

and

Deutschendorf of the House

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1376, which relates to orders to leave institutions of learning; authorizing removal from certain property for certain reasons; including certain board in right to remove persons from institution of learning; expanding period of prohibition after being ordered removed from an institution; providing certain definition; requiring a grievance or appeal procedure; directing chief administrative officer to establish certain procedures and provide certain notice; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1376, is amended to read as follows:

Section 1376. A. The chief administrative officer or anyone designated by ~~him~~ the chief administrative officer or the governing board of the institution of learning to maintain order at an institution of learning shall have the authority and power to direct any person to leave the institution of learning who is not a student, officer or employee thereof, and who:

1. Interferes with the peaceful conduct of activities at an institution of learning; ~~or~~
2. Commits an act which interferes with the peaceful conduct of activities at an institution of learning; ~~or~~
3. Enters the institution of learning for the purpose of committing an act which may interfere with the peaceful conduct of activities at an institution of learning; or
4. Loiters on or about the institution of learning without having any reasonable purpose and:

- a. substantially interferes with the regular activities and purposes of the institution of learning.
- b. poses a threat to the peace or safety of any person present at the institution of learning.
- c. causes or attempts to cause damage or waste to any property,
or
- d. substantially interferes with the proper maintenance or security of the buildings or grounds.

B. Any person to whom this section applies, who fails to leave the institution of learning as directed or returns within ~~thirty~~ one (1) year thereafter, without first obtaining written permission from the chief administrative officer, shall be guilty of a misdemeanor.

C. For purposes of this section, the term "institution of learning" includes any and all buildings and grounds held by or in the name of the institution, its governing board, or by any other entity, including a governmental entity, and dedicated or reserved for use by the institution.

D. The governing board of each institution of learning shall establish a grievance or appeals procedure and opportunity for hearing for persons required to leave the institution pursuant to this section. Any person removed from the institution pursuant to this section shall be given written notice of the procedure for requesting a hearing and filing a grievance or appeal.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and 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 March, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____ ,
1999.

Speaker of the House of
Representatives