flags manufactured in United States.

All state agencies and political subdivisions shall only purchase flags of the United States and state flags of Oklahoma that are manufactured in the United States. A flag is manufactured in the United States if a substantial majority of the principal components are assembled into the final product in an assembly plant in the United States.

Added by Laws 2008, c. 45, § 1, eff. Nov. 1, 2008.

§25-221. Use of certified mail with return receipt requested in place of registered mail.

It is hereby declared and directed that use of "certified United States mail with return receipt requested," or "certified mail," "restricted delivery" shall be a full and complete legal compliance with the statutes of Oklahoma permitting, directing, or requiring use of "Registered United States mail" or "certified United States mail" or "certified United States mail" a return receipt requested, or "certified United States mail," "restricted delivery," or any other such similar designations by any person in a public or private capacity, and all provisions of the statutes of Oklahoma are hereby modified to effect such change.

Laws 1961, p. 240, § 1; Laws 1977, c. 217, § 1.

§25-301. Citation.

This act shall be known as the Oklahoma Open Meeting Act.

Added by Laws 1977, c. 214, § 1, eff. Oct. 1, 1977.

§25-302. Public policy.

It is the public policy of the State of Oklahoma to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems.

Laws 1977, c. 214, § 2, eff. Oct. 1, 1977.

§25-303. Times and places - Advance notice.

All meetings of public bodies, as defined hereinafter, shall be held at specified times and places which are convenient to the public and shall be open to the public, except as hereinafter specifically provided. All meetings of such public bodies, except for executive sessions of the State Banking Board and Oklahoma Savings and Loan Board, shall be preceded by advance public notice specifying the time and place of each such meeting to be convened as well as the subject matter or matters to be considered at such meeting, as hereinafter provided.

Amended by Laws 1987, c. 61, § 19, emerg. eff. May 4, 1987.

§25-304. Definitions.

As used in the Oklahoma Open Meeting Act:

1. "Public body" means the governing bodies of all municipalities located within this state, boards of county commissioners of the counties in this state, boards of public and higher education in this state and all boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts or any entity created by a public trust including any committee or subcommittee composed of any of the members of a public trust or other legal entity receiving funds from the Rural Economic Action Plan Fund as authorized by Section 2007 of Title 62 of the Oklahoma Statutes, task forces or study groups in this state supported in whole or in part by public funds or entrusted with the expending of public funds, or administering public property, and shall include all committees or subcommittees of any public body. Public body shall not include the state judiciary, the Council on Judicial Complaints when conducting, discussing, or deliberating any matter relating to a complaint received or filed with the Council, the Legislature, or administrative staffs of public bodies including, but not limited to, faculty meetings and athletic staff meetings of institutions of higher education when those staffs are not meeting with the public body, or entry-year assistance committees. Furthermore, public body shall not include the multidisciplinary teams provided for in Section 1-9-102 of Title 10A of the Oklahoma Statutes, in Section 10-115 of Title 43A of the Oklahoma Statutes, and in subsection C of Section 1-502.2 of Title 63 of the Oklahoma Statutes or any school board meeting for the sole purpose of considering recommendations of a multidisciplinary team and deciding the placement of any child who is the subject of the recommendations. Furthermore, public body shall not include meetings conducted by stewards designated by the Oklahoma Horse Racing Commission pursuant to Section 203.4 of Title 3A of the Oklahoma Statutes when the stewards are officiating at races or otherwise enforcing rules of the Commission. Furthermore, public body shall not include the board of directors of a Federally Qualified Health Center or the postadjudication review boards provided for in Sections 1116.2 and 1116.3 of Title 10 of the Oklahoma Statutes;

2. "Meeting" means the conduct of business of a public body by a majority of its members being personally together or, as authorized by Section 307.1 of this title, together pursuant to a videoconference. Meeting shall not include informal gatherings of a majority of the members of the public body when no business of the public body is discussed;

3. "Regularly scheduled meeting" means a meeting at which the regular business of the public body is conducted;

4. "Special meeting" means any meeting of a public body other than a regularly scheduled meeting or emergency meeting;

5. "Emergency meeting" means any meeting called for the purpose of dealing with an emergency. For purposes of the Oklahoma Open Meeting Act, an emergency is defined as a situation involving injury to persons or injury and damage to public or personal property or immediate financial loss when the time requirements for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss;

6. "Continued or reconvened meeting" means a meeting which is assembled for the purpose of finishing business appearing on an agenda of a previous meeting. For the purposes of the Oklahoma Open Meeting Act, only matters on the agenda of the previous meeting at which the announcement of the continuance is made may be discussed at a continued or reconvened meeting;

7. "Videoconference" means a conference among members of a public body remote from one another who are linked by interactive telecommunication devices or technology and/or technology permitting both visual and auditory communication between and among members of the public body and/or between and among members of the public body and members of the public. During any videoconference, both the visual and auditory communications functions shall attempt to be utilized; and

8. "Teleconference" means a conference among members of a public body remote from one another who are linked by telecommunication devices and/or technology permitting auditory communication between and among members of the public body and/or between and among members of the public body and members of the public.

Added by Laws 1977, c. 214, § 4, eff. Oct. 1, 1977. Amended by Laws 1982, c. 342, § 12, emerg. eff. June 2, 1982; Laws 1988, c. 153, § 6, eff. July 1, 1988; Laws 1993, c. 282, § 1, eff. Sept. 1, 1993; Laws 1998, c. 370, § 3, eff. Nov. 1, 1998; Laws 1999, c. 1, § 9, emerg. eff. Feb. 24, 1999; Laws 1999, c. 423, § 10, emerg. eff. June 10, 1999; Laws 2007, c. 142, § 1, eff. Nov. 1, 2007; Laws 2010, c. 378, § 4; Laws 2019, c. 81, § 3, eff. Nov. 1, 2019; Laws 2020, c. 3, § 1, emerg. eff. March 18, 2020; Laws 2021, c. 107, § 2, emerg. eff. April 21, 2021; Laws 2022, c. 123, § 1, eff. Nov. 1, 2022; Laws 2024, c. 237, § 3, eff. Nov. 1, 2024.

NOTE: Laws 1998, c. 315, § 1 repealed by Laws 1999, c. 1, § 45, emerg. eff. Feb. 24, 1999.

§25-305. Recording of votes.

In all meetings of public bodies, the vote of each member must be publicly cast and recorded.

Laws 1977, c. 214, § 5, eff. Oct. 1, 1977.

§25-306. Circumvention of act - Teleconferences and videoconferences excepted.

No informal gatherings or any electronic or telephonic communications, except teleconferences or videoconferences as authorized by Section 307.1 of this title, among a majority of the members of a public body shall be used to decide any action or to take any vote on any matter.

Added by Laws 1977, c. 214, § 6, eff. Oct. 1, 1977. Amended by Laws 1993, c. 282, § 2, eff. Sept. 1, 1993; Laws 2020, c. 3, § 2, emerg. eff. March 18, 2020.

§25-307. Executive sessions.

A. No public body shall hold executive sessions unless otherwise specifically provided in this section.

B. Executive sessions of public bodies will be permitted only for the purpose of:

1. Discussing the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee;

2. Discussing negotiations concerning employees and representatives of employee groups;

3. Discussing the purchase or appraisal of real property;

4. Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest;

5. Permitting district boards of education to hear evidence and discuss the expulsion or suspension of a student when requested by the student involved or the student's parent, attorney or legal guardian;

6. Discussing matters involving a specific disabled child;

7. Discussing any matter where disclosure of information would violate confidentiality requirements of state or federal law;

8. Engaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;

9. Discussing matters involving safety and security at state penal institutions or correctional facilities used to house state inmates;

10. Discussing contract negotiations involving contracts requiring approval of the State Board of Corrections, which shall be

limited to members of the public body, the attorney for the public body, and the immediate staff of the public body. No person who may profit directly or indirectly by a proposed transaction which is under consideration may be present or participate in the executive session;

11. Discussing the following:

- a. the investigation of a plan or scheme to commit an act of terrorism,
- b. assessments of the vulnerability of government facilities or public improvements to an act of terrorism,
- c. plans for deterrence or prevention of or protection from an act of terrorism,
- d. plans for response or remediation after an act of terrorism,
- e. information technology of the public body but only if the discussion specifically identifies:
 - (1) design or functional schematics that demonstrate the relationship or connections between devices or systems,
 - (2) system configuration information,
 - (3) security monitoring and response equipment placement and configuration,
 - (4) specific location or placement of systems, components or devices,
 - (5) system identification numbers, names, or connecting circuits,
 - (6) business continuity and disaster planning, or response plans, or
 - (7) investigation information directly related to security penetrations or denial of services,
- f. the investigation of an act of terrorism that has already been committed, or
- g. for the purposes of this paragraph, the term "terrorism" means any act encompassed by the definitions set forth in Section 1268.1 of Title 21 of the Oklahoma Statutes; or

12. Reviewing and discussing mental health documents related to a licensee under investigation or review by a professional licensing board if:

- a. the executive session is held only to review or discuss mental health documents directly related to the licensee or to receive testimony from relevant witnesses as necessary for the board to make a determination in the matter,

- b. the documents reviewed or discussed are kept confidential, privileged and not discoverable in civil actions, and not made available to the public, and
- c. the licensee is given the opportunity to be present during any witness testimony or discussion of the mental health documents.

C. Notwithstanding the provisions of subsection B of this section, the following public bodies may hold executive sessions:

1. The Banking Board, as provided for under Section 306.1 of Title 6 of the Oklahoma Statutes;

2. The Oklahoma Industrial Finance Authority, as provided for in Section 854 of Title 74 of the Oklahoma Statutes;

3. The Oklahoma Development Finance Authority, as provided for in Section 5062.6 of Title 74 of the Oklahoma Statutes;

4. The Oklahoma Center for the Advancement of Science and Technology, as provided for in Section 5060.7 of Title 74 of the Oklahoma Statutes;

5. The Oklahoma Health Research Committee for purposes of conferring on matters pertaining to research and development of products, if public disclosure of the matter discussed would interfere with the development of patents, copyrights, products, or services;

6. The Oklahoma Workers' Compensation Commission for the purposes provided for in Section 22 of Title 85A of the Oklahoma Statutes;

7. A review committee, as provided for in Section 855 of Title 62 of the Oklahoma Statutes;

8. The Child Death Review Board for purposes of receiving and conferring on matters pertaining to materials declared confidential by law;

9. The Domestic Violence Fatality Review Board as provided in Section 1601 of Title 22 of the Oklahoma Statutes;

10. The Opioid Overdose Fatality Review Board, as provided in Section 2-1001 of Title 63 of the Oklahoma Statutes;

11. All nonprofit foundations, boards, bureaus, commissions, agencies, trusteeships, authorities, councils, committees, public trusts, task forces or study groups supported in whole or part by public funds or entrusted with the expenditure of public funds for purposes of conferring on matters pertaining to economic development including the transfer of property, financing, or the creation of a proposal to entice a business to remain or to locate within their jurisdiction if public disclosure of the matter discussed would interfere with the development of products or services or if public disclosure would violate the confidentiality of the business;

12. The Oklahoma Indigent Defense System Board for purposes of discussing negotiating strategies in connection with making possible counteroffers to offers to contract to provide legal representation

to indigent criminal defendants and indigent juveniles in cases for which the System must provide representation pursuant to the provisions of the Indigent Defense Act;

13. The Quality Investment Committee for purposes of discussing applications and confidential materials pursuant to the terms of the Oklahoma Quality Investment Act;

14. The Oklahoma Municipal Power Authority established pursuant to Section 24-101 et seq. of Title 11 of the Oklahoma Statutes and in its role as an electric utility regulated by the federal government, for purposes of discussing security plans and procedures including, but not limited to, cybersecurity matters;

15. The Oklahoma Tax Commission for purposes of discussing confidential taxpayer matters as provided in Section 205 of Title 68 of the Oklahoma Statutes, and in compliance with subsection E of this section; and

16. The Sexual Assault Forensic Evidence (SAFE) Board as provided in Section 1 of this act.

D. Except as otherwise specified in this subsection, an executive session for the purpose of discussing the purchase or appraisal of real property shall be limited to members of the public body, the attorney for the public body and the immediate staff of the public body. No landowner, real estate salesperson, broker, developer or any other person who may profit directly or indirectly by a proposed transaction concerning real property which is under consideration may be present or participate in the executive session, unless they are operating under an existing agreement to represent the public body.

E. No public body may go into an executive session unless the following procedures are strictly complied with:

1. The proposed executive session is noted on the agenda as provided in Section 311 of this title;

2. The executive session is authorized by a majority vote of a quorum of the members present and the vote is a recorded vote; and

3. Except for matters considered in executive sessions of the Banking Board and the Oklahoma Tax Commission, and which are required by state or federal law to be confidential, any vote or action on any item of business considered in an executive session shall be taken in public meeting with the vote of each member publicly cast and recorded.

F. A willful violation of the provisions of this section shall:

1. Subject each member of the public body to criminal sanctions as provided in Section 314 of this title; and

2. Cause the minutes and all other records of the executive session including tape recordings, to be immediately made public. Added by Laws 1977, c. 214, § 7, eff. Oct. 1, 1977. Amended by Laws 1985, c. 218, § 1, eff. Nov. 1, 1985; Laws 1986, c. 264, § 12, operative July 1, 1986; Laws 1987, c. 61, § 20, emerg. eff. May 4,

1987; Laws 1987, c. 222, § 115, operative July 1, 1987; Laws 1988, c. 153, § 7, eff. July 1, 1988; Laws 1989, c. 7, § 1, emerg. eff. March 27, 1989; Laws 1989, c. 200, § 1, emerg. eff. May 8, 1989; Laws 1992, c. 12, § 1, eff. Sept. 1, 1992; Laws 1993, c. 69, § 1, eff. Sept. 1, 1993; Laws 1993, c. 195, § 3, eff. July 1, 1993; Laws 1994, c. 384, § 13, eff. July 1, 1994; Laws 1998, c. 315, § 2, emerg. eff. May 28, 1998; Laws 1999, c. 1, § 10, emerg. eff. Feb. 24, 1999; Laws 2001, c. 284, § 3, eff. July 1, 2001; Laws 2003, c. 175, § 1, emerg. eff. May 5, 2003; Laws 2006, c. 1, § 11, eff. July 1, 2007; Laws 2015, c. 109, § 1, eff. Nov. 1, 2015; Laws 2018, c. 51, § 1; Laws 2018, c. 252, § 1, eff. Nov. 1, 2018; Laws 2019, c. 476, § 57, emerg. eff. May 28, 2019; Laws 2021, c. 130, § 1, eff. Nov. 1, 2021; Laws 2022, c. 182, § 1, eff. Nov. 1, 2022; Laws 2024, c. 44, § 1, eff. Nov. 1, 2024; Laws 2024, c. 180, § 3, eff. Nov. 1, 2024.

NOTE: Laws 2006, c. 1, § 15 provides that Laws 2006, c. 1, § 11 becomes effective upon the beginning of the first fiscal year following passage of the Constitutional amendment contained in SB No. 755 of the 1st Session of the 50th Oklahoma Legislature. This occurred with the adoption of State Question No. 725, Legislative Referendum No. 340, at election held Nov. 7, 2006.

NOTE: Laws 1985, c. 168, § 9 repealed by Laws 1986, c. 264, § 13, operative July 1, 1986. Laws 1998, c. 201, § 6 repealed by Laws 1999, c. 1, § 45, emerg. eff. Feb. 24, 1999.

§25-307.1. Videoconferences and teleconferences.

A. A public body may hold meetings by videoconference where each member of the public body is visible and audible to each other and the public through a video monitor, subject to the following:

1. a. except as provided for in subparagraph b of this paragraph, no less than a quorum of the public body shall be present in person at the meeting site as posted on the meeting notice and agenda,
- b. a virtual charter school approved and sponsored by the Statewide Virtual Charter School Board pursuant to the provisions of Section 3-145.3 of Title 70 of the Oklahoma Statutes shall maintain a quorum of members for the entire duration of the meeting whether using an in-person site, videoconference sites or any combination of such sites to achieve a quorum, and
- c. each public meeting held by videoconference or teleconference shall be recorded either by written, electronic, or other means;

2. The meeting notice and agenda prepared in advance of the meeting, as required by law, shall indicate if the meeting will include videoconferencing locations and shall state:

- a. the location, address, and telephone number of each available videoconference site, and
- b. the identity of each member of the public body and the specific site from which each member of the body shall be physically present and participating in the meeting;

3. After the meeting notice and agenda are prepared and posted, as required by law, no member of the public body shall be allowed to participate in the meeting from any location other than the specific location posted on the agenda in advance of the meeting;

4. In order to allow the public the maximum opportunity to attend and observe each public official carrying out the duties of the public official, a member or members of a public body desiring to participate in a meeting by videoconference shall participate in the videoconference from a site and room located within the district or political subdivision from which they are elected, appointed, or are sworn to represent;

5. Each site and room where a member of the public body is present for a meeting by videoconference shall be open and accessible to the public, and the public shall be allowed into that site and room. Public bodies may provide additional videoconference sites as a convenience to the public, but additional sites shall not be used to exclude or discourage public attendance at any videoconference site;

6. The public shall be allowed to participate and speak, as allowed by rule or policy set by the public body, in a meeting at the videoconference site in the same manner and to the same extent as the public is allowed to participate or speak at the site of the meeting;

7. Any materials shared electronically between members of the public body, before or during the videoconference, shall also be immediately available to the public in the same form and manner as shared with members of the public body; and

8. All votes occurring during any meeting conducted using videoconferencing shall occur and be recorded by roll call vote.

B. Except as provided for in subsection C of this section, no public body shall conduct an executive session by videoconference.

C. The Oklahoma Tax Commission may conduct executive sessions with the taxpayer at issue attending using videoconference technology to discuss confidential taxpayer matters as provided for in Section 205 of Title 68 of the Oklahoma Statutes. During executive sessions, the Commission is required to be physically present while taxpayers may appear using videoconference technology. The technology selected and utilized by the Commission shall ensure taxpayer confidentiality including compliance with safeguards as provided for in Internal Revenue Service Publication 1075.

Added by Laws 1993, c. 282, § 3, eff. Sept. 1, 1993. Amended by Laws 1994, c. 323, § 37, eff. July 1, 1994; Laws 1995, c. 152, § 1, eff. Nov. 1, 1995; Laws 1995, c. 358, § 2, eff. Nov. 1, 1995; Laws 1997, c. 108, § 1, eff. Nov. 1, 1997; Laws 1998, c. 315, § 3, emerg. eff. May 28, 1998; Laws 1999, c. 397, § 16, emerg. eff. June 10, 1999; Laws 2000, c. 6, § 6, emerg. eff. March 20, 2000; Laws 2000, c. 148, § 1, eff. July 1, 2000; Laws 2003, c. 57, § 28, emerg. eff. April 10, 2003; Laws 2003, c. 474, § 5, eff. Nov. 1, 2003; Laws 2004, c. 5, § 14, emerg. eff. March 1, 2004; Laws 2005, c. 232, § 1, eff. Nov. 1, 2005; Laws 2006, c. 16, § 6, emerg. eff. March 29, 2006; Laws 2006, c. 245, § 1, eff. Nov. 1, 2006; Laws 2007, c. 142, § 2, eff. Nov. 1, 2007; Laws 2019, c. 119, § 1; Laws 2020, c. 3, § 3, emerg. eff. March 18, 2020; Laws 2021, c. 1, § 1, emerg. eff. Feb. 10, 2021; Laws 2022, c. 182, § 2, eff. Nov. 1, 2022; Laws 2024, c. 246, § 1, eff. Nov. 1, 2024.

NOTE: Laws 1994, c. 293, § 14 repealed by Laws 1995, c. 1, § 40, emerg. eff. March 2, 1995. Laws 1995, c. 1, § 6 repealed by Laws 1995, c. 358, § 13, eff. Nov. 1, 1995. Laws 1999, c. 259, § 1 repealed by Laws 2000, c. 6, § 33, emerg. eff. March 20, 2000. Laws 2003, c. 318, § 2 repealed by Laws 2004, c. 5, § 15, emerg. eff. March 1, 2004. Laws 2003, c. 324, § 1 repealed by Laws 2004, c. 5, § 16, emerg. eff. March 1, 2004. Laws 2005, c. 129, § 24 repealed by Laws 2006, c. 16, § 7, emerg. eff. March 29, 2006.

§25-308. Meeting between Governor and majority members of public body.

Any meeting between the governor and a majority of members of any public body shall be open to the public and subject to all other provisions of this act.

Laws 1977, c. 214, § 8, eff. Oct. 1, 1977.

§25-309. Legislature.

The Legislature shall conduct open meetings in accordance with rules to be adopted by each house thereof.

Laws 1977, c. 214, § 9, eff. Oct. 1, 1977.

§25-310. Legislative committee members attending executive sessions.

Any member of the Legislature appointed as a member of a committee of either house of the Legislature or joint committee thereof shall be permitted to attend any executive session authorized by the Oklahoma Open Meeting Act of any state agency, board or commission whenever the jurisdiction of such committee includes the actions of the public body involved.

Laws 1977, c. 214, § 10, eff. Oct. 1, 1977; Laws 1981, c. 272, § 7, eff. July 1, 1981.

§25-311. Public bodies - Notice.

A. Notwithstanding any other provisions of law, all regularly scheduled, continued or reconvened, special or emergency meetings of public bodies shall be preceded by public notice as follows:

1. All public bodies shall give notice in writing by December 15 of each calendar year of the schedule showing the date, time and place of the regularly scheduled meetings of such public bodies for the following calendar year;

2. All state public bodies including, but not limited to, public trusts and other bodies with the state as beneficiary, shall give such notice to the Secretary of State;

3. All county public bodies including, but not limited to, public trusts and any other bodies with the county as beneficiary, shall give such notice to the county clerk of the county wherein they are principally located;

4. All municipal public bodies including, but not limited to, public trusts and any other bodies with the municipality as beneficiary, shall give such notice to the municipal clerk of the municipality wherein they are principally located;

5. All multicounty, regional, areawide or district public bodies including, but not limited to, district boards of education, shall give such notice to the county clerk of the county wherein they are principally located, or if no office exists, to the county clerk of the county or counties served by such public body;

6. All governing boards of state institutions of higher education, and committees and subcommittees thereof, shall give such notice to the Secretary of State. All other public bodies covered by the provisions of the Oklahoma Open Meeting Act which exist under the auspices of a state institution of higher education, but a majority of whose members are not members of the institution's governing board, shall give such notice to the county clerk of the county wherein the institution is principally located;

7. The Secretary of State and each county clerk or municipal clerk shall keep a record of all notices received in a register open to the public for inspection during regular office hours, and, in addition, shall make known upon any request of any person the contents of the register;

8. If any change is to be made of the date, time or place of regularly scheduled meetings of public bodies, then notice in writing shall be given to the Secretary of State or county clerk or municipal clerk, as required herein, not less than ten (10) days prior to the implementation of any such change;

9. a. In addition to the advance public notice in writing required to be filed for regularly scheduled meetings, described in paragraph 1 of this subsection, all public bodies shall, at least twenty-four (24) hours prior to such regularly scheduled meetings, display

public notice of the meeting by at least one of the following methods:

- (1) by posting information that includes date, time, place and agenda for the meeting in prominent public view at the principal office of the public body or at the location of the meeting if no office exists, or
 - (2) by posting on the public body's Internet website the date, time, place and agenda for the meeting in accordance with Section 3106.2 of Title 74 of the Oklahoma Statutes. Additionally, the public body shall offer and consistently maintain an email distribution system for distribution of such notice of a public meeting required by this subsection, and any person may request to be included without charge, and their request shall be accepted. The emailed notice of a public meeting required by this subsection shall include in the body of the email or as an attachment to the email the date, time, place and agenda for the meeting and it shall be sent no less than twenty-four (24) hours prior to the meeting. Additionally, the public body shall make the notice of a public meeting required by this subsection available to the public in the principal office of the public body or at the location of the meeting during normal business hours at least twenty-four (24) hours prior to the meeting.
- b. In addition to the notice requirements of this section, all state public bodies, as defined in paragraph 2 of this subsection, shall, at least twenty-four (24) hours prior to regularly scheduled meetings, display public notice of the meeting by:
- (1) posting information that includes date, time, place and agenda for the meeting in prominent public view at the principal office of the public body or at the location of the meeting if no office exists, and
 - (2) posting on the public body's Internet website the date, time, place and agenda for the meeting in accordance with Section 3106.2 of Title 74 of the Oklahoma Statutes;

10. The twenty-four (24) hours required in paragraph 9 of this subsection shall exclude Saturdays, Sundays and holidays legally declared by the State of Oklahoma. The posting or distribution of a notice of a public meeting as described in paragraph 9 of this

subsection shall not preclude a public body from considering at its regularly scheduled meeting any new business. "New business", as used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of the posting;

11. In the event any meeting is to be continued or reconvened, public notice of such action including date, time and place of the continued meeting, shall be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued may be discussed at the continued or reconvened meeting;

12. Special meetings of public bodies shall not be held without public notice being given at least forty-eight (48) hours prior to the meetings. Such public notice of date, time and place shall be given in writing, in person or by telephonic means to the Secretary of State or to the county clerk or to the municipal clerk by public bodies in the manner set forth in paragraphs 2, 3, 4, 5 and 6 of this subsection. The public body also shall cause written notice of the date, time and place of the meeting to be mailed or delivered to each person, newspaper, wire service, radio station and television station that has filed a written request for notice of meetings of the public body with the clerk or secretary of the public body or with some other person designated by the public body. Such written notice shall be mailed or delivered at least forty-eight (48) hours prior to the special meeting. The public body may charge a fee of up to Eighteen Dollars (\$18.00) per year to persons or entities filing a written request for notice of meetings, and may require such persons or entities to renew the request for notice annually. In addition, all public bodies shall, at least twenty-four (24) hours prior to such special meetings, display public notice of the meeting, setting forth thereon the date, time, place and agenda for the meeting. Only matters appearing on the posted agenda may be considered at the special meeting. Such public notice shall be posted in prominent public view at the principal office of the public body or at the location of the meeting if no office exists. Twenty-four (24) hours prior public posting shall exclude Saturdays, Sundays and holidays legally declared by the State of Oklahoma. In lieu of the public posting requirements of this paragraph, a public body may elect to follow the requirements found in division (2) of subparagraph a of paragraph 9 of this subsection, provided that forty-eight-hour notice is required for special meetings and that the forty-eight-hour requirement shall exclude Saturdays, Sundays and holidays legally declared by the State of Oklahoma;

13. In the event of an emergency, an emergency meeting of a public body may be held without the public notice heretofore required. Should an emergency meeting of a public body be necessary, the person calling such a meeting shall give as much advance public notice as is reasonable and possible under the

circumstances existing, in person or by telephonic or electronic means; and

14. A public body that gives public notice of a meeting for which there will be a videoconference option in accordance with Section 307.1 of this title shall not modify the method of meeting described in the notice prior to the meeting and shall conduct the meeting according to the methods described in the notice. If a code or password is required to access the videoconference meeting, the code or password shall be included in the public notice.

B. 1. All agendas required pursuant to the provisions of this section shall identify all items of business to be transacted by a public body at a meeting including, but not limited to, any proposed executive session for the purpose of engaging in deliberations or rendering a final or intermediate decision in an individual proceeding prescribed by the Administrative Procedures Act.

2. If a public body proposes to conduct an executive session, the agenda shall:

- a. contain sufficient information for the public to ascertain that an executive session will be proposed,
- b. identify the items of business and purposes of the executive session, and
- c. state specifically the provision of Section 307 of this title authorizing the executive session.

Added by Laws 1977, c. 214, § 11, eff. Oct. 1, 1977. Amended by Laws 1987, c. 184, § 1, eff. Nov. 1, 1987; Laws 1992, c. 12, § 2, eff. Sept. 1, 1992; Laws 2017, c. 105, § 1, eff. Nov. 1, 2017; Laws 2019, c. 376, § 1, eff. Nov. 1, 2019; Laws 2020, c. 3, § 4, emerg. eff. March 18, 2020; Laws 2021, c. 1, § 2, emerg. eff. Feb. 10, 2021; Laws 2024, c. 60, § 1, eff. Nov. 1, 2024.

§25-311.1. Public meetings - Posting of schedules and agendas on Internet.

A. On or before January 1, 2002, or within six (6) months of the establishment of an Internet website, whichever is later, public bodies shall make available on their Internet website or on a general website if a public body uses a general website, a schedule and information about the regularly scheduled meetings of the public bodies or their governing bodies. The information made available shall include the date, time, place and agenda of each meeting. When reasonably possible, public bodies shall also provide information about the date, time, place and agenda of any special or emergency meetings of the public body.

B. The provisions of subsection A of this section shall not be construed to amend or alter the requirements of the Oklahoma Open Meeting Act.

C. On or before January 1, 2002, or within six (6) months of the establishment of an Internet website, whichever is later, public

bodies shall make available on their Internet website the names of members of their governing bodies and such other information about the members as the public body may choose to include.

D. For purposes of this section, "public body" is defined as provided by paragraph 1 of Section 304 of Title 25 of the Oklahoma Statutes and shall include each institution within The Oklahoma State System of Higher Education.

Added by Laws 2001, c. 125, § 1, eff. Nov. 1, 2001. Renumbered from § 3106.2 of Title 74 by Laws 2024, c. 246, § 2, eff. Nov. 1, 2024.

§25-312. Minutes of meetings - Recording of proceedings.

A. The proceedings of a public body shall be kept by a person so designated by such public body in the form of written minutes which shall be an official summary of the proceedings showing clearly those members present and absent, all matters considered by the public body, and all actions taken by such public body. The minutes of each meeting shall be open to public inspection and shall reflect the manner and time of notice required by this act.

B. In the written minutes of an emergency meeting, the nature of the emergency and the proceedings occurring at such meeting, including reasons for declaring such emergency meeting, shall be included.

C. Any person attending a public meeting may record the proceedings of said meeting by videotape, audiotape or by any other method; providing, however, such recording shall not interfere with the conduct of the meeting.

Laws 1977, c. 214, § 12, eff. Oct. 1, 1977; Laws 1992, c. 78, § 1, emerg. eff. April 13, 1992.

§25-313. Actions taken in willful violation of act.

Any action taken in willful violation of this act shall be invalid.

Laws 1977, c. 214, § 13, eff. Oct. 1, 1977.

§25-314. Violations - Misdemeanor - Penalty - Civil suit.

A. Any person or persons willfully violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a period not exceeding one (1) year or by both such fine and imprisonment.

B. Following a violation of this act, any person:

1. May bring a civil suit for declarative or injunctive relief, or both; and

2. If successful, shall be entitled to reasonable attorney fees.

C. If the public body successfully defends a civil suit and the court finds that the suit was clearly frivolous, the public body shall be entitled to reasonable attorney fees. Added by Laws 1977, c. 214, § 14, eff. Oct. 1, 1977. Amended by Laws 2014, c. 300, § 1, eff. Nov. 1, 2014.

§25-1101. Purposes - Construction.

A. This act provides for exclusive remedies within the state of the policies for individuals alleging discrimination in employment on the basis of race, color, national origin, sex, religion, creed, age, disability or genetic information.

B. This act shall be construed according to the fair import of its terms to further the general purposes stated in this section and the special purposes of the particular provision involved.

C. Any policy, program, or statute that prohibits sex discrimination shall be construed to forbid unfair treatment of females or males in relation to similarly situated members of the opposite sex. The state or its political subdivisions shall not be prohibited from establishing distinctions between sexes when such distinctions are substantially related to an important government objective, including, but not limited to, biology, privacy, safety, or fairness.

Added by Laws 1968, c. 388, § 101. Amended by Laws 1985, c. 165, § 1, eff. Nov. 1, 1985; Laws 1991, c. 177, § 1; Laws 2011, c. 270, § 1, eff. Nov. 1, 2011; Laws 2024, c. 365, § 3, eff. Nov. 1, 2024.

§25-1201. Definitions.

In Section 1101 et seq. of this title, unless the context otherwise requires:

1. "Discriminatory practice" means a practice designated as discriminatory under the terms of this act;

2. "Equal", with reference to sex as defined in Section 16 of this title, shall not be construed to mean same or identical, and to differentiate between the sexes shall not necessarily be construed to be treating the sexes unequally;

3. "National origin" includes the national origin of an ancestor; and

4. "Person" includes an individual, association, corporation, joint apprenticeship committee, joint-stock company, labor union, legal representative, mutual company, partnership, receiver, trust, trustee, trustee in bankruptcy, unincorporated organization, any other legal or commercial entity, the state, or any governmental entity or agency.

Added by Laws 1968, c. 388, § 201. Amended by Laws 2013, c. 214, § 3, emerg. eff. May 7, 2013; Laws 2024, c. 365, § 4, eff. Nov. 1, 2024.

§25-1202. Vital statistics – Gender identification.

The state, any political subdivision, or any state agency or department, including, but not limited to, public school districts, that collects vital statistics for the purpose of gathering accurate public health, crime, economic, or other data shall include, but not be limited to, the identification of any natural person who is part of the collected data as either male or female as defined in Section 16 of Title 25 of the Oklahoma Statutes.

Added by Laws 2024, c. 365, § 5, eff. Nov. 1, 2024.

§25-1301. Definitions.

As used in Section 1101 et seq. of this title:

1. "Employer" means:

- a. a legal entity, institution or organization that pays one or more individuals a salary or wages for work performance, or
- b. a legal entity, institution or organization which contracts or subcontracts with the state, a governmental entity or a state agency to furnish material or perform work.

Employer does not include a Native American tribe or a bona fide membership club, other than a labor organization, that is exempt from taxation under Title 26, Section 501(c) of the United States Code;

2. "Employment agency" means a person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent of such a person;

3. "Labor organization" means:

- a. an organization of any kind, an agency or employee representation committee, group, association, or plan in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment,
- b. a conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization, or
- c. an agent of a labor organization;

4. "Individual with a disability" means a person who has a physical or mental impairment which substantially limits one or more of such person's major life activities, has a record of such an impairment or is regarded as having such an impairment;

5. "Age discrimination in employment" means discrimination in employment of persons who are at least forty (40) years of age;

6. "Sex", "because of sex" or "based on sex" includes, but is not limited to, pregnancy, childbirth or related medical conditions; women affected by pregnancy, childbirth or related medical conditions shall be treated the same for all employment-related purposes as other persons not so affected but similar in their ability or inability to work;

7. "Genetic information" means information derived from the results of a genetic test. "Genetic information" shall not include family history, the results of a routine physical examination or test, the results of a chemical, blood or urine analysis, the results of a test to determine drug use, the results of a test for the presence of the human immunodeficiency virus, or the results of any other test commonly accepted in clinical practice at the time it is ordered; and

8. "Employee" means an individual who receives a salary or wages from an employer. Employee shall not include independent contractors.

Added by Laws 1968, c. 388, § 301. Amended by Laws 1973, c. 195, § 1, emerg. eff. May 16, 1973; Laws 1981, c. 231, § 1; Laws 1985, c. 165, § 2, eff. Nov. 1, 1985; Laws 1992, c. 100, § 1, emerg. eff. April 17, 1992; Laws 2010, c. 74, § 1, eff. Nov. 1, 2010; Laws 2011, c. 270, § 2, eff. Nov. 1, 2011.

§25-1302. Discriminatory practices - Employers.

A. It is a discriminatory practice for an employer:

1. To fail or refuse to hire, to discharge, or otherwise to discriminate against an individual with respect to compensation or the terms, conditions, privileges or responsibilities of employment, because of race, color, religion, sex, national origin, age, genetic information or disability, unless the employer can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such employer; or

2. To limit, segregate, or classify an employee or applicant for employment in a way which would deprive or tend to deprive an individual of employment opportunities or otherwise adversely affect the status of an employee, because of race, color, religion, sex, national origin, age, genetic information or disability, unless the employer can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such employer.

B. This section does not apply to the employment of an individual by his or her parents, spouse, or child or to employment in the domestic service of the employer.

Added by Laws 1968, c. 388, § 302. Amended by Laws 1981, c. 231, § 2; Laws 1985, c. 165, § 3, eff. Nov. 1, 1985; Laws 2011, c. 270, § 3, eff. Nov. 1, 2011.

§25-1303. Discriminatory practices - Employment agencies.

It is a discriminatory practice for an employment agency to fail or refuse to refer for employment, or otherwise to discriminate against, an individual because of race, color, religion, sex, national origin, age, genetic information or disability, unless the agency can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such agency, or to classify or refer for employment an individual on the basis of race, color, religion, sex, national origin, age, genetic information or disability, unless the agency can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such agency.

Added by Laws 1968, c. 388, § 303. Amended by Laws 1981, c. 231, § 3; Laws 1985, c. 165, § 4, eff. Nov. 1, 1985; Laws 2011, c. 270, § 4, eff. Nov. 1, 2011.

§25-1304. Discriminatory practices - Labor organizations.

It is a discriminatory practice for a labor organization:

1. To exclude or to expel from membership, or otherwise to discriminate against, a member or applicant for membership because of race, color, religion, sex, national origin, age, genetic information or disability, unless the organization can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such organization;

2. To limit, segregate, or classify membership, or to classify or to fail or refuse to refer for employment an individual in a way:

a. which would deprive or tend to deprive an individual of employment opportunities, or

b. which would limit employment opportunities or otherwise adversely affect the status of an employee or of an applicant for employment, because of race, color, religion, sex, national origin, age, genetic information or disability, unless the organization can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such organization; or

3. To cause or attempt to cause an employer to violate Section 1101 et seq. of this title.

Added by Laws 1968, c. 388, § 304. Amended by Laws 1981, c. 231, § 4; Laws 1985, c. 165, § 5, eff. Nov. 1, 1985; Laws 2011, c. 270, § 5, eff. Nov. 1, 2011.

§25-1305. Discriminatory practices - Training programs.

It is a discriminatory practice for an employer, labor organization, or joint labor-management committee controlling apprenticeship, on-the-job, or other training or retraining program, to discriminate against an individual because of race, color,

religion, sex, national origin, age, genetic information or disability, unless the employer, organization or committee can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such employer, organization or committee, in admission to, or employment in, a program established to provide apprenticeship or other training. Added by Laws 1968, c. 388, § 305. Amended by Laws 1981, c. 231, § 5; Laws 1985, c. 165, § 6, eff. Nov. 1, 1985; Laws 2011, c. 270, § 6, eff. Nov. 1, 2011.

§25-1306. Other discriminatory practices.

It is a discriminatory practice for an employer, labor organization, or employment agency to print or publish or cause to be printed or published a notice or advertisement relating to employment by the employer or membership in or a classification or referral for employment by the labor organization, or relating to a classification or referral for employment by the employment agency, indicating a preference, limitation, specification, or discrimination, based on race, color, religion, sex, national origin, age, genetic information or disability, unless the employer, organization or agency can demonstrate that accommodation for the disability would impose an undue hardship on the operation of the business of such employer, organization or agency; but a notice or advertisement may indicate a preference, limitation, specification, or discrimination based on religion, sex, or national origin when religion, sex, or national origin is a bona fide occupational qualification for employment.

Added by Laws 1968, c. 388, § 306. Amended by Laws 1981, c. 231, § 6; Laws 1985, c. 165, § 7, eff. Nov. 1, 1985; Laws 2011, c. 270, § 7, eff. Nov. 1, 2011.

§25-1307. Exemptions.

This chapter does not apply to a religious corporation, association, or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by the corporation, association, or society of its religious activities.

Laws 1968, c. 388, § 307; Laws 1973, c. 195, § 2, emerg. eff. May 16, 1973.

§25-1308. Exceptions.

It is not a discriminatory practice:

1. For an employer to hire and employ an employee, or an employment agency to classify or refer for employment an individual, for a labor organization to classify its membership or to classify or refer for employment an individual, or for an employer, labor organization, or joint labor-management committee controlling an

apprenticeship or other training or retraining program to admit or employ an individual in the program, on the basis of religion, sex, national origin, age, disability, or genetic information if such action is related to a bona fide occupational qualification reasonably necessary to the normal operation of the business or enterprise; or

2. For a school, college, university, or other educational institution to hire and employ an employee of a particular religion if the school, college, university, or other educational institution is, in whole or substantial part, owned, supported, controlled, or managed by a particular religion or by a particular religious corporation, association, or society, or if the curriculum of the school, college, university, or other educational institution is directed toward the propagation of a particular religion.

Added by Laws 1968, c. 388, § 308. Amended by Laws 1981, c. 231, § 7; Laws 1985, c. 165, § 8, eff. Nov. 1, 1985; Laws 2011, c. 270, § 8, eff. Nov. 1, 2011.

§25-1309. Seniority and merit systems - Compulsory retirement.

Notwithstanding any other provision of Section 1101 et seq. of this title, it is not a discriminatory practice for an employer:

1. To apply different standards of compensation or different terms, conditions, privileges, or responsibilities of employment pursuant to a bona fide seniority or merit system, or a system which measures earnings by quantity or quality of production or to employees who work in different locations, if the differences are not the result of an intention to discriminate because of race, color, religion, sex, national origin, age, disability, or genetic information; or

2. To give and to act upon the results of a professionally-developed ability test if the test, its administration, or action upon the results is not designed, intended, or used to discriminate because of race, color, religion, sex, national origin, age, disability, or genetic information.

3. To require the compulsory retirement of any person who has attained the age of sixty-five (65) and who, for the two-year period immediately before retirement, is employed in a bona fide executive or high policymaking position, if such person is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings or deferred compensation plan, or any combination of such plans, of the employer, which equals, in the aggregate, at least Forty-four Thousand Dollars (\$44,000.00).

Added by Laws 1968, c. 388, § 309. Amended by Laws 1981, c. 231, § 8; Laws 1985, c. 165, § 9, eff. Nov. 1, 1985; Laws 2011, c. 270, § 9, eff. Nov. 1, 2011.

§25-1310. Imbalance.

Nothing contained in Section 1101 et seq. of this title requires an employer, employment agency, labor organization, or joint labor-management committee subject to Section 1101 et seq. of this title to grant preferential treatment to an individual or to a group because of race, color, religion, sex, national origin, age, disability, or genetic information of the individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race, color, religion, sex, national origin, age, disability, or genetic information employed by an employer, referred or classified for employment by an employment agency or labor organization, admitted to membership or classified by a labor organization, or admitted to, or employed in, an apprenticeship, or other training or retraining program, in comparison with the total number or percentage of persons of the race, color, religion, sex, national origin, age, disability, or genetic information in the state or a community, section, or other area, or in the available work force in the state or a community, section, or other area. However, it is not a discriminatory practice for a person subject to Section 1101 et seq. of this title to adopt and carry out a plan to eliminate or reduce imbalance with respect to race, color, religion, sex, national origin, age, disability, or genetic information if the plan has been filed with the Attorney General's Office of Civil Rights Enforcement. Added by Laws 1968, c. 388, § 310. Amended by Laws 1981, c. 231, § 9; Laws 1985, c. 165, § 10, eff. Nov. 1, 1985; Laws 2011, c. 270, § 10, eff. Nov. 1, 2011; Laws 2013, c. 214, § 4, emerg. eff. May 7, 2013.

§25-1311. Male and female employees.

Notwithstanding any other provision of this chapter, it shall not be an unlawful employment practice because of sex to differentiate in employment, compensation, terms, conditions or privileges of employment between male and female employees if such differences are otherwise required or permitted by the laws of this state, or by the provisions of Section 703 of the Federal Civil Rights Act of 1964, as amended, or by the provisions of Section 6(d) of the Federal Fair Labor Standards Act of 1938, as amended; nor shall it be an unlawful employment practice because of sex for an employer, pursuant to a plan, to provide differences in annuity, death and survivors' benefits between widows and widowers of employees.

Laws 1968, c. 388, § 311; Laws 1976, c. 2, § 1, emerg. eff. Jan. 19, 1976.

§25-1312. Status Verification System - Definitions.

As used in Sections 6 and 7 of this act:

1. "Status Verification System" means an electronic system operated by the federal government, through which an authorized official of an agency of the State of Oklahoma or of a political subdivision therein may make an inquiry, by exercise of authority delegated pursuant to Section 1373 of Title 8 of the United States Code, to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by Section 7 of this act. The Status Verification System shall be deemed to include:

- a. the electronic verification of work authorization program of the Illegal Immigration Reform and Immigration Responsibility Act of 1996, P.L. 104-208, Division C, Section 403(a); 8 U.S.C., Section 1324a, and operated by the United States Department of Homeland Security, known as the Basic Pilot Program,
- b. any equivalent federal program designated by the United States Department of Homeland Security or any other federal agency authorized to verify the work eligibility status of newly hired employees, pursuant to the Immigration Reform and Control Act of 1986 (IRCA), D.L. 99-603,
- c. any other independent, third-party system with an equal or higher degree of reliability as the programs, systems, or processes described in this paragraph, or
- d. the Social Security Number Verification Service, or such similar online verification process implemented by the United States Social Security Administration;

2. "Public employer" means every department, agency, or instrumentality of the state or a political subdivision of the state;

3. "Subcontractor" means a subcontractor, contract employee, staffing agency, or any contractor regardless of its tier; and

4. "Unauthorized alien" means an alien as defined in Section 1324a(h)(3) of Title 8 of the United States Code.

Added by Laws 2007, c. 112, § 6, eff. Nov. 1, 2007.

§25-1313. Status Verification System - Registration and use by public employers - Discriminatory discharge of citizens or permanent resident aliens.

A. Every public employer shall register with and utilize a Status Verification System as described in subparagraphs a or b of paragraph 1 of Section 6 of this act to verify the federal employment authorization status of all new employees.

B. 1. After July 1, 2008, no public employer shall enter into a contract for the physical performance of services within this state unless the contractor registers and participates in the Status

Verification System to verify the work eligibility status of all new employees.

2. After July 1, 2008, no contractor or subcontractor who enters into a contract with a public employer shall enter into such a contract or subcontract in connection with the physical performance of services within this state unless the contractor or subcontractor registers and participates in the Status Verification System to verify information of all new employees.

3. The provisions of this subsection shall not apply to any contracts entered into prior to the effective date of this section even though such contracts may involve the physical performance of services within this state after July 1, 2008.

C. 1. It shall be a discriminatory practice for an employing entity to discharge an employee working in Oklahoma who is a United States citizen or permanent resident alien while retaining an employee who the employing entity knows, or reasonably should have known, is an unauthorized alien hired after July 1, 2008, and who is working in Oklahoma in a job category that requires equal skill, effort, and responsibility, and which is performed under similar working conditions, as defined by 29 U.S.C., Section 206(d)(1), as the job category held by the discharged employee.

2. An employing entity which, on the date of the discharge in question, was currently enrolled in and used a Status Verification System to verify the employment eligibility of its employees in Oklahoma hired after July 1, 2008, shall be exempt from liability, investigation, or suit arising from any action under this section.

3. No cause of action for a violation of this subsection shall arise anywhere in Oklahoma law but from the provisions of this subsection.

Added by Laws 2007, c. 112, § 7, eff. Nov. 1, 2007.

§25-1350. Employment based discrimination - Cause of action - Remedies - Procedure.

A. A cause of action for employment-based discrimination is hereby created and any common law remedies are hereby abolished.

B. In order to have standing in a court of law to allege discrimination arising from an employment-related matter, in a cause of action against an employer for discrimination based on race, color, religion, sex, national origin, age, disability, genetic information with respect to the employee, or retaliation, an aggrieved party must, within one hundred eighty (180) days from the last date of alleged discrimination, file a charge of discrimination in employment with the Attorney General's Office of Civil Rights Enforcement or the Equal Employment Opportunity Commission alleging the basis of discrimination believed to have been perpetrated on the aggrieved party. Upon completion of any investigation, the Attorney General's Office of Civil Rights Enforcement may transmit the

results of any administrative hearing and determination to the Equal Employment Opportunity Commission or issue the complaining party a Notice of a Right to Sue.

C. Should a charge of discrimination be filed with the Attorney General's Office of Civil Rights Enforcement and not be resolved to the satisfaction of the charging party within one hundred eighty (180) days from the date of filing of such charge, the Attorney General's Office of Civil Rights Enforcement, upon request of any party shall issue a Notice of a Right to Sue, which must be first obtained in order to commence a civil action under this section.

D. All civil actions brought pursuant to a Notice of a Right to Sue from the Attorney General's Office of Civil Rights Enforcement for redress against any person who is alleged to have discriminated against the charging party and against any person named as respondent in the charge shall be commenced in the district court of this state for the county in which the unlawful employment practice is alleged to have been committed.

E. Either party in any such action shall be entitled to a jury trial of any facts in dispute in the action.

F. The defending party may allege any defense that is available under Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Pregnancy Discrimination Act, the Rehabilitation Act, the Americans with Disabilities Act, or the Genetic Information Nondiscrimination Act.

G. If it is determined in such action that the defendant or defendants in such action have discriminated against the charging party as charged in the petition, the court may enjoin the defendant or defendants from engaging in such unlawful employment practice charged in the petition, the court may enjoin respondent from engaging in such unlawful practice and order such affirmative action as reinstatement or hiring of employees. A prevailing aggrieved party shall also be entitled to backpay and an additional amount as liquidated damages. Interim earnings or amounts earnable with reasonable diligence by the person discriminated against shall operate to reduce the backpay otherwise allowable. If an individual was refused employment or advancement, was suspended and/or was discharged for legitimate reasons other than discrimination as provided by this act, then no order of the court shall require the hiring, reinstatement or promotion of that individual as an employee, nor shall it order payment of any backpay.

H. In any action or proceeding under this section, the court may allow a prevailing plaintiff or defendant a reasonable attorney fee.

I. No action may be filed in district court as provided in this section more than ninety (90) days after receiving a Notice of a Right to Sue from the Attorney General's Office of Civil Rights Enforcement.

Added by Laws 2011, c. 270, § 11, eff. Nov. 1, 2011. Amended by Laws 2013, c. 214, § 5, emerg. eff. May 7, 2013.

§25-1401. Definitions.

As used in this act unless the context requires otherwise:

(1) "place of public accommodation" includes any place, store or other establishment, either licensed or unlicensed, which supplies goods or services to the general public or which solicits or accepts the patronage or trade of the general public or which is supported directly or indirectly by government funds: except that

(i) a private club is not a place of public accommodation, if its policies are determined by its members and its facilities or services are available only to its members and their bona fide guests;

(2) "place of public accomodation" does not include barber shops or beauty shops or privately-owned resort or amusement establishments or an establishment located within a building which contains not more than five rooms for rent or hire and which is actually occupied by the proprietor of the establishment as his residence.

Laws 1968, c. 388, § 401.

§25-1402. Discriminatory practice.

It is a discriminatory practice for a person to deny an individual the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a "place of public accommodation" because of race, color, religion, sex, national origin, age, or disability.

Added by Laws 1968, c. 388, § 402. Amended by Laws 1985, c. 165, § 11, eff. Nov. 1, 1985; Laws 2011, c. 270, § 12, eff. Nov. 1, 2011.

§25-1451. Definitions.

A. As used in Sections 1451 through 1453 of this title:

1. "Elderly person" means any natural person fifty-five (55) years of age or older;

2. "Dwelling" means:

a. any building, structure, or part of a building or structure that is occupied as, or designed or intended for occupancy as, a residence by one or more families, or

b. any vacant land that is offered for sale or lease for the construction or location of a building, structure, or part of a building or structure described in subparagraph a of this paragraph;

3. "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts,

unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries, the state, and all political subdivisions and agencies thereof;

4. "Restrictive covenants" means any specification limiting the transfer, rental, or lease of any dwelling because of race, color, religion, sex, national origin, age, disability, or familial status;

5. "Discriminatory housing practices" means an act that is prohibited pursuant to Section 1452 of this title;

6. "Disability" means a mental or physical impairment that substantially limits at least one major life activity, when there is a record of such an impairment, or the individual is regarded as having such an impairment. The term does not include current illegal use of or addiction to any drug or illegal or federally controlled substance. For purposes of Sections 1451 through 1453 of this title, "an individual with a disability" or "disability" does not apply to an individual because of sexual orientation or the sexual preference of the individual or because that individual is a transvestite;

7. "Unlawful discriminatory practice because of age" means an act prohibited pursuant to Section 1452 of this title against a person at least eighteen (18) years of age or older solely on that basis;

8. "Aggrieved person" means any person who:

- a. claims to have been injured by a discriminatory housing practice, or
- b. believes that he or she will be injured by a discriminatory housing practice that is about to occur;

9. "Complainant" means a person or the Attorney General who files a complaint pursuant to Section 1452 of this title;

10. "Conciliation" means the attempted resolution of issues raised by a complaint or by the investigation of the complaint, through informal negotiations involving the aggrieved person, the respondent, and the Attorney General's Office of Civil Rights Enforcement;

11. "Conciliation agreement" means a written agreement setting forth the resolution of the issues in conciliation;

12. "Discriminatory housing practice" means an act prohibited by Section 1452 of this title;

13. "Family" includes a single individual;

14. "Respondent" means:

- a. the person accused of a violation of Sections 1451 through 1453 of this title in a complaint of a discriminatory housing practice, or
- b. any person identified as an additional or substitute respondent pursuant to Section 1502.5 of this title or

an agent of an additional or substitute respondent;
and

15. "To rent" means to lease, to sublease, to let, or to otherwise grant for a consideration the right to occupy premises not owned by the occupant.

B. For purposes of Sections 1451 through 1453 of this title, a discriminatory act is committed because of familial status only if the act is committed because the person who is the subject of discrimination is:

1. Pregnant;
2. Domiciled with an individual less than eighteen (18) years of age in regard to whom the person:
 - a. is the parent or legal custodian, or
 - b. has the written permission of the parent or legal custodian for domicile with that person; or
3. In the process of obtaining legal custody of an individual less than eighteen (18) years of age.

Added by Laws 1985, c. 289, § 1. Amended by Laws 1991, c. 177, § 2; Laws 2011, c. 270, § 13, eff. Nov. 1, 2011; Laws 2013, c. 214, § 6, emerg. eff. May 7, 2013.

§25-1452. Discriminatory housing practices - Categories or classes of persons protected - Jurisdiction of Attorney General's Office of Civil Rights Enforcement.

A. It shall be an unlawful discriminatory housing practice for any person, or any agent or employee of such person:

1. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of any housing, or otherwise make unavailable or deny any housing because of race, color, religion, gender, national origin, age, familial status, or disability;
2. To discriminate against any person in the terms, conditions, or privileges of sale or rental of housing, or in the provision of services or facilities in connection with any housing because of race, color, religion, gender, national origin, age, familial status, or disability;
3. To make, print, publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of housing that indicates any preference, limitation, discrimination, or intention to make any such preference, limitation, or discrimination because of race, color, religion, gender, national origin, age, familial status, or disability;
4. To represent to any person, for reasons of discrimination, that any housing is not available for inspection, sale, or rental when such housing is in fact so available because of race, color,

religion, gender, national origin, age, familial status, or disability;

5. To deny any person access to, or membership or participation in, a multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or discriminate against a person in the terms or conditions of access, membership, or participation in such an organization, service, or facility because of race, color, religion, gender, national origin, age, familial status, or disability;

6. To include in any transfer, sale, rental, or lease of housing any restrictive covenant that discriminates, or for any person to honor or exercise, or attempt to honor or exercise, any discriminatory covenant pertaining to housing because of race, color, religion, gender, national origin, age, familial status, or disability;

7. To refuse to consider the income of both applicants when both applicants seek to buy or lease housing because of race, color, religion, gender, national origin, age, familial status, or disability;

8. To refuse to consider as a valid source of income any public assistance, alimony, or child support, awarded by a court, when that source can be verified as to its amount, length of time received, regularity, or receipt because of race, color, religion, gender, national origin, age, familial status, or disability;

9. To discriminate against a person in the terms, conditions, or privileges relating to the obtaining or use of financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of any housing because of race, color, religion, gender, national origin, age, familial status, or disability;

10. To discharge, demote, or discriminate in matters of compensation or working conditions against any employee or agent because of the obedience of the employee or agent to the provisions of this section;

11. To solicit or attempt to solicit the listing of housing for sale or lease, by door to door solicitation, in person, or by telephone, or by distribution of circulars, if one of the purposes is to change the racial composition of the neighborhood;

12. To knowingly induce or attempt to induce another person to transfer an interest in real property, or to discourage another person from purchasing real property, by representations regarding the existing or potential proximity of real property owned, used, or occupied by persons of any particular race, color, religion, gender, national origin, age, familial status or disability, or to represent that such existing or potential proximity shall or may result in:

a. the lowering of property values,

- b. a change in the racial, religious, or ethnic character of the block, neighborhood, or area in which the property is located,
 - c. an increase in criminal or antisocial behavior in the area, or
 - d. a decline in quality of the schools serving the area;
13. To refuse to rent or lease housing to a blind, deaf, or disabled person on the basis of the person's use or possession of a bona fide, properly trained guide, signal, or service dog;
14. To demand the payment of an additional nonrefundable fee or an unreasonable deposit for rent from a blind, deaf, or disabled person for such dog. Such blind, deaf, or disabled person may be liable for any damage done to the dwelling by such dog;
15. a. to discriminate in the sale or rental or otherwise make available or deny a dwelling to any buyer or renter because of a disability of:
- (1) that buyer or renter,
 - (2) a person residing in or intending to reside in that dwelling after it is sold, rented, or made available, or
 - (3) any person associated with that buyer or renter, or
- b. to discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling or in the provision of services or facilities in connection with the dwelling because of a disability of:
- (1) that person,
 - (2) a person residing in or intending to reside in that dwelling after it is so sold, rented, or made available, or
 - (3) any person associated with that person;
16. For purposes of disability discrimination in housing pursuant to Sections 1451 through 1453 of this title, discrimination includes:
- a. a refusal to permit, at the expense of the disabled person, reasonable modifications of existing premises occupied or to be occupied by the person if the modifications may be necessary to afford the person full enjoyment of the premises, provided that such person also provides a surety bond guaranteeing restoration of the premises to their prior condition, if necessary to make the premises suitable for nondisabled tenants,
 - b. a refusal to make reasonable accommodations in rules, policies, practices, or services, when the

- accommodations may be necessary to afford the person equal opportunity to use and enjoy a dwelling, or
- c. in connection with the design and construction of covered multifamily dwellings for first occupancy thirty (30) months after the date of enactment of the federal Fair Housing Amendments Act of 1988 (Public Law 100-430), a failure to design and construct those dwellings in a manner that:
- (1) the public use and common use portions of the dwellings are readily accessible to and usable by disabled persons,
 - (2) all the doors designed to allow passage into and within all premises within the dwellings are sufficiently wide to allow passage by disabled persons in wheelchairs, and
 - (3) all premises within the dwellings contain the following features of adaptive design:
 - (a) an accessible route into and through the dwelling,
 - (b) light switches, electrical outlets, thermostats, and other environmental controls in accessible locations,
 - (c) reinforcements in bathroom walls to allow later installation of grab bars, and
 - (d) usable kitchen and bathrooms so that an individual in a wheelchair can maneuver about the space,
 - (4) compliance with the appropriate requirements of the American National Standard for buildings and facilities providing accessibility and usability for physically disabled people, commonly cited as "ANSI A 117.1", suffices to satisfy the requirements of division (3) of this subparagraph,
 - (5) as used in this subsection, the term "covered multifamily dwellings" means:
 - (a) buildings consisting of four or more units if the buildings have one or more elevators, and
 - (b) ground floor units in other buildings consisting of four or more units,
 - (6) nothing in this subsection requires that a dwelling be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others; or

17. a. A person whose business includes engaging in residential real estate related transactions may not discriminate against a person in making a real estate related transaction available or in the terms or conditions of a real estate related transaction because of race, color, religion, gender, disability, familial status, national origin or age.
- b. In this section, "residential real estate related transaction" means:
 - (1) making or purchasing loans or providing other financial assistance:
 - (a) to purchase, construct, improve, repair, or maintain a dwelling, or
 - (b) to secure residential real estate, or
 - (2) selling, brokering, or appraising residential real property.

B. This section does not prohibit discrimination against a person because the person has been convicted under federal law or the law of any state of the illegal manufacture or distribution of a controlled substance.

C. No other categories or classes of persons are protected pursuant to Sections 1451 through 1453 of this title. The Attorney General's Office of Civil Rights Enforcement shall have no authority or jurisdiction to act on complaints based on any kind of discrimination other than those kinds of discrimination prohibited pursuant to Section 1101 et seq. of this title or any other specifically authorized by law.

Added by Laws 1985, c. 289, § 2. Amended by Laws 1991, c. 177, § 3; Laws 2011, c. 270, § 14, eff. Nov. 1, 2011; Laws 2013, c. 214, § 7, emerg. eff. May 7, 2013.

§25-1453. Exempt practices and acts.

A. Nothing provided for in Sections 1451 through 1453 of this title shall:

1. Prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental, or occupancy of housing which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preferences to such persons, unless membership in such religion is restricted on account of race, color, or national origin. Nor shall anything in Sections 1451, 1452, 1453, 1501 and 1505.1 of this title apply to a private membership club which is a bona fide club and which is exempt from taxation pursuant to Section 501(c) of the Internal Revenue Code of 1954;

2. Prohibit a religious organization, association, or society, or a nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from:

- a. limiting the sale, rental, or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion, or
- b. giving preference to persons of the same religion, unless membership in the religion is restricted because of race, color, or national origin; or

3. Prohibit a private club not open to the public that, as an incident to its primary purpose, provides lodging that it owns or operates for other than a commercial purpose from limiting the rental or occupancy of that lodging to its members or from giving preference to its members.

B. Nothing provided for in Sections 1451 through 1453 of this title relating to familial status applies to housing for older persons. As used in this section, "housing for older persons" means housing:

1. That the Attorney General's Office of Civil Rights Enforcement determines is specifically designed and operated to assist elderly persons pursuant to a federal or state program;

2. Intended for, and solely occupied by, persons sixty-two (62) years of age or older; or

3. Intended and operated for occupancy by at least one person fifty-five (55) years of age or older per unit as determined by rules of the Attorney General's Office of Civil Rights Enforcement.

C. 1. Subject to division (2) of subparagraph a of this paragraph, Sections 1451 through 1453 of this title do not apply to:

a. the sale or rental of a single-family house sold or rented by an owner if:

(1) the owner does not:

(a) own more than three single-family houses at any one time, or

(b) own any interest in, or is there owned or reserved on his or her behalf, pursuant to any express or voluntary agreement, title to or any right to any part of the proceeds from the sale or rental of more than three single-family houses at any one time, and

(2) the house was sold or rented without:

(a) the use of the sales or rental facilities or services of a real estate broker, agent, or salesman licensed pursuant to the Oklahoma Real Estate License Code, or of an employee or agent of a licensed broker, agent, or

- salesman, or the facilities or services of the owner of a dwelling designed or intended for occupancy by five or more families, or
- (b) the publication, posting, or mailing of a notice, statement, or advertisement prohibited by Section 1452 of this title, or
 - b. the sale or rental of rooms or units in a dwelling containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner maintains and occupies one of the living quarters as the owner's residence.

2. The exemption in subparagraph a of paragraph 1 of this subsection applies to only one sale or rental in a twenty-four-month period, if the owner was not the most recent resident of the house at the time of the sale or rental.

D. Nothing provided for in Sections 1451 through 1453 of this title shall prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors other than race, color, age, religion, gender, disability, familial status, or national origin.

E. Nothing provided for in Sections 1451 through 1453 of this title shall affect a reasonable local or state restriction on the maximum number of occupants permitted to occupy a dwelling or restriction relating to health or safety standards.

F. Nothing provided for in Sections 1451 through 1453 of this title shall prevent or restrict the sale, lease, rental, transfer, or development of housing designed or intended for the use of the disabled.

G. Nothing provided for in Sections 1451 through 1453 of this title shall affect a requirement of nondiscrimination in any other state or federal law.

H. Nothing provided for in Sections 1451 through 1453 of this title shall prohibit the transfer of property by will, intestate succession, or by gift.

Added by Laws 1985, c. 289, § 3. Amended by Laws 1991, c. 177, § 4; Laws 2011, c. 270, § 15, eff. Nov. 1, 2011; Laws 2013, c. 214, § 8, emerg. eff. May 7, 2013.

§25-1501. Attorney General's Office of Civil Rights Enforcement - Powers.

A. Within the limitations provided by law, the Attorney General's Office of Civil Rights Enforcement has the following additional powers:

1. To promote the creation of local commissions on human rights, and to contract with individuals and state, local and other

agencies, both public and private, including agencies of the federal government and of other states;

2. To accept public grants or private gifts, bequests, or other payments;

3. To receive, investigate, seek to conciliate, hold hearings on, and pass upon complaints alleging violations of Section 1101 et seq. of this title;

4. To furnish technical assistance requested by persons subject to this act to further compliance with Section 1101 et seq. of this title or an order issued thereunder;

5. To make provisions for technical and clerical assistance to an advisory committee or committees appointed in accordance with paragraph (b) of Section 953 of Title 74 of the Oklahoma Statutes;

6. To require answers to interrogatories, under the procedures established by Section 3233 of Title 12 of the Oklahoma Statutes, compel the attendance of witnesses, examine witnesses under oath or affirmation, and require the production of documents in connection with complaints filed under Section 1101 et seq. of this title, said powers to be exercised only in relation to areas directly and materially related to the complaint;

7. To hear, and issue orders on, complaints involving state government agencies and departments on the same basis as complaints involving private employers; and

8. To provide technical assistance and public information to assist in preventing and eliminating discriminatory housing practices; and

9. To promulgate rules as necessary to implement the provisions of Section 1101 et seq. of this title.

B. The Attorney General shall:

1. At least annually, publish a written report recommending legislative or other action to carry out the purposes of Section 1101 et seq. of this title as it relates to housing discrimination;

2. Make studies relating to the nature and extent of discriminatory housing practices in this state; and

3. Cooperate with and, as appropriate, may provide technical and other assistance to federal, state, local, and other public or private entities that are formulating or operating programs to prevent or eliminate discriminatory housing practices.

Added by Laws 1968, c. 388, § 501, emerg. eff. May 17, 1968.

Amended by Laws 1970, c. 186, § 1, emerg. eff. April 13, 1970; Laws 1973, c. 195, § 3, emerg. eff. May 16, 1973; Laws 1985, c. 289, § 5; Laws 1989, c. 353, § 3, emerg. eff. June 3, 1989; Laws 1991, c. 177, § 5; Laws 2013, c. 214, § 9, emerg. eff. May 7, 2013.

NOTE: Laws 1985, c. 165, § 12 repealed by Laws 1989, c. 353, § 14, emerg. eff. June 3, 1989.

§25-1502. Proceedings after complaint.

A. A person claiming to be aggrieved by a discriminatory practice, his or her attorney, or a nonprofit organization chartered for the purpose of combatting discrimination may file with the Attorney General's Office of Civil Rights Enforcement a written sworn complaint stating that a discriminatory practice has been committed, and setting forth the facts upon which the complaint is based, and setting forth facts sufficient to enable the Attorney General to identify the person charged, hereinafter called the respondent. The Attorney General shall promptly furnish the respondent with a copy of the complaint and shall promptly investigate the allegations of discriminatory practice set forth in the complaint. The complaint must be filed within one hundred eighty (180) days after the alleged discriminatory practice occurs.

B. If within sixty (60) days after the complaint is filed it is determined by the Attorney General that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Attorney General shall issue an order dismissing the complaint and shall furnish a copy of the order to the complainant, the respondent and such other public officers and persons as the Attorney General deems proper.

C. The complainant, within thirty (30) days after receiving a copy of an order dismissing the complaint, may file with the Attorney General an application for reconsideration of the order. Upon such application, the Attorney General shall make a new determination whether there is a reasonable cause to believe that the respondent has engaged in a discriminatory practice. If it is determined within thirty (30) days after the application is filed that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Attorney General shall issue an order dismissing the complaint and furnish a copy of the order to the complainant, the respondent and such other public officers as the Attorney General deems proper.

D. The Attorney General shall:

1. Allow for electronic submission of the complaint form;
2. Make a good-faith effort to contact the complainant if the complaint form is deemed insufficient or incomplete; and
3. Provide the two access numbers to the Office of Civil Rights Enforcement for persons who need assistance in completing or filing the complaint form.

E. This section shall not apply to persons claiming to be aggrieved by a discriminatory housing practice to the extent that it is inconsistent with specific provisions of Section 1101 et seq. of this title relating to a discriminatory housing complaint.

Added by Laws 1968, c. 388, § 502. Amended by Laws 1973, c. 195, § 4, emerg. eff. May 16, 1973; Laws 1991, c. 177, § 6; Laws 2013, c. 214, § 10, emerg. eff. May 7, 2013; Laws 2017, c. 306, § 2, eff. Nov. 1, 2017.

§25-1502.1. Temporary injunction or restraining order.

If, at any time after the receipt of a verified charge, the Attorney General has reason to believe that a respondent has engaged in any unlawful discriminatory practice, the Attorney General may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business, seeking appropriate temporary injunctive relief against the respondent pending final determination of proceedings pursuant to Section 1101 et seq. of this title. The court shall have power to grant injunctive relief or a restraining order as it deems just and proper, but no relief or order shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. Except as modified by this section, the Oklahoma rules of civil procedure shall apply to an application, and the district court shall have authority to grant or deny the relief sought on conditions as it deems just and equitable. This section is subject to the provisions of Section 1502.7 of this title.

Added by Laws 1985, c. 289, § 4. Amended by Laws 1991, c. 177, § 7; Laws 2013, c. 214, § 11, emerg. eff. May 7, 2013.

§25-1502.2. Investigations - Complaint - Limitation - Filing by Attorney General - Amendment of complaint - Notice to respondent.

A. The Attorney General shall investigate alleged discriminatory housing practices.

B. A complaint must be:

1. In writing;
2. Under oath; and
3. In the form prescribed by the Attorney General.

C. An aggrieved person may, not later than one (1) year after an alleged discriminatory housing practice has occurred or terminated, whichever is later, file a complaint with the Attorney General alleging the discriminatory housing practice.

D. Not later than one (1) year after an alleged discriminatory housing practice has occurred or terminated, whichever is later, the Attorney General may file his or her own complaint.

E. A complaint may be amended at any time.

F. On the filing of a complaint the Attorney General shall:

1. Give the aggrieved person notice that the complaint has been received;

2. Advise the aggrieved person of the time limits and choice of forums pursuant to Section 1101 et seq. of this title; and

3. Not later than the 20th day after the filing of the complaint or the identification of an additional respondent pursuant to Section 1502.5 of this title, serve on each respondent:

- a. a notice identifying the alleged discriminatory housing practice and advising the respondent of the procedural rights and obligations of a respondent pursuant to Section 1101 et seq. of this title, and
- b. a copy of the original complaint.

Added by Laws 1991, c. 177, § 8. Amended by Laws 2013, c. 214, § 12, emerg. eff. May 7, 2013.

§25-1502.3. Answer to complaint - Amendment - Effect of investigation.

A. Not later than the 10th day after receipt of the notice and copy pursuant to paragraph 3 of subsection F of Section 1502.2 of this title, a respondent may file an answer to the complaint.

B. An answer must be:

1. In writing;
2. Under oath; and
3. In the form prescribed by the Attorney General.

C. An answer may be amended at any time.

D. An answer does not inhibit the investigation of a complaint.

Added by Laws 1991, c. 177, § 9. Amended by Laws 2013, c. 214, § 13, emerg. eff. May 7, 2013.

§25-1502.4. Referral of complaint from federal government - Investigations - Administrative proceedings - Time limits - Delays.

If the federal government has referred a complaint to the Attorney General or has deferred jurisdiction over the subject matter of the complaint to the Attorney General, the Attorney General shall promptly investigate the allegations set forth in the complaint.

Added by Laws 1991, c. 177, § 10. Amended by Laws 2013, c. 214, § 14, emerg. eff. May 7, 2013.

§25-1502.5. Joinder of additional or substitute respondent - Notice - Explanation.

A. The Commission may join a person not named in the complaint as an additional or substitute respondent if in the course of the investigation the Commission determines that the person should be accused of a discriminatory housing practice.

B. In addition to the information required in the notice pursuant to paragraph 3 of subsection F of Section 8 of this act, the Commission shall include in a notice to a respondent joined pursuant to this section an explanation of the basis for the determination that the person is properly joined as a respondent.

Added by Laws 1991, c. 177, § 11.

§25-1502.6. Conciliation - Time period - Conciliation agreement - Provisions - Disclosure.

A. The Attorney General may, during the period beginning with the filing of a complaint and ending with the filing of a charge or a dismissal by the Attorney General's Office of Civil Rights Enforcement, to the extent feasible, engage in conciliation with respect to the complaint.

B. A conciliation agreement is an agreement between a respondent and the complainant and is subject to the Attorney General's approval.

C. A conciliation agreement may provide for binding arbitration or other method of dispute resolution. Dispute resolution that results from a conciliation agreement may authorize appropriate relief, including monetary relief.

D. A conciliation agreement shall be made public unless the complainant and respondent agree otherwise, and the Attorney General determines that disclosure is not necessary to further the purpose of Section 1101 et seq. of this title.

E. Nothing said or done in the course of conciliation may be made public or used as evidence in a subsequent proceeding pursuant to Section 1101 et seq. of this title without the written consent of the persons concerned.

F. After completion of any investigation conducted by the Attorney General, the Attorney General shall make available to the aggrieved person and the respondent, at any time, information derived from the investigation and the final investigation report relating to that investigation.

Added by Laws 1991, c. 177, § 12. Amended by Laws 2013, c. 214, § 15, emerg. eff. May 7, 2013.

§25-1502.7. Civil action for temporary or preliminary relief - Filing by Attorney General - Effects on administrative hearing.

A. If the Attorney General concludes at any time following the filing of a discriminatory housing complaint that prompt judicial action is necessary to carry out the purposes of Section 1101 et seq. of this title, the Attorney General may commence a civil action for appropriate temporary or preliminary relief pending final disposition of the complaint.

B. A temporary restraining order or other order granting preliminary or temporary relief on a discriminatory housing complaint filed under this section is governed by the provisions of Section 1502.1 of this title and the applicable Oklahoma rules of civil procedure.

Added by Laws 1991, c. 177, § 13. Amended by Laws 2013, c. 214, § 16, emerg. eff. May 7, 2013.

§25-1502.8. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.9. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.10. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.11. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.12. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.13. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.14. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1502.15. Civil action on behalf of aggrieved person - Venue - Intervention - Relief - Compliance with discovery orders.

A. The Attorney General may file a civil action on behalf of the aggrieved person in a district court seeking relief pursuant to this section.

B. Venue for an action pursuant to this section is in the county in which the alleged discriminatory housing practice occurred, or in a county where the respondent resides or transacts business.

C. An aggrieved person may intervene in the action.

D. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may grant as relief any relief that a court may grant in a civil action pursuant to Section 1506.3 of this title.

E. If monetary relief is sought for the benefit of an aggrieved person who does not intervene in the civil action, the court may not award the monetary relief if that aggrieved person has not complied with discovery orders entered by the court.

Added by Laws 1991, c. 177, § 21. Amended by Laws 2013, c. 214, § 17, emerg. eff. May 7, 2013.

§25-1503. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1504. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1505. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1505.1. Determination of housing discrimination.

If the Attorney General upon final determination finds that an act of housing discrimination pursuant to Section 1452 of this title has been committed by a person holding a real estate license pursuant to state law, the Attorney General will certify such determination to the licensing agency. Unless such determination of discriminatory practice is reversed in the course of judicial review, a final determination is binding on the licensing agency. Such agency shall take appropriate administrative action, including suspension or revocation of the license of the respondent. Added by Laws 1985, c. 289, § 7. Amended by Laws 2013, c. 214, § 18, emerg. eff. May 7, 2013.

§25-1506. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1506.1. Civil action - Time period - Tolling - Restrictions.

A. An aggrieved person may file a civil action in district court not later than the second year after the occurrence of the termination of an alleged discriminatory housing practice, or the breach of a conciliation agreement entered into pursuant to Section 1101 et seq. of this title, whichever occurs last, to obtain appropriate relief with respect to the discriminatory housing practice or breach.

B. The two-year period does not include any time during which an administrative hearing pursuant to Section 1101 et seq. of this title is pending with respect to a complaint or charge pursuant to Section 1101 et seq. of this title based on the discriminatory housing practice. This subsection does not apply to actions arising from a breach of a conciliation agreement.

C. An aggrieved person may file an action pursuant to this section whether or not a complaint has been filed pursuant to Section 1502.2 of this title and without regard to the status of any complaint filed pursuant to this section.

D. If the Attorney General has obtained a conciliation agreement with the consent of an aggrieved person, the aggrieved person may not file an action pursuant to this section with respect to the alleged discriminatory housing practice that forms the basis for the complaint except to enforce the terms of the agreement.

E. An aggrieved person may not file an action pursuant to this section with respect to an alleged discriminatory housing practice that forms the basis of a charge issued by the Attorney General if

the Attorney General has begun a hearing on the record pursuant to Section 1101 et seq. of this title with respect to the charge. Added by Laws 1991, c. 177, § 24. Amended by Laws 2013, c. 214, § 19, emerg. eff. May 7, 2013.

§25-1506.2. Court-appointed attorney.

On application by a person alleging a discriminatory housing practice or by a person against whom such a practice is alleged, the court may appoint an attorney for the person.

Added by Laws 1991, c. 177, § 25.

§25-1506.3. Remedies.

In an action pursuant to Section 1101 et seq. of this title, if the court finds that a discriminatory housing practice has occurred or is about to occur, the court may award to the plaintiff:

1. Actual and punitive damages;
2. Reasonable attorney fees;
3. Court costs; and

4. Subject to Section 1506.4 of this title, any permanent or temporary injunction, temporary restraining order, or other order, including an order enjoining the defendant from engaging in the practice or ordering appropriate affirmative action.

Added by Laws 1991, c. 177, § 26. Amended by Laws 2013, c. 214, § 20, emerg. eff. May 7, 2013.

§25-1506.4. Effect of relief granted upon contracts, sales, encumbrances, or leases.

Relief granted pursuant to Section 1506.3 of this title does not affect a contract, sale, encumbrance, or lease that:

1. Was consummated before the granting of the relief; and
2. Involved a bona fide purchaser, encumbrancer, or tenant who did not have actual notice of the filing of a complaint pursuant to Section 1101 et seq. of this title or a civil action pursuant to this section.

Added by Laws 1991, c. 177, § 27. Amended by Laws 2013, c. 214, § 21, emerg. eff. May 7, 2013.

§25-1506.5. Repealed by Laws 2013, c. 214, § 32, emerg. eff. May 7, 2013.

§25-1506.6. Civil action relating to pattern of discrimination or issue of general public importance - Remedies - Persons who may intervene.

A. On request of the Commission, the Attorney General may file a civil action in district court for appropriate relief if the Commission has reasonable cause to believe that:

1. a person is engaged in pattern or practice of resistance to the full enjoyment of any right granted by this act; or

2. a person has been denied any right granted by this act and that denial raises an issue of general public importance.

B. In an action pursuant to this section the court may:

1. award preventive relief, including a permanent or temporary injunctive, restraining order, or other order against the person responsible for a violation of this act as necessary to assure the full enjoyment of the rights granted by this act;

2. award other appropriate relief, including monetary damages, reasonable attorneys fees, and court costs; and

3. to vindicate the public interest, assess a civil penalty against the respondent in an amount that does not exceed:

a. Fifty Thousand Dollars (\$50,000.00), for a first violation, and

b. One Hundred Thousand Dollars (\$100,000.00), for a second or subsequent violation.

C. A person may intervene in an action pursuant to this section if the person is:

1. an aggrieved person to the discriminatory housing practice; or

2. a party to a conciliation agreement concerning the discriminatory housing practice.

Added by Laws 1991, c. 177, § 29.

§25-1506.7. Subpoenas - Enforcement.

The Attorney General may issue subpoenas pursuant to Section 1101 et seq. of this title and may enforce the subpoena in appropriate proceedings in district court.

Added by Laws 1991, c. 177, § 30. Amended by Laws 2013, c. 214, § 22, emerg. eff. May 7, 2013.

§25-1506.8. Attorney fees.

A court in a civil action brought pursuant to Section 1101 et seq. of this title may award reasonable attorney fees to the prevailing party and assess court costs against the nonprevailing party.

Added by Laws 1991, c. 177, § 31. Amended by Laws 2013, c. 214, § 23, emerg. eff. May 7, 2013.

§25-1506.9. Violations - Misdemeanor.

A. A person commits an offense if the person, whether or not acting under color of law, by force or threat of force, intentionally intimidates or interferes with a person:

1. Because of the person's race, color, religion, gender, disability, familial status, or national origin and because the person is or has been selling, purchasing, renting, financing,

occupying, contracting, or negotiating for the sale, purchase, rental, financing, or occupation of any dwelling, or applying for or participating in a service, organization, or facility relating to the business of selling or renting dwellings; or

2. Because the person is or has been, or has attempted to intimidate the person from:

- a. participating, without discrimination because of race, color, religion, gender, disability, familial status, or national origin, in an activity, service, organization, or facility described in paragraph 1 of this subsection,
- b. affording another person opportunity or protection to so participate, or
- c. lawfully aiding or encouraging other persons to participate, without discrimination because of race, color, religion, gender, disability, familial status, or national origin, in an activity, service, organization, or facility described in paragraph 1 of this subsection.

B. An offense pursuant to this section is a misdemeanor.

Added by Laws 1991, c. 177, § 32. Amended by Laws 2011, c. 270, § 16, eff. Nov. 1, 2011.

§25-1507. Inspection - Records.

A. In connection with an investigation of a complaint filed under Section 1101 et seq. of this title, the Attorney General shall have access at any reasonable time to premises, records and documents relevant to the complaint and the right to examine, photograph and copy evidence, in accordance with the Oklahoma Administrative Procedures Act.

B. So as to avoid undue burden on persons subject to the act, records and reports required by the Attorney General under this section shall conform as near as may be to similar records and reports required by federal law.

C. It is unlawful for an officer or employee of the Attorney General to make public with respect to a particular person without his consent information obtained by the Attorney General pursuant to his or her authority under this section.

Added by Laws 1968, c. 388, § 507. Amended by Laws 2013, c. 214, § 24, emerg. eff. May 7, 2013.

§25-1508. Subpoenas - Witnesses.

A. Subpoenas shall issue in proceedings under Section 1101 et seq. of this title as provided in the Oklahoma Administrative Procedures Act. A subpoena so issued shall show on its face the name and address of the party at whose request the subpoena was issued. On petition of the individual to whom the subpoena is

directed and notice to the requesting party, the Attorney General may vacate or modify the subpoena.

B. Witnesses whose depositions are taken or who are summoned before the Attorney General or employees of the Attorney General's office shall be entitled to the same witness and mileage fees as are paid to witnesses in the courts of the state.

Added by Laws 1968, c. 388, § 508. Amended by Laws 2013, c. 214, § 25, emerg. eff. May 7, 2013.

§25-1601. Other discriminatory practices.

It is a discriminatory practice for a person, or for two or more persons to conspire,

(1) to retaliate or discriminate against a person because he has opposed a discriminatory practice, or because he has made a charge, filed a complaint, testified, assisted, or participated in an investigation, proceeding, or hearing under this act;

(2) to aid, abet, incite, or coerce a person to engage in a discriminatory practice;

(3) willfully to interfere with the performance of a duty or the exercise of a power by the Commission or one of its members or representatives; or

(4) willfully to obstruct or prevent a person from complying with the provisions of this act or an order issued thereunder.

Laws 1968, c. 388, § 601.

§25-1602. Conciliation agreements.

It is a discriminatory practice for a party to a conciliation agreement made under this act to violate the terms of the agreement.

Added by Laws 1968, c. 388, § 602.

§25-1603. Attempts.

An attempt to commit, directly or indirectly, a discriminatory practice is a discriminatory practice.

Laws 1968, c. 388, § 603.

§25-1604. Public contractors.

In the case of a respondent who is found by the Attorney General to have engaged in a discriminatory practice in the course of performing under a contract or subcontract with the state or any governmental entity, or agency thereof, if the discriminatory practice was authorized, requested, commanded, performed or recklessly tolerated by the board of directors of the respondent or by a high managerial agent acting within the scope of his or her employment, the Attorney General shall so certify to the contracting agency. Unless the Attorney General's finding of a discriminatory practice is upheld in the course of judicial review, the finding of discrimination is not binding on the contracting agency. Upon

receiving a certification made under this section, a contracting agency may take appropriate action to:

1. Terminate a contract or portion thereof previously entered into with the respondent, either absolutely or on condition that the respondent carry out a program of compliance with the provisions of Section 1101 et seq. of this title; and

2. Assist the state and all governmental entities and agencies thereof to refrain from entering into further contracts, or extensions or other modifications of existing contracts, with the respondent until the Attorney General is satisfied that the respondent will carry out policies in compliance with the provisions of Section 1101 et seq. of this title.

Added by Laws 1968, c. 388, § 604. Amended by Laws 2013, c. 214, § 26, emerg. eff. May 7, 2013.

§25-1605. Prima facie evidence.

In a proceeding under this act a written, printed, or visual communication, advertisement, or other form of publication, or written inquiry, or other document purporting to have been made by a person is prima facie evidence that it was authorized by him.

Laws 1968, c. 388, § 605.

§25-1701. Definitions.

In this chapter

- (1) "political subdivision" means a city, incorporated town, or county within this state;

- (2) "local commission" means a commission on human relations created by one or more political subdivisions.

Laws 1968, c. 388, § 701.

§25-1702. Local ordinances.

A political subdivision may adopt and enforce an ordinance prohibiting discrimination because of race, color, religion, sex, national origin, age, disability, or genetic information not in conflict with a provision of Section 1101 et seq. of this title.

Added by Laws 1968, c. 388, § 702. Amended by Laws 1981, c. 231, § 10; Laws 1985, c. 165, § 15, eff. Nov. 1, 1985; Laws 2011, c. 270, § 17, eff. Nov. 1, 2011.

§25-1703. Local commissions.

A political subdivision, or two or more political subdivisions acting jointly, may create a local commission to promote the purposes of Section 1101 et seq. of this title and to secure for all individuals within the jurisdiction of the political subdivision or subdivisions freedom from discrimination because of race, color, religion, sex, national origin, age, disability, or genetic

information, and may appropriate funds for the expenses of the local commission.

Added by Laws 1968, c. 388, § 703. Amended by Laws 1981, c. 231, § 11; Laws 1985, c. 165, § 16, eff. Nov. 1, 1985; Laws 2011, c. 270, § 18, eff. Nov. 1, 2011.

§25-1704. Powers of local commissions.

A local commission may have the following powers in addition to powers authorized by other laws:

1. To employ an executive director and other employees and agents and fix their compensation;
2. To cooperate with individuals and state, local, and other agencies, both public and private, including agencies of the federal government and other states and municipalities;
3. To accept gifts, bequests, grants, or other payments, public or private, to help finance its activities;
4. To receive, initiate, investigate, and seek to conciliate complaints alleging violations of Section 1101 et seq. of this title or of an ordinance prohibiting discrimination because of race, color, religion, sex, national origin, age, disability, or genetic information or legislation establishing the commission;
5. To make studies appropriate to effectuate its purposes and policies and to make the results thereof available to the public; and
6. To render at least annually a report, a copy of which shall be furnished to the Oklahoma Human Rights Commission.

Added by Laws 1968, c. 388, § 704. Amended by Laws 1981, c. 231, § 12; Laws 1985, c. 165, § 17, eff. Nov. 1, 1985; Laws 2011, c. 270, § 19, eff. Nov. 1, 2011.

§25-1705. Referral to local commission.

A. The Attorney General:

1. Whether or not a complaint has been filed under the provisions of Section 1502 or 1704 of this title, may refer a matter involving discrimination because of race, color, religion, sex, national origin, age, disability, or genetic information to a local commission for investigation, study, and report; and
2. May refer a complaint alleging a violation of Section 1101 et seq. of this title to a local commission for:
 - a. investigation,
 - b. determination whether there is reasonable cause to believe that the respondent has engaged in a discriminatory practice, or
 - c. assistance in eliminating a discriminatory practice by conference, conciliation, or persuasion.

B. Upon referral by the Attorney General, the local commission shall make a report and may make recommendations to the Attorney

General and take other appropriate action within the scope of its powers.

Added by Laws 1968, c. 388, § 705. Amended by Laws 1981, c. 231, § 13; Laws 1985, c. 165, § 18, eff. Nov. 1, 1985; Laws 2011, c. 270, § 20, eff. Nov. 1, 2011; Laws 2013, c. 214, § 27, emerg. eff. May 7, 2013.

§25-1706. Transfer to Attorney General.

A. A local commission may refer a matter under its jurisdiction to the Attorney General.

B. At any time after a complaint under Section 1101 et seq. of this title is filed, the Attorney General may require a local commission to transfer any related proceeding to the Attorney General. After the local commission is requested to transfer a proceeding, the local commission has no further jurisdiction over the proceeding except to take appropriate action to implement the transfer to the Attorney General.

Added by Laws 1968, c. 388, § 706. Amended by Laws 2013, c. 214, § 28, emerg. eff. May 7, 2013.

§25-1901. Repealed by Laws 2011, c. 270, § 21, eff. Nov. 1, 2011.

§25-2001. Short title - Parents' Bill of Rights - Scope of rights.

A. This act shall be known and may be cited as the "Parents' Bill of Rights".

B. This state, any political subdivision of this state or any other governmental entity shall not infringe on the fundamental right of parents to direct the upbringing, education, health care and mental health of their children without demonstrating that the compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored and is not otherwise served by a less restrictive means.

C. As used in the Parents' Bill of Rights, "parent" means the natural or adoptive parent or legal guardian of a minor child.

Added by Laws 2014, c. 238, § 1, eff. Nov. 1, 2014.

§25-2002. Parental rights.

A. All parental rights are reserved to a parent of a minor child without obstruction or interference from this state, any political subdivision of this state, any other governmental entity or any other institution, including, but not limited to, the following rights:

1. The right to direct the education of the minor child;
2. All rights of parents identified in Title 70 of the Oklahoma Statutes, including the right to access and review all school records relating to the minor child;
3. The right to direct the upbringing of the minor child;

4. The right to direct the moral or religious training of the minor child;

5. The right to make healthcare decisions for the minor child, unless otherwise prohibited by law;

6. The right to access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released;

7. The right to consent in writing before a biometric scan of the minor child is made, shared or stored;

8. The right to consent in writing before any record of the minor child's blood or deoxyribonucleic acid (DNA) is created, stored or shared, except as required by Sections 1-516 and 1-524.1 of Title 63 of the Oklahoma Statutes, or unless authorized pursuant to a court order;

9. The right to consent in writing before the state or any of its political subdivisions makes a video or voice recording of the minor child, unless the video or voice recording is made during or as a part of a court proceeding, by law enforcement officers during or as part of a law enforcement investigation, during or as part of a forensic interview in a criminal or Department of Human Services investigation or to be used solely for any of the following:

- a. safety demonstrations, including the maintenance of order and discipline in the common areas of a school or on student transportation vehicles,
- b. a purpose related to a legitimate academic or extracurricular activity,
- c. a purpose related to regular classroom instruction,
- d. security or surveillance of buildings or grounds, and
- e. a photo identification card; and

10. The right to be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or Department of Human Services investigation. This paragraph does not create any new obligation for school districts and charter schools to report misconduct between students at school, such as fighting or aggressive play, that is routinely addressed as a student disciplinary matter by the school.

B. This section does not authorize or allow a parent to engage in conduct that is unlawful or to abuse or neglect a child in violation of the laws of this state. This section shall not be construed to apply to a parental action or decision that would end

life. This section does not prohibit courts, law enforcement officers or employees of a government agency responsible for child welfare from acting in their official capacity within the reasonable and prudent scope of their authority. This section does not prohibit a court from issuing an order that is otherwise permitted by law.

C. Any attempt to encourage or coerce a minor child to withhold information from the child's parent shall be grounds for discipline of an employee of this state, any political subdivision of this state or any other governmental entity, except for law enforcement personnel.

D. Unless those rights have been legally waived or legally terminated, parents have inalienable rights that are more comprehensive than those listed in this section. The Parents' Bill of Rights does not prescribe all rights of parents. Unless otherwise required by law, the rights of parents of minor children shall not be limited or denied. The Parents' Bill of Rights shall not be construed to apply to a parental action or decision that would end life.

Added by Laws 2014, c. 238, § 2, eff. Nov. 1, 2014.

§25-2003. School district policy on parental involvement - Information to provide to parents.

A. The board of education of a school district, in consultation with parents, teachers and administrators, shall develop and adopt a policy to promote the involvement of parents and guardians of children enrolled in the schools within the school district, including:

1. A plan for parent participation in the schools which is designed to improve parent and teacher cooperation in such areas as homework, attendance and discipline;

2. Procedures by which parents may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials;

3. Procedures by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality or religion;

4. If a school district offers any sex education curricula pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes or pursuant to any rules adopted by the State Board of Education, procedures to opt out of a school district from providing sex education instruction to a child if the child's parent provides

written objection to the child's participation in the sex education curricula;

5. Procedures by which parents will be notified in advance of and given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula pursuant to Section 11-105.1 of Title 70 of the Oklahoma Statutes;

6. Procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, as well as extracurricular clubs and activities that have been approved by the school; and

7. Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:

- a. the right to opt out of a sex education curriculum if one is provided by the school district,
- b. open enrollment rights,
- c. the right to opt out of assignments pursuant to this section,
- d. the right to be exempt from the immunization laws of the state pursuant to Section 1210.192 of Title 70 of the Oklahoma Statutes,
- e. the promotion requirements prescribed in Section 1210.508E of Title 70 of the Oklahoma Statutes,
- f. the minimum course of study and competency requirements for graduation from high school prescribed in Section 11-103.6 of Title 70 of the Oklahoma Statutes,
- g. the right to opt out of instruction on the acquired immune deficiency syndrome pursuant to Section 11-103.3 of Title 70 of the Oklahoma Statutes,
- h. the right to review test results,
- i. the right to participate in gifted programs pursuant to Sections 1210.301 through 1210.308 of Title 70 of the Oklahoma Statutes,
- j. the right to inspect instructional materials used in connection with any research or experimentation program or project pursuant to Section 11-106 of Title 70 of the Oklahoma Statutes,
- k. the right to receive a school report card,
- l. the attendance requirements prescribed in Section 10-106 of Title 70 of the Oklahoma Statutes,
- m. the right to public review of courses of study and textbooks,
- n. the right to be excused from school attendance for religious purposes,

- o. policies related to parental involvement pursuant to this section,
- p. the right to participate in parent-teacher associations and organizations that are sanctioned by the board of education of a school district, and
- q. the right to opt out of any data collection instrument at the district level that would capture data for inclusion in the state longitudinal student data system except what is necessary and essential for establishing a student's public school record.

B. The board of education of a school district may adopt a policy to provide to parents the information required by this section in an electronic form.

C. A parent shall submit a written request for information pursuant to this section during regular business hours to either the school principal at the school site or the superintendent of the school district at the office of the school district. Within ten (10) days of receiving the request for information, the school principal or the superintendent of the school district shall either deliver the requested information to the parent or submit to the parent a written explanation of the reasons for the denial of the requested information. If the request for information is denied or the parent does not receive the requested information within fifteen (15) days after submitting the request for information, the parent may submit a written request for the information to the board of education of a school district, which shall formally consider the request at the next scheduled public meeting of the board if the request can be properly noticed on the agenda. If the request cannot be properly noticed on the agenda, the board of education of a school district shall formally consider the request at the next subsequent public meeting of the board.

Added by Laws 2014, c. 238, § 3, eff. Nov. 1, 2014.

§25-2004. Written consent required for medical treatment of minors - Exceptions - Penalties.

A. Except as otherwise provided by law, no person, corporation, association, organization, state-supported institution, or individual employed by any of these entities may procure, solicit to perform, arrange for the performance of, perform surgical procedures, or perform a physical examination upon a minor or prescribe any prescription drugs to a minor without first obtaining a written consent of a parent or legal guardian of the minor. Provided, however, that if written consent is provided to a school district for assessment or treatment, such consent shall be effective for the school year for which it is granted and shall be renewed each subsequent school year. If an assessment or treatment is performed through telemedicine at a school site and if consent

has been provided by the parent and is currently effective, the health professional shall not be required to verify that the parent is at the site.

B. Except as otherwise provided by law, no hospital as defined in Section 1-701 of Title 63 of the Oklahoma Statutes may permit surgical procedures to be performed upon a minor in its facilities without first having received a written consent from a parent or legal guardian of the minor.

C. The provisions of this section shall not apply when it has been determined by a physician that an emergency exists and that it is necessary to perform such surgical procedures for the treatment of an injury, illness or drug abuse, or to save the life of the patient, or when such parent or other adult authorized by law to consent on behalf of a minor cannot be located or contacted after a reasonably diligent effort.

D. The provisions of this section shall not apply to an abortion, which shall be governed by the provisions of Sections 1-740 through 1-740.6 and Sections 1-744 through 1-744.6 of Title 63 of the Oklahoma Statutes or any successor statute.

E. A person who violates a provision of this section is guilty of a misdemeanor, punishable by a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment of not more than one (1) year in the county jail, or by both such fine and imprisonment. Added by Laws 2014, c. 238, § 4, eff. Nov. 1, 2014. Amended by Laws 2016, c. 50, § 1, eff. Nov. 1, 2016; Laws 2019, c. 329, § 1, eff. July 1, 2019.

§25-2005. Written consent required for mental health treatment of minors - Exceptions - Penalties.

A. Except as otherwise provided by law or a court order, no person, corporation, association, organization or state-supported institution, or any individual employed by any of these entities, may procure, solicit to perform, arrange for the performance of or perform an assessment for mental health therapy on a minor without first obtaining the written consent of a parent or a legal guardian of the minor child. Provided, however, that if written consent is provided to a school district for assessment or treatment, such consent shall be effective for the school year for which it is granted and shall be renewed each subsequent school year. If an assessment or treatment is performed through telemedicine at a school site and if consent has been provided by the parent and is currently effective, the health professional shall not be required to verify that the parent is at the site. However, a child shall not be seen without consent.

B. This section does not apply when an emergency exists that requires a person to perform mental health screening or provide

mental health treatment to prevent serious injury to or save the life of a minor child.

C. A person who violates this section is guilty of a misdemeanor, punishable by a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment of not more than one (1) year in the county jail, or by both such fine and imprisonment. Added by Laws 2014, c. 238, § 5, eff. Nov. 1, 2014. Amended by Laws 2019, c. 329, § 2, eff. July 1, 2019.

§25-2101. Display of replicas of historical documents on public grounds.

A. Every county, municipality, city, town, school or any other political subdivision is authorized to display, in its public buildings and on its grounds, replicas of historical documents including, but not limited to, the Ten Commandments, Magna Carta, Mayflower Compact, Declaration of Independence, United States Constitution, Bill of Rights, Oklahoma Constitution and other historically significant documents in the form of statues, monuments, memorials, tablets or any other display that respects the dignity and solemnity of such documents. Such documents shall be displayed in a manner consistent with the context of other documents contained in such display.

B. In the event that the legality or constitutionality of any such display is challenged in a court of law, the Oklahoma Attorney General is authorized to prepare and present a legal defense of the display.

Added by Laws 2018, c. 321, § 2.