

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3152 _____
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

Adopted: _____

Amendment submitted by: Jeff Coody

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 56th Legislature (2018)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3152

By: Coody

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to school boards; amending 70 O.S.
10 2011, Section 5-113, which relates to prohibition of
11 board members who are related to school employees by
12 affinity or consanguinity; providing exception for
13 certain district if board member abstains from
14 matters related to employee; and providing an
15 effective date.

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-113, is
17 amended to read as follows:

18 Section 5-113. A. ~~No~~ Except as provided in subsection C of
19 this section, no person shall be eligible to be a candidate for or
20 serve on a board of education if the person is currently employed by
21 the school district governed by that board of education or is
22 related within the second degree by affinity or consanguinity to any
23 other member of the board of education or to any employee of the
24 school district governed by the board of education. The purpose of
this section is both to prohibit persons who are related within the

1 second degree by affinity or consanguinity from serving
2 simultaneously on the same board of education of any school district
3 of this state and to prohibit persons who are related within the
4 second degree of consanguinity or affinity to an employee of a
5 school district from serving on the board of education governing the
6 school district while such relative is employed except as provided
7 in subsection C of this section.

8 B. If the relationship is based on affinity, the prohibitions
9 in this section shall not apply to prevent members of boards of
10 education who are serving on September 1, 1995, from serving the
11 term for which they were elected or from serving successive terms
12 for which they may be elected, unless it is the member's spouse who
13 is a member of the board of education or an employee of the school
14 district, then such prohibitions shall apply.

15 C. The prohibitions set forth in this section shall not apply
16 if ~~the~~ the:

17 1. The person related to the board member within the second
18 degree of affinity or consanguinity is employed as a substitute
19 teacher by the school district pursuant to the provisions of Section
20 6-105 of this title or as a temporary substitute support employee if
21 the school district has an Average Daily Membership (ADM) of less
22 than five thousand (5,000); or

23 2. The school district has an ADM of less than five hundred
24 (500) and the board member who is related within the second degree

1 by affinity or consanguinity to any employee of the school district
2 governed by the board of education does not attend or participate in
3 any regular or executive session of the board held to consider any
4 personnel matter or litigation relating to the school district
5 employee.

6 D. Any member of a board of education who violates the
7 provisions of this section shall be subject to the penalties
8 prescribed by Sections 485 and 486 of Title 21 of the Oklahoma
9 Statutes.

10 SECTION 2. This act shall become effective November 1, 2018.

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12 56-2-9596 EK 02/05/18
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