STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1459

By: Settle and Stottlemyre of the House

and

Robinson of the Senate

COMMITTEE SUBSTITUTE

An Act relating to schools; defining terms; prohibiting certain conduct; providing for injunction under certain circumstances; providing for penalty; exempting certain individuals; providing for codification; and providing an effective date.

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 24-131.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

As used in Section 2 of this act:

1. "Chief administrative officer" shall mean the principal, superintendent, or other person in charge of the management, administration, or control of any secondary school;

2. "Period of a sanctioned athletic event" shall mean the time during which a sanctioned athletic event occurs and a period of two (2) hours immediately before and after the event;

3. "Premises of the secondary school" shall mean:

a. the real property on which a secondary school is located, including, but not limited to, school buildings, playing fields, gymnasiums, auditoriums, and parking lots owned or leased for use by the secondary school, and

b. the real property on which a recreational facility acquired, constructed or leased by an Independent School District or a secondary school is located, including buildings, playing fields, and parking lots;

4. "Sanctioned athletic event" shall mean an athletic contest or sporting event sanctioned by the Oklahoma Secondary School Activities Association; and

5. "Secondary school" shall mean a public or private school subject to the school laws of Oklahoma engaged in the education of students for any of grades seven through twelve.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-131.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The chief administrative officer or the chief administrative officer's designee to maintain order at a secondary school shall have the authority and power to direct any person to leave the premises of that secondary school, who, during the period of a sanctioned athletic event, after having been personally and specifically warned by the officer or the designee to refrain from such conduct, commits an act which materially and substantially interferes with the peaceful conduct of a sanctioned athletic event, including:

1. Projecting in any manner an object which could cause bodily harm to another person;

2. Entering the physical boundaries designated for the conduct of a sanctioned athletic event for the purpose of materially and substantially disrupting or interfering with the event;

3. Threatening to kill or do bodily harm to any person with apparent ability to carry out that threat during the period of a sanctioned athletic event; or

4. Using violent, obscene, indecent, or profane language in a manner which materially and substantially interferes with the peaceful conduct of a sanctioned athletic event.

B. Any person who fails to leave the premises of the secondary school as directed, may, upon application by the secondary school, be enjoined from entering upon or remaining upon the premises during the period of a sanctioned athletic event for the remainder of the school year or for so long as the court may provide. The procedure governing the application for injunction shall be the procedure for civil injunctions set forth in Title 12 of the Oklahoma Statutes.

C. Any person who knowingly and willfully fails to obey a direction to leave the premises of the secondary school shall be guilty of a misdemeanor.

D. This section shall not apply to competitors in a sanctioned athletic event, their coaches, or officials, accredited by the Oklahoma Secondary School Activities Association, who are participating in the event.

SECTION 3. This act shall become effective November 1, 1995.

45-1-1151 SB