

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB408 _____
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

Amendment submitted by: Melissa

Provenzano
Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

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

3 PROPOSED
4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED SENATE
6 BILL NO. 408

By: Garvin, Hamilton,
Bergstrom, Rogers,
Seifried, Daniels, Jett,
and Bullard of the Senate

7 and

8 Hasenbeck of the House

9
10 PROPOSED COMMITTEE SUBSTITUTE

11 An Act relating to discrimination; creating the
12 Women's Bill of Rights; providing short title;
13 stating purpose of act; clarifying application and
14 interpretation of act; amending 25 O.S. 2021,
15 Sections 16, 1101, and 1201, which relate to
16 definitions and statutory construction; defining
17 terms; construing provisions; authorizing
18 distinctions for certain purposes; defining term;
19 requiring certain identification in collection of
20 data for certain purposes; providing for replacement
21 of certain federal funds; providing for
22 noncodification; providing for codification; and
23 providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be
codified in the Oklahoma Statutes reads as follows:

A. This act shall be known and may be cited as the "Women's
Bill of Rights".

1 B. The purpose of The Women's Bill of Rights is to bring
2 clarity, certainty, and uniformity under the laws of this state with
3 respect to natural persons of both biological sexes and the manner
4 in which they are treated as such under the laws of this state. All
5 laws where the application thereof is contingent upon the
6 classification of a person as being female or male, woman or man,
7 girl or boy, are hereby superseded and interpreted to the extent
8 necessary by this act including but not limited to any educational
9 benefits, corrections housing, employment protections, and civil
10 rights laws codified in the statutes of this state.

11 SECTION 2. AMENDATORY 25 O.S. 2021, Section 16, is
12 amended to read as follows:

13 Section 16. ~~The word "person,"~~ As used in the Oklahoma
14 Statutes:

15 1. "Father" means the male parent of a child or children as
16 defined in Section 7 of this title;

17 2. "Female" means a natural person whose biological
18 reproductive system is developed to produce ova;

19 3. "Male" means a natural person whose biological reproductive
20 system is developed to fertilize the ova of a female;

21 4. "Man" or "boy" means a natural person who is male;

22 5. "Mother" means the female parent of a child or children as
23 defined in Section 7 of this title;

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1 6. "Natural person" means a person as defined in paragraph 7 of
2 this section, except for bodies politic or corporate;

3 7. "Person", except when used by way of contrast, includes not
4 only human beings, but bodies politic or corporate;

5 8. "Sex" means a natural person's biological sex at birth; and

6 9. "Woman" or "girl" means a natural person who is female.

7 SECTION 3. AMENDATORY 25 O.S. 2021, Section 1101, is
8 amended to read as follows:

9 Section 1101. A. This act provides for exclusive remedies
10 within the state of the policies for individuals alleging
11 discrimination in employment on the basis of race, color, national
12 origin, sex, religion, creed, age, disability or genetic
13 information.

14 B. This act shall be construed according to the fair import of
15 its terms to further the general purposes stated in this section and
16 the special purposes of the particular provision involved.

17 C. Any policy, program, or statute that prohibits sex
18 discrimination is to be construed to forbid unfair treatment of
19 females or males in relation to similarly situated members of the
20 opposite sex. The state or its political subdivisions shall not be
21 prohibited from establishing distinctions between sexes when such
22 distinctions are substantially related to an important government
23 objective including but not limited to biology, privacy, safety, or
24 fairness in locations and circumstances such as prisons or other

1 detention facilities, domestic violence shelters, rape crisis
2 centers, athletics and locker rooms, and restrooms.

3 SECTION 4. AMENDATORY 25 O.S. 2021, Section 1201, is
4 amended to read as follows:

5 Section 1201. In Section 1101 et seq. of this title, unless the
6 context otherwise requires:

7 1. "Discriminatory practice" means a practice designated as
8 discriminatory under the terms of this act;

9 2. "Equal", with reference to sex as defined in Section 62 of
10 this title, shall not be construed to mean same or identical, and to
11 differentiate between the sexes shall not necessarily be construed
12 to be treating the sexes unequally;

13 3. "National origin" includes the national origin of an
14 ancestor; and

15 ~~3.~~ 4. "Person" includes an individual, association,
16 corporation, joint apprenticeship committee, joint-stock company,
17 labor union, legal representative, mutual company, partnership,
18 receiver, trust, trustee, trustee in bankruptcy, unincorporated
19 organization, any other legal or commercial entity, the state, or
20 any governmental entity or agency.

21 SECTION 5. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1202 of Title 25, unless there
23 is created a duplication in numbering, reads as follows:

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1 The state, any political subdivision, or any state agency or
2 department including but not limited to public school districts that
3 collects vital statistics for the purpose of gathering accurate
4 public health, crime, economic or other data shall identify any
5 natural person who is part of the collected data as either male or
6 female as defined in Section 62 of Title 25 of the Oklahoma
7 Statutes.

8 SECTION 6. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 25001 of Title 62, unless there
10 is created a duplication in numbering, reads as follows:

11 Any federal funds lost or not disbursed to any affected state
12 agency or program as a result of this act or the provisions of
13 Enrolled House Bill No. 1449 of the First Session of the 59th
14 Oklahoma Legislature and/or violation of federal discrimination law
15 shall be replaced in full by state funds or allocations.

16 SECTION 7. This act shall become effective November 1, 2023.

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