

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 392, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Loveless

Loveless-EB-FS-Req#1587  
3/13/2017 9:55 AM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

FLOOR SUBSTITUTE  
FOR

SENATE BILL NO. 392

By: Loveless

FLOOR SUBSTITUTE

[ school employees - new job - exceptions - due  
process - codification - ~~effective date~~ -  
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 6-101.33 of Title 70, unless  
there is created a duplication in numbering, reads as follows:

A. A school district employee shall be prohibited from  
assisting another school district employee in obtaining a new job in  
another school district within the State of Oklahoma if the employee  
knows or has reason to believe that the employee seeking a new job  
engaged in behavior that would form the basis for criminal charges  
as provided for in Section 843.5 of Title 21 of the Oklahoma  
Statutes if the offense involved sexual abuse or sexual exploitation  
as those terms are defined in Section 1-1-105 of Title 10A of the  
Oklahoma Statutes; Sections 741, 843.1, if the offense included

1 sexual abuse or sexual exploitation; 865 et seq., 885, 888, 891,  
2 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088, 1111.1, 1114 or 1123 of  
3 Title 21 of the Oklahoma Statutes.

4 B. The prohibition in subsection A of this section shall not  
5 apply if:

6 1. The school district employee is engaged in the routine  
7 transmission of administrative or personnel files;

8 2. a. the behavior described in subsection A of this section  
9 has been reported to a law enforcement agency with  
10 jurisdiction over the alleged behavior, and

11 b. the matter has been officially closed or the district  
12 attorney or law enforcement agency with jurisdiction  
13 over the alleged behavior has investigated the  
14 allegations and notified the employing school district  
15 that there is insufficient information to establish  
16 probable cause that the school district employee  
17 engaged in behavior described in subsection A of this  
18 section;

19 3. The school district employee has been charged with and  
20 acquitted or otherwise exonerated of the alleged behavior described  
21 in subsection A of this section; or

22 4. The case or investigation remains open and there have been  
23 no charges filed against the school district employee and no  
24 indictment of the school district employee within four (4) years of

1 the date on which the behavior was reported to a law enforcement  
2 agency.

3 C. In the event that loss of employment occurs as a result of  
4 the commission of acts prohibited by this section, a school employee  
5 shall be entitled to due process as provided for by Sections 6-  
6 101.13, 6-101.26 and 6-101.46 of Title 70 of the Oklahoma Statutes.

7 D. For the purposes of this section, "school district employee"  
8 shall mean any individual employed by a school district in a  
9 position defined by Section 1-116 of Title 70 of the Oklahoma  
10 Statutes and any contractor or agent who has entered into a contract  
11 with the school district.

12 ~~SECTION 2. This act shall become effective July 1, 2017.~~

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

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18 56-1-1587 EB 3/13/2017 9:55:08 AM  
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