

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1812 _____
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. 1812

By: Conley

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 11-105.1, which relates to sex education
10 curriculum and materials; including technology center
11 school districts in review of curriculum and
12 materials; providing a definition for abstinence;
13 requiring parents to give permission for students to
14 participate in sex education; prohibiting required
15 participation for students; mandating penalty for
16 certain noncompliance; providing for promulgation of
17 rules; repealing 70 O.S. 2021, Section 11-103.3,
18 which relates to AIDS prevention education; providing
19 an effective date; and declaring an emergency.

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
for or in connection with a sex education class or program which is
designed for the exclusive purpose of discussing sexual behavior or
attitudes, or any test, survey, or questionnaire whose primary

1 purpose is to elicit responses on sexual behavior or attitudes shall
2 be available through the superintendent or a designee of the school
3 district or technology center school district for inspection by
4 parents and guardians of the student who ~~will~~ may be involved with
5 the class, program ~~or~~, test, survey, or questionnaire.

6 ~~Such~~ 1. The curriculum, materials, classes, programs, tests,
7 surveys, or questionnaires shall include information about consent
8 and shall have as one of its primary purposes the teaching of or
9 informing students about the practice of abstinence. For the
10 purposes of this section:

11 a. "abstinence" shall mean no premarital sexual contact,
12 sexual intimacy, or sexual activity of any kind,
13 including restraint from any intimate touches or
14 genital contact, and

15 b. "consent" shall have the same meaning as that provided
16 by Section 113 of Title 21 of the Oklahoma Statutes.

17 2. The superintendent or a designee of the school district or
18 technology center school district shall provide prior written
19 notification to the parents or guardians of the students involved of
20 their right to inspect the curriculum and material and of their
21 obligation to notify the school in writing if they ~~do not~~ want their
22 child to participate in the class, program, test, survey, or
23 questionnaire. Each local board of education shall determine the
24 means of providing written notification to the parents and guardian

1 which will ensure effective notice in an efficient and appropriate
2 manner. No student shall be required to participate in a sex
3 education class or program which discusses sexual behavior or
4 attitudes ~~if~~ unless a parent or guardian of the student ~~objects~~
5 agrees in writing to such participation. If the type of program
6 referred to in this section is a part of or is taught during a
7 credit course, a student may be required to enroll in the course but
8 shall not be required to receive instruction in or participate in
9 the program ~~if~~ unless a parent or guardian ~~objects~~ agrees in
10 writing.

11 B. The superintendent or a designee of a school district or
12 technology center school district in which sex education is taught
13 or a program is offered which is designed for the exclusive purpose
14 of discussing sexual behavior or attitudes shall approve all
15 curriculum and materials which will be used for such education and
16 any test, survey, or questionnaire whose primary purpose is to
17 elicit responses on sexual behavior or attitudes used in the school
18 prior to their use in the classroom or school. The teacher involved
19 in the class, program, testing, or survey shall submit the
20 curriculum, materials, tests, or surveys to the superintendent or a
21 designee for approval prior to their use in the classroom or school.

22 C. This section shall not apply to those students enrolled in
23 classes, programs, testings, or surveys offered through an
24 alternative education program.

1 D. Upon a finding of noncompliance with the provisions of
2 subsection A of this section by the State Board of Education or
3 State Board of Career and Technology Education, the noncompliant
4 school district, public charter school, or technology center school
5 district shall receive a five percent (5%) decrease in state funding
6 for the school district, public charter school, or technology center
7 school district for the fiscal year following the year of
8 noncompliance.

9 E. The State Board of Education and State Board of Career and
10 Technology Education may promulgate rules in accordance with the
11 provisions of this section.

12 SECTION 2. REPEALER 70 O.S. 2021, Section 11-103.3, is
13 hereby repealed.

14 SECTION 3. This act shall become effective July 1, 2023.

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

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20 59-1-7367 EK 02/10/23

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