

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3022 \_\_\_\_\_  
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: Justin Humphrey

\_\_\_\_\_

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

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 PROPOSED COMMITTEE  
4 SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3022

By: Humphrey

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to prisons and reformatories;  
9 defining terms; providing for the designation and use  
10 of changing rooms and restrooms in state correctional  
11 facilities; establishing restrictions on the use of  
12 changing rooms and restrooms; providing for the  
13 designation and use of sleeping quarters in state  
14 correctional facilities; establishing restrictions on  
15 the use of sleeping quarters; providing exceptions;  
16 allowing private causes of action for declaratory and  
17 injunctive relief; providing statute of limitations  
18 for bringing claims; allowing for the recovery of  
19 attorney fees and costs; providing for codification;  
20 and providing an effective date.

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

22 SECTION 1. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 801 of Title 57, unless there is  
24 created a duplication in numbering, reads as follows:

As used in this act:

1. "Changing room" means a room or area in which a person may  
be in a state of undress in the presence of others, including a  
locker room or shower room;

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

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

9           4. "Restroom" means a room that includes one or more toilets or  
10 urinals;

11           5. "Sex" means the biological sex of a person, either male or  
12 female, as observed or clinically verified at birth;

13           6. "Sleeping quarters" means a room with more than one bed and  
14 in which more than one individual is housed overnight; and

15           7. "State correctional facility" means a facility or  
16 institution that is under the jurisdiction and control of the  
17 Department of Corrections. A state correctional facility does not  
18 include any county or municipal detention centers or holding  
19 facilities.

20           SECTION 2.           NEW LAW           A new section of law to be codified  
21 in the Oklahoma Statutes as Section 802 of Title 57, unless there is  
22 created a duplication in numbering, reads as follows:

23           A. Every restroom and changing room within a state correctional  
24 facility that is designated for the use of incarcerated individuals

1 and that is accessible by multiple individuals at the same time  
2 shall be designated for use only by members of one sex.

3 B. A restroom or changing room within a state correctional  
4 facility that is designated for one sex shall be used only by  
5 members of that sex. No incarcerated individual shall enter a  
6 restroom or changing room that is designated for one sex unless he  
7 or she is a member of that sex and the state correctional facility  
8 shall ensure that all restrooms and changing rooms provide its users  
9 with privacy from members of the opposite sex.

10 C. Each sleeping quarter within a state correctional facility  
11 that is designated for the use of incarcerated individuals and that  
12 is accessible by multiple individuals at the same time shall be  
13 designated for use only by members of one sex.

14 D. A sleeping quarter within a state correctional facility that  
15 is designated for one sex shall be used only by members of that sex.  
16 No incarcerated individual shall be housed in a sleeping quarter  
17 that is designated for one sex unless he or she is a member of that  
18 sex.

19 E. The provisions of this section shall not apply to an  
20 incarcerated individual who enters a restroom, changing room, or  
21 sleeping quarter designated for the opposite sex:

- 22 1. For custodial or maintenance purposes;
- 23 2. To render medical assistance;

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1        3. During a natural disaster, emergency, or when necessary to  
2 prevent a serious threat to order or safety; or

3        4. On a temporary basis, which shall not include overnight  
4 housing, at the direction of the state correctional facility.

5        SECTION 3.        NEW LAW        A new section of law to be codified  
6 in the Oklahoma Statutes as Section 803 of Title 57, unless there is  
7 created a duplication in numbering, reads as follows:

8        A. An incarcerated individual who, while accessing a restroom  
9 or changing room designated for use by his or her sex, encounters a  
10 person of the opposite sex in that restroom or changing room, has a  
11 private cause of action for declaratory and injunctive relief  
12 against the Department of Corrections if:

13        1. The state correctional facility gave that person permission  
14 to use a restroom or changing room of the opposite sex; or

15        2. The state correctional facility failed to take reasonable  
16 steps to prohibit that person from using the restroom or changing  
17 room of the opposite sex.

18        B. An incarcerated individual who is required by the state  
19 correctional facility to share sleeping quarters with a person of  
20 the opposite sex has a private cause of action for declaratory and  
21 injunctive relief against the Department of Corrections.

22        C. All civil actions brought pursuant to this section shall be  
23 initiated within two (2) years after the violation occurred. An  
24 individual aggrieved under the provisions of this section who

1 prevails in court may recover reasonable attorney fees and costs  
2 from the Department of Corrections.

3 SECTION 4. This act shall become effective November 1, 2024.

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5 59-2-10308 GRS 02/20/24

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