

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

SENATE BILL 439

By: Maddox

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1376, which relates to orders to leave institution of learning; expanding list of persons who may order another person to leave an institution of learning for cause; increasing term of order; defining term; requiring an appeals or grievance procedure be established with opportunity for hearing; requiring written notice of opportunity for hearing; 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.

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 or anyone designated by the chief administrative officer or the governing board of the institution of learning, shall be guilty of a misdemeanor.

C. "Interferes with the peaceful conduct" includes actions that directly interfere with classes, study, student or faculty safety, housing or parking areas, or extracurricular activities; threatening or stalking any person; damaging or causing waste to any property belonging to another person or the institution of learning; and direct interference with administration, maintenance or security of property belonging to the institution of learning.

D. The governing board of each institution of learning shall establish a grievance or appeals procedure and an opportunity for hearing for persons who have been 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.

48-1-127

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