

An Act

ENROLLED SENATE
BILL NO. 1150

By: Griffin of the Senate

and

Russ and Downing of the
House

An Act relating to school employees; defining term; directing officers and employees of school districts to notify law enforcement of certain activities; providing immunity from civil liability and employment discipline; requiring a school employee who has certain belief to report to the Department of Human Services and local law enforcement; requiring reports to the Department of Human Services to be made via certain hotline; defining term; providing for promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: School employees

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-100.8 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. As used in this section, "threatening behavior" means any verbal threat or threatening behavior, whether or not it is directed at another person, which indicates potential for future harm to students, school personnel or school property.

B. An officer or employee of a school district or member of a board of education shall notify law enforcement of any verbal threat or act of threatening behavior which reasonably may have the potential to endanger students, school personnel or school property.

C. Officers or employees of a school district or members of a board of education shall be immune from employment discipline and any civil liability for communicating information pursuant to subsection B of this section in good faith if they reasonably believe a person is making verbal threats or is exhibiting threatening behavior.

D. Nothing in this section shall be construed to impose a specific liability on any school district.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1210.163 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. A school employee who has reason to believe that a student is a victim of abuse or neglect shall report the matter promptly to the Department of Human Services and to local law enforcement. Reports to the Department of Human Services shall be made via the hotline provided for in subsection A of Section 1-2-101 of Title 10A of the Oklahoma Statutes.

B. For the purposes of this section, "child abuse and neglect" shall include, but not be limited to:

1. Child abuse as defined in Section 843.5 of Title 21 of the Oklahoma Statutes;

2. Sexual abuse or sexual exploitation as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes;

3. Contributing to the delinquency of a minor as defined in Section 856 of Title 21 of the Oklahoma Statutes;

4. Trafficking in children, as defined in Section 866 of Title 21 of the Oklahoma Statutes;

5. Incest as described in Section 885 of Title 21 of the Oklahoma Statutes;

6. Forcible sodomy, as described in Section 888 of Title 21 of the Oklahoma Statutes;

7. Maliciously, forcibly or fraudulently taking or enticing a child away, as described in Section 891 of Title 21 of the Oklahoma Statutes;

8. Soliciting or aiding a minor child to perform or showing, exhibiting, loaning or distributing obscene material or child pornography, as described in Section 1021 of Title 21 of the Oklahoma Statutes;

9. Procuring or causing the participation of any minor child in any child pornography or knowingly possessing, procuring or manufacturing child pornography, as described in Section 1021.2 of Title 21 of the Oklahoma Statutes;

10. Permitting or consenting the participation of a minor child in any child pornography, as described in Section 1021.3 of Title 21 of the Oklahoma Statutes;

11. Facilitating, encouraging, offering or soliciting sexual conduct with a minor, as described in Section 1040.13a of Title 21 of the Oklahoma Statutes;

12. Offering or offering to secure a minor child for the purposes of prostitution or any other lewd or indecent act, as described in Section 1087 of Title 21 of the Oklahoma Statutes;

13. Causing, inducing, persuading or encouraging a minor child to engage or continue to engage in prostitution, as described in Section 1088 of Title 21 of the Oklahoma Statutes;

14. Rape or rape by instrumentation, as described in Sections 1111.1 and 1114 of Title 21 of the Oklahoma Statutes; and

15. Making any oral, written or electronically or computer-generated lewd or indecent proposals to a minor child under the age

of sixteen (16) as described in Section 1123 of Title 21 of the Oklahoma Statutes.

SECTION 3. This act shall become effective July 1, 2018.

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

Passed the Senate the 3rd day of May, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2018.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____