

**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 physically attacks, attempts to cause physical bodily injury to or  
14 acts in a manner that could reasonably cause bodily injury to an  
15 education employee, a person who is volunteering for the school or  
16 another student shall be subject to any one or more of the following  
17 intervention strategies at the discretion of the school:

18 1. Evaluation either in person or via teleconference by a  
19 representative of or contracted provider for the Oklahoma Department  
20 of Mental Health and Substance Abuse Services;

21 2. Presentation of a doctor's note reflecting evaluation by a  
22 pediatrician;

23 3. Recommendation by the school that the student receive  
24 counseling or mental health services; or

1       4. Any restorative behavior intervention process deemed  
2 appropriate by the school district.

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

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

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

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11       58-1-7527       AMM       02/12/21

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