

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1810 _____
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: Sherrie Conley _____

Reading Clerk

1 STATE OF OKLAHOMA

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

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1810

By: Conley

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to schools; defining terms;
9 prohibiting sensitive materials in the school
10 setting; requiring inclusion of certain parents when
11 determining if an instructional material is sensitive
12 material; assigning training and reporting duties to
13 State Board of Education; authorizing promulgation of
14 rules; providing for codification; and declaring an
15 emergency.

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

17 SECTION 1. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 11-106.2 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. As provided in this section:

21 1. "Instructional material" means a material, regardless of
22 format, used:

23 a. as or in place of textbooks to deliver curriculum for
24 courses of study by students, or

b. to support a student's learning in the school setting.

1 Instructional material includes reading materials, handouts,
2 videos, digital materials, websites, online applications, and live
3 presentations;

4 2. "Governing board" means:

5 a. for a school district, the school district board of
6 education,

7 b. for a charter school or virtual charter school, the
8 charter school or virtual charter school governing
9 board, or

10 c. for the Oklahoma School for the Deaf and the Oklahoma
11 School for the Blind, the Department of Rehabilitation
12 Services;

13 3. "Minor" means any person who is younger than eighteen (18)
14 years of age;

15 4. "Public school" means a school district school, charter
16 school, virtual charter school, the Oklahoma School for the Deaf, or
17 the Oklahoma School for the Blind;

18 5. "School setting" means in a classroom, in a school library,
19 or on school property. School setting includes the following
20 activities that an organization or individual or organization
21 outside of a public school conducts, if a public school sponsors or
22 requires the activity:

23 a. an assembly,

24 b. a guest lecture,

1 c. a live presentation, or

2 d. an event; and

3 6. "Sensitive material" means an instructional material that is
4 child pornography or obscene material as both are defined in Section
5 1024.1 of Title 21 of the Oklahoma Statutes. Sensitive material
6 shall not include instructional material:

7 a. for medical courses, or

8 b. for another course the State Board of Education
9 exempts by rule.

10 B. Sensitive materials shall be prohibited in the school
11 setting. A public school shall not:

12 1. Adopt, use, distribute, provide a student access to, or
13 maintain in the school setting sensitive materials; or

14 2. Permit a speaker or presenter in the school setting to
15 display or distribute sensitive materials.

16 C. A governing board shall include parents who are reflective
17 of the members of the school's community when determining if an
18 instructional material is sensitive material.

19 D. The State Board of Education shall:

20 1. Provide guidance and training to support public schools in
21 identifying instructional materials; and

22 2. Report to the Speaker of the Oklahoma House of
23 Representatives and the President Pro Tempore of the Oklahoma State
24

1 Senate, on or before February 1, 2024, on implementation and
2 compliance with this section, including:

- 3 a. any policy the Board or a governing board adopts to
4 implement or comply with this section,
- 5 b. any rule the Board promulgates to implement or comply
6 with this section, and
- 7 c. any complaints a governing board or the Board receives
8 regarding a violation of this section, including:
 - 9 (1) action taken in response to a complaint, and
 - 10 (2) if a governing board retains an instructional
11 material for which the governing board or the
12 Board receives a complaint, the rationale for
13 retaining the instructional material.

14 E. The Board may promulgate rules to implement the provisions
15 of this section.

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

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21 59-1-7366 EK 02/10/23
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