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February 16, 2015

SENATE BILL NO. 5

By: Sharp of the Senate

and

Cockroft of the House

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

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

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:

Section 6-149.7. A. No student enrolled in a school shall assault, attempt to cause physical bodily injury, or act in a manner that could reasonably cause bodily injury to an education employee or a person who is volunteering for the school. Any student in grades six through twelve who violates the provisions of this section shall be subject to out-of-school suspension as provided for in Section 24-101.3 of ~~Title 70 of the Oklahoma Statutes~~ this title. This section shall be in addition to and does not limit the criminal

1 liability of a person who causes or commits an assault, battery, or
2 assault and battery upon a school employee as provided for in
3 Section 650.7 of Title 21 of the Oklahoma Statutes.

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

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
15 February 16, 2015 - DO PASS
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