

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3702 By: Russ of the House
3
and
4
Weaver of the Senate
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7 An Act relating to schools; providing for digital or
8 online library database resources to students under
9 certain conditions; requiring safety policies and
10 technology protection measures for resources;
11 directing withholding of payments to noncompliant
12 vendor; providing for breach of contract based on
13 noncompliance; requiring certain employees to comply
14 with indecent exposure law; providing for
15 codification; and providing an effective date.

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17 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
18 entire bill and insert

19 "An Act relating to schools; providing for digital or
20 online library database resources to be offered to
21 certain students under certain conditions; requiring
22 safety policies and technology protection measures
23 for resources; directing withholding of payments to
24 noncompliant vendor; providing for breach of contract
based on noncompliance; requiring submission of
certain annual report; prohibiting certain employees
from being exempt from prosecution for willful
violations of certain indecent exposure law;
providing for codification; and providing an
effective date.

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26 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
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1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 11-201 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 A. A school district, charter school, virtual charter school,
5 state agency, public library, or university may offer digital or
6 online library database resources to students in kindergarten
7 through twelfth grade only if the vendor, person, or entity
8 providing the resources verifies that all the resources comply with
9 the provisions of subsection B of this section.

10 B. Digital or online library database resources offered by
11 school districts, charter schools, virtual charter schools, state
12 agencies, public libraries, or universities to students in
13 kindergarten through twelfth grade shall have safety policies and
14 technology protection measures that:

15 1. Prohibit and prevent a user of the resource from sending,
16 receiving, viewing, or downloading materials that are child
17 pornography or obscene materials, as defined in Section 1024.1 of
18 Title 21 of the Oklahoma Statutes, or materials that depict child
19 sexual exploitation, as defined in Section 843.5 of Title 21 of the
20 Oklahoma Statutes; and

21 2. Filter or block access to child pornography or obscene
22 materials, as defined in Section 1024.1 of Title 21 of the Oklahoma
23 Statutes, or materials that depict child sexual exploitation, as
24 defined in Section 843.5 of Title 21 of the Oklahoma Statutes.

1 C. Notwithstanding any contract provision to the contrary, if a
2 provider of digital or online library resources fails to comply with
3 the requirements of subsection B of this section, the school
4 district, public charter school, state agency, public library, or
5 university shall withhold further payments, if any, to the provider
6 pending verification of compliance.

7 D. If a provider of digital or online library database
8 resources fails to timely verify that the provider is in compliance
9 with the safety policies and requirements of subsection B of this
10 section, the school district, public charter school, state agency,
11 public library, or university shall consider the provider's act of
12 noncompliance a breach of contract.

13 E. No later than December 1 of each year, libraries shall
14 submit to the Speaker of the House of Representatives and President
15 Pro Tempore of the Senate, an aggregate written report on any issues
16 related to provider compliance with technology protection measures
17 required by subsection B of this section.

18 F. Employees of school districts, charter schools, virtual
19 charter schools, state agencies, public libraries, and universities
20 shall not be exempt from prosecution for willful violations of state
21 law prohibiting indecent exposure to obscene material or child
22 pornography as provided in Section 1021 of Title 21 of the Oklahoma
23 Statutes.

24 SECTION 2. This act shall become effective November 1, 2022."

1 Passed the Senate the 27th day of April, 2022.

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4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2022.

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9 Presiding Officer of the House
10 of Representatives

1 ENGROSSED HOUSE
2 BILL NO. 3702

By: Russ of the House

3 and

4 Weaver of the Senate
5
6

7 An Act relating to schools; providing for digital or
8 online library database resources to students under
9 certain conditions; requiring safety policies and
10 technology protection measures for resources;
11 directing withholding of payments to noncompliant
12 vendor; providing for breach of contract based on
13 noncompliance; requiring certain employees to comply
14 with indecent exposure law; providing for
15 codification; and providing an effective date.

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

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 11-201 of Title 70, unless there
19 is created a duplication in numbering, reads as follows:

20 A. A school district, charter school, virtual charter school,
21 state agency, public library, or university may offer digital or
22 online library database resources to students in kindergarten
23 through twelfth grade only if the vendor, person, or entity
24 providing the resources verifies that all the resources comply with
the provisions of subsection B of this section.

1 B. Digital or online library database resources offered by
2 school districts, charter schools, virtual charter schools, state
3 agencies, public libraries, or universities to students in
4 kindergarten through twelfth grade shall have safety policies and
5 technology protection measures that:

6 1. Prohibit and prevent a user of the resource from sending,
7 receiving, viewing, or downloading materials that are child
8 pornography or obscene materials, as defined in Section 1024.1 of
9 Title 21 of the Oklahoma Statutes, or materials that depict child
10 sexual exploitation, as defined in Section 843.5 of Title 21 of the
11 Oklahoma Statutes; and

12 2. Filter or block access to child pornography or obscene
13 materials, as defined in Section 1024.1 of Title 21 of the Oklahoma
14 Statutes, or materials that depict child sexual exploitation, as
15 defined in Section 843.5 of Title 21 of the Oklahoma Statutes.

16 C. Notwithstanding any contract provision to the contrary, if a
17 provider of digital or online library resources fails to comply with
18 the requirements of subsection B of this section, the school
19 district, public charter school, state agency, public library, or
20 university shall withhold further payments, if any, to the provider
21 pending verification of compliance.

22 D. If a provider of digital or online library database
23 resources fails to timely verify that the provider is in compliance
24 with the safety policies and requirements of subsection B of this

1 section, the school district, public charter school, state agency,
2 public library, or university shall consider the provider's act of
3 noncompliance a breach of contract.

4 E. No later than December 1 of each year, libraries shall
5 submit to the Speaker of the Oklahoma House of Representatives and
6 President Pro Tempore of the Oklahoma State Senate, an aggregate
7 written report on any issues related to provider compliance with
8 technology protection measures required by subsection B of this
9 section.

10 F. Employees of school districts, charter schools, virtual
11 charter schools, state agencies, public libraries, and universities
12 shall not be exempt from state law which prohibits indecent exposure
13 to obscene material or child pornography as provided in Section 1021
14 of Title 21 of the Oklahoma Statutes.

15 SECTION 4. This act shall become effective November 1, 2022.

16 Passed the House of Representatives the 24th day of March, 2022.

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Presiding Officer of the House
of Representatives

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Passed the Senate the ____ day of _____, 2022.

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Presiding Officer of the Senate

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