

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 5 By: Sharp of the Senate
3 and
4 Cockroft of the House
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7 An Act relating to schools; amending Section 8,
8 Chapter 7, 1st Extraordinary Session, O.S.L. 2013 (70
9 O.S. Supp. 2014, Section 6-149.7), which relates to
10 student assaults; providing immunity from liability
11 for education employees or volunteers for use of
12 reasonable force; providing an effective date; and
13 declaring an emergency.

14 NOTE: Emergency failed

15 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
16 and insert

17 "An Act relating to schools; amending Section 8,
18 Chapter 7, 1st Extraordinary Session, O.S.L. 2013
19 (70 O.S. Supp. 2014, Section 6-149.7), which relates
20 to student assaults; and providing immunity from
21 liability for education employees for use of
22 reasonable force.

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

24 SECTION 1. AMENDATORY Section 8, Chapter 7, 1st
Extraordinary Session, O.S.L. 2013 (70 O.S. Supp. 2014, Section 6-
149.7), is amended to read as follows:

1 Section 6-149.7 A. No student enrolled in a school shall
2 assault, attempt to cause physical bodily injury, or act in a manner
3 that could reasonably cause bodily injury to an education employee
4 or a person who is volunteering for the school. Any student in
5 grades six through twelve who violates the provisions of this
6 section shall be subject to out-of-school suspension as provided for
7 in Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title.
8 This section shall be in addition to and does not limit the criminal
9 liability of a person who causes or commits an assault, battery, or
10 assault and battery upon a school employee as provided for in
11 Section 650.7 of Title 21 of the Oklahoma Statutes.

12 B. No education employee shall be liable for the use of
13 necessary and reasonable force to control and discipline a student
14 during the time the student is in attendance at the school or in
15 transit to or from the school, or any other function authorized by
16 the school district."

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1 ENGROSSED SENATE
2 BILL NO. 5

By: Sharp of the Senate

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6 An Act relating to schools; amending Section 8,
7 Chapter 7, 1st Extraordinary Session, O.S.L. 2013 (70
8 O.S. Supp. 2014, Section 6-149.7), which relates to
9 student assaults; providing immunity from liability
for education employees or volunteers for use of
reasonable force; providing an effective date; and
declaring an emergency.

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

12 SECTION 1. AMENDATORY Section 8, Chapter 7, 1st
13 Extraordinary Session, O.S.L. 2013 (70 O.S. Supp. 2014, Section 6-
14 149.7), is amended to read as follows:

15 Section 6-149.7. A. No student enrolled in a school shall
16 assault, attempt to cause physical bodily injury, or act in a manner
17 that could reasonably cause bodily injury to an education employee
18 or a person who is volunteering for the school. Any student in
19 grades six through twelve who violates the provisions of this
20 section shall be subject to out-of-school suspension as provided for
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1 assault and battery upon a school employee as provided for in
2 Section 650.7 of Title 21 of the Oklahoma Statutes.

3 B. No education employee or person who is volunteering for a
4 school shall be liable for the use of necessary and reasonable force
5 to control and discipline a student during the time the student is
6 in attendance at the school or in transit to or from the school, or
7 any other function authorized by the school district.

8 SECTION 2. This act shall become effective July 1, 2015.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health and safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

13 Passed the Senate the 25th day of February, 2015.

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Presiding Officer of the Senate

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17 Passed the House of Representatives the ____ day of _____,

18 2015.

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Presiding Officer of the House
of Representatives

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