

1 **SENATE FLOOR VERSION**

2 February 11, 2025

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 418

6 By: Daniels and Jett

7 An Act relating to the Department of Corrections;
8 defining terms; requiring certain designation;
9 prohibiting certain use by certain persons; providing
10 certain exceptions; construing provisions; requiring
11 promulgation of rules; providing for certain relief;
12 providing for certain action within certain period;
13 authorizing recovery of certain fees and costs;
14 providing for codification; and providing an
15 effective date.

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 509.7 of Title 57, unless there
19 is created a duplication in numbering, reads as follows:

20 A. For purposes of this section:

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

24 2. "Covered entity" means an institution or facility operated
by the Department of Corrections or contracted with the Department

1 of Corrections as provided in Section 502 of Title 57 of the
2 Oklahoma Statutes;

3 3. "Multi-occupancy" means a space that is designed to be
4 utilized by multiple persons simultaneously;

5 4. "Restroom" means a room that includes one or more toilets or
6 urinals; and

7 5. "Sleeping quarters" means a room that contains a bed and in
8 which more than one individual is housed overnight.

9 B. 1. A covered entity shall designate each multi-occupancy
10 restroom, changing room, and sleeping quarters for the exclusive use
11 of either females or males.

12 2. Every restroom, changing room, or sleeping quarters within a
13 covered entity that is designated for use by females or males shall
14 only be used by members of the designated sex. No individual shall
15 enter a restroom, changing room, or sleeping quarters that is
16 designated for members of the opposite sex.

17 3. A covered entity shall take reasonable steps to provide
18 individuals with privacy from members of the opposite sex in
19 restrooms, changing rooms, and sleeping quarters.

20 4. This section shall not apply to an individual who enters a
21 restroom, changing room, or sleeping quarters designated for members
22 of the opposite sex in any of the following circumstances:

- 23 a. performance of custodial services or maintenance,
24 b. rendering of medical or law enforcement assistance, or

1 c. provision of services or aid during a natural disaster
2 or declared emergency, or when necessary to prevent a
3 serious threat to order and safety.

4 5. Nothing in this section shall be construed to prohibit a
5 covered entity from:

6 a. adopting policies necessary to accommodate persons
7 protected under the Americans with Disabilities Act of
8 1990 or elderly persons in need of aid or assistance,

9 b. establishing single-occupancy restrooms, changing
10 rooms, or sleeping quarters, or

11 c. redesignating a multi-occupancy restroom, changing
12 room, or sleeping quarters designated for exclusive
13 use by members of one sex to that of members of the
14 opposite sex.

15 6. The Department of Corrections shall promulgate rules to
16 administer the provisions of this section.

17 C. 1. Any individual who accesses a restroom or changing room
18 for use by members of his or her sex and encounters a person of the
19 opposite sex in such restroom or changing room has a private cause
20 of action for declaratory and injunctive relief against the covered
21 entity that:

22 a. provided permission to the person of the opposite sex
23 to use such restroom or changing room, or
24

1 b. failed to take reasonable steps to prohibit access of
2 the restroom or changing room to the person of the
3 opposite sex.

4 2. Any individual who is required by the covered entity to
5 share sleeping quarters with a person of the opposite sex has a
6 private cause of action for declaratory and injunctive relief
7 against the covered entity.

8 3. Any civil action brought against a covered entity pursuant
9 to this section shall be initiated within two (2) years after the
10 violation occurred. Any individual aggrieved pursuant to this
11 section who prevails in court may recover reasonable attorney fees
12 and court costs from the covered entity.

13 SECTION 2. This act shall become effective November 1, 2025.

14 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
15 February 11, 2025 - DO PASS AS AMENDED BY CS