

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1105 _____
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: Mark Vancuren

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 1105

By: Vancuren

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to schools; amending Section 8, Chapter 7, 1st Extraordinary Session, O.S.L. 2013, as amended by Section 1, Chapter 135, O.S.L. 2015 (70 O.S. Supp. 2020, Section 6-149.7), which relates to the School Protection Act; providing schools with intervention strategies; construing language; and providing an effective date.

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, as amended by Section 1, Chapter 135, O.S.L. 2015 (70 O.S. Supp. 2020, 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

1 section shall be subject to out-of-school suspension as provided for
2 in Section 24-101.3 of this title. This section shall be in
3 addition to and does not limit the criminal liability of a person
4 who causes or commits an assault, battery, or assault and battery
5 upon a school employee as provided for in Section 650.7 of Title 21
6 of the Oklahoma Statutes.

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

12 C. Any student in grades kindergarten through five who
13 assaults, attempts to cause physical bodily injury or acts in a
14 manner that could reasonably cause bodily injury to an education
15 employee, a person who is volunteering for the school or another
16 student shall be subject to any one or more of the following
17 intervention strategies at the discretion of the school:

18 1. Prior to returning to the classroom, evaluation either in
19 person or via teleconference by a representative of or contracted
20 provider for the Oklahoma Department of Mental Health and Substance
21 Abuse Services;

22 2. Prior to returning to the classroom, presentation of a
23 doctor's note reflecting evaluation by a pediatrician determining
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1 whether the student needs counseling or referral to mental health
2 services;

3 3. Recommendation by the school that the student receive
4 counseling or mental health services and provide proof of completion
5 of such services prior to returning to the classroom; or

6 4. Any restorative behavior intervention process deemed
7 appropriate by the school district.

8 D. Schools shall not be required to provide a pediatric
9 evaluation pursuant to paragraph 2 of subsection C of this section
10 or any counseling, therapy or mental health services recommended
11 pursuant to paragraph 2 or 3 of subsection C of this section.

12 E. Nothing in this section shall prevent a school from
13 utilizing the provisions of Section 24-101.3 of this title.

14 SECTION 2. This act shall become effective November 1, 2021.

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16 58-1-7286 AMM 02/02/21
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