

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2351 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Sally Kern

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

PROPOSED COMMITTEE  
SUBSTITUTE  
FOR  
HOUSE BILL NO. 2351

By: Kern

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to schools; creating the Common Sense Zero Tolerance Act; stating purpose; prohibiting school districts from punishing students for certain actions; listing actions; prohibiting certain actions from being considered violations of zero tolerance policies; providing for construction; providing a definition; providing for codification; providing an effective date; and declaring an emergency.

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 24-101.5 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Common Sense Zero Tolerance Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-101.6 of Title 70, unless there is created a duplication in numbering, reads as follows:

1       A. The purpose of the Common Sense Zero Tolerance Act shall be  
2 to ensure that school administrators, teachers and other school  
3 employees have the freedom to use their discretion and training when  
4 punishing, disciplining or reprimanding a student for certain  
5 actions which do not pose an imminent threat to students or school  
6 employees and to provide a guide to public school districts which  
7 have adopted or may adopt a zero tolerance policy.

8       B. No school district, school administrator, teacher or other  
9 school employee shall punish, discipline or reprimand a student,  
10 including suspension of the student as authorized pursuant to  
11 Section 24-101.3 of Title 70 of the Oklahoma Statutes, as a result  
12 of any of the following actions by the student:

13       1. Brandishing a pastry or other food which is partially  
14 consumed in such a way that the remnant resembles a weapon;

15       2. Possession of a toy weapon which is four (4) inches or less  
16 in length;

17       3. Possession of a toy weapon made of plastic or wood snap-  
18 together building blocks;

19       4. Using a finger or hand to simulate a weapon;

20       5. Vocalizing imaginary firearms or munitions;

21       6. Wearing articles of clothing or accessories that support or  
22 advance Second Amendment rights or organizations or depict an image  
23 or images of a firearm, a military vehicle, aircraft, vessel or  
24 weapon or any object that supports Second Amendment rights or

1 Constitutional freedoms. If a school requires students to wear  
2 uniforms, the provisions of this paragraph shall not be interpreted  
3 to supersede the uniform policy of the school;

4 7. Drawing a picture of, or creating or possessing an image of,  
5 a firearm, a military vehicle, aircraft, vessel or weapon or any  
6 object that supports Second Amendment rights or Constitutional  
7 freedoms; or

8 8. Using a pencil, pen or other writing utensil to simulate a  
9 weapon.

10 C. The actions of or possession of objects by a student shall  
11 not be considered a violation of the zero tolerance policy of a  
12 school district if the actions or objects do not, under the  
13 circumstances of the specific case, create an objective reasonable  
14 fear of imminent physical injury to any person.

15 D. Nothing in the Common Sense Zero Tolerance Act shall be  
16 construed as encouragement for or an endorsement of a student  
17 bringing a toy weapon of any kind to school.

18 E. As used in this section, "zero tolerance policy" shall mean  
19 a policy adopted by a school district which requires application of  
20 and enforcement of a mandatory punishment, discipline or reprimand  
21 for specific offenses and which requires those in authority to apply  
22 and enforce the policy without regard to the severity of a specific  
23 offense or the intent of a student.

24 SECTION 3. This act shall become effective July 1, 2014.

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

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