

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB615 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Kevin West \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE  
4 FOR ENGROSSED

5 SENATE BILL NO. 615

By: Bullard, Bergstrom, Jett,  
Merrick, and Pederson of  
the Senate

6 and

7 Williams and Gann of the  
8 House

9  
10  
11 FLOOR SUBSTITUTE

12 [ schools - sex education curriculum and materials -  
13 be available for inspection - superintendent or  
14 designee to approve all curriculum and materials to  
15 be used for certain matters - certain prior written  
16 notification - effective date -  
17 emergency ]

18  
19  
20 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

21 SECTION 1. AMENDATORY 70 O.S. 2021, Section 11-105.1, is  
22 amended to read as follows:

23 Section 11-105.1. A. All curriculum and materials including  
24 supplementary materials which will be used to teach or will be used

1 for or in connection with a sex education class or program which is  
2 designed for the exclusive purpose of discussing sexual behavior or  
3 attitudes~~;~~ or any test, a school counselor-led meeting and/or  
4 course, survey, or questionnaire whose primary purpose is to elicit  
5 responses on sexual behavior or attitudes; or any curriculum,  
6 materials, test, survey, questionnaire, activity, or instruction of  
7 any kind related to sexual orientation and gender identity,  
8 regardless of whether it is offered as part of a sex education class  
9 or program or as part of any other class, program, or activity shall  
10 be available through the superintendent or a designee of the school  
11 district for inspection by parents and guardians of the student who  
12 will be involved with the instruction, class, program ~~or,~~ test,  
13 activity, survey, or questionnaire. Such curriculum, materials,  
14 classes, programs, tests, a school counselor-led meeting and/or  
15 course, surveys, or questionnaires shall include information about  
16 consent and shall have as one of its primary purposes the teaching  
17 of or informing students about the practice of abstinence. For the  
18 purposes of this section, "consent" shall have the same meaning as  
19 that provided by Section 113 of Title 21 of the Oklahoma Statutes.  
20 The superintendent or a designee of the school district shall  
21 provide prior written notification to the parents or guardians of  
22 the students involved of their right to inspect the curriculum and  
23 material and of their obligation to notify the school in writing if  
24 they do not want their child to participate in the instruction,

1 class, program, test, activity, survey, or questionnaire. Each  
2 local board of education shall determine the means of providing  
3 written notification to the parents and guardian which will ensure  
4 effective notice in an efficient and appropriate manner. No student  
5 shall be required to participate in a sex education class or program  
6 or participate in a school counselor-led meeting and/or course which  
7 discusses sexual behavior or attitudes, or any instruction, class,  
8 program, test, activity, survey, or questionnaire which discusses  
9 sexual orientation and gender identity if a parent or guardian of  
10 the student objects in writing to such participation. If the type  
11 of instruction, program, test, activity, survey, or questionnaire  
12 referred to in this section is a part of or is taught during a  
13 credit course, a student may be required to enroll in the course but  
14 shall not be required to receive instruction in or participate in  
15 the program, test, activity, survey, or questionnaire if a parent or  
16 guardian objects in writing.

17 B. The superintendent or a designee of a school district in  
18 which sex education or matters pertaining to sexual orientation or  
19 gender identity is taught or a program is offered which is designed  
20 for the exclusive purpose of discussing sexual behavior or attitudes  
21 or matters pertaining to sexual orientation or gender identity shall  
22 approve all curriculum and materials which will be used for such  
23 education and any test, school counselor-led meeting and/or course,  
24 survey, or questionnaire whose primary purpose is to elicit

1 responses on sexual behavior or attitudes used in the school prior  
2 to their use in the classroom or school. The teacher or school  
3 counselor involved in the instruction, class, program, ~~testing~~ test,  
4 activity, meeting, or survey shall submit the curriculum, materials,  
5 tests, or surveys to the superintendent or a designee for approval  
6 prior to their use in the classroom or school. This section shall  
7 not apply to those students enrolled in classes, programs, ~~testings~~  
8 tests, or surveys offered through an alternative education program.

9 C. The prior written notification required by subsection A of  
10 this section shall include a list with the audio-visual or written  
11 curriculum and materials to be used in the instruction, class,  
12 program, test, activity, meeting, or survey. The notification shall  
13 include:

14 1. A link to the audio-visual or written curriculum and  
15 materials to be used if they are available electronically; or

16 2. Information on how and where to review a hard copy of the  
17 audio-visual or written curriculum and materials.

18 D. The provisions of this section shall not be construed to  
19 require written notification prior to:

20 1. A teacher responding to student questions during class  
21 regarding sexual orientation and gender identity as it relates to  
22 any topic of instruction;

23 2. Referring to the sexual orientation or gender identity of  
24 any historic person, group, or public figure when such information

1 provides necessary context in relation to any topic of instruction;  
2 or

3 3. Referring to sexual orientation and gender identity if  
4 necessary to address a disciplinary matter, such as an instance of  
5 bullying.

6 E. The provisions of this section shall not be construed to  
7 require that a public school offer instruction, a class, a program,  
8 a test, an activity, a meeting, or a survey on sex education, sexual  
9 behavior or attitudes, sexual orientation, or gender identity.

10 F. For the purposes of this section:

11 1. "Gender identity" means one's psychological sense of their  
12 gender. Gender identity may also be known as "gender dysphoria", a  
13 clinically significant distress or impairment related to a strong  
14 desire to be of another gender, which may include a desire to change  
15 primary and/or secondary sex characteristics; and

16 2. "Sexual orientation" means an individual's actual or  
17 perceived orientation as heterosexual, homosexual, or bisexual.

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

21 A. As used in this section, "biological sex" means the physical  
22 condition of being male or female, as identified at birth by that  
23 individual's birth certificate.

24

1 B. As used in this section, "noncompliance" means knowingly  
2 allowing an individual to use a restroom that does not align with  
3 the individual's biological sex.

4 C. Public schools, and public charter schools, that serve  
5 enrolled students in prekindergarten through twelfth grades, shall  
6 designate restrooms and changing facilities, that are intended to  
7 accommodate multiple individuals, as follows:

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

10 D. Individuals at a public school or public charter school  
11 shall use the restroom or changing facility that corresponds to the  
12 individual's biological sex or "single-use" restrooms, if available.

13 E. Each school district board of education shall adopt a policy  
14 to provide disciplinary action for individuals who refuse to comply  
15 with the provisions in this act.

16 F. School district boards of education and governing boards of  
17 charter schools shall not adopt a policy contrary to the provisions  
18 of this section.

19 G. Upon a finding of noncompliance with this section, the  
20 noncompliant school district shall receive a five percent (5%)  
21 decrease in state funding for the school district for the fiscal  
22 year following the year of noncompliance.

23 SECTION 3. This act shall become effective July 1, 2022.

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

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6       58-2-M11481       MJ       04/27/22

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