

OKLAHOMA STATE SENATE  
CONFERENCE  
COMMITTEE REPORT

May 10, 2022

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB615

By: Bullard, Bergstrom, Merrick, Jett, Pederson, Kidd, Pemberton, Rogers, Dugger, Standridge, and Quinn of the Senate and Williams, Gann, West (Kevin), Crosswhite Hader, Stearman, West (Josh), Conley, Randleman, Moore, Boles, Talley, Frix, McDugle, Roe, Russ, and Kendrix of the House

Title: Schools; directing certain schools to require certain restrooms or changing areas to be used by individuals based on their sex; providing penalty for noncompliance. Emergency.

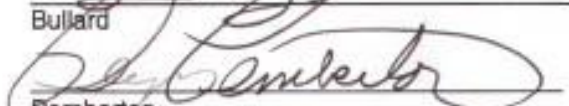
together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:


1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

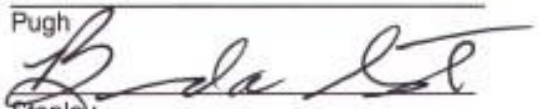
SENATE CONFEREES:

  
Bullard

  
Pemberton

  
Dugger

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Dossett, J.A.

  
Stanley

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Dossett, J.J.

HOUSE CONFEREES:

1 STATE OF OKLAHOMA

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

3 CONFERENCE COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED

5 SENATE BILL NO. 615

6 By: Bullard, Bergstrom,  
7 Merrick, Jett, Pederson,  
8 Kidd, Pemberton, Rogers,  
9 Dugger, Standridge, and  
10 Quinn of the Senate

11 and

12 Williams, Gann, West  
13 (Kevin), Crosswhite Hader,  
14 Stearman, West (Josh),  
15 Conley, Randleman, Moore,  
16 Boles, Talley, Frix,  
17 McDugle, Roe, Russ, and  
18 Kendrix of the House

19 CONFERENCE COMMITTEE SUBSTITUTE

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

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

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

4 A. As used in this section:

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

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

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

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

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

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

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

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

6 2. To render emergency medical assistance.

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

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

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

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

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

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

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