

An Act

ENROLLED HOUSE
BILL NO. 3702

By: Russ of the House

and

Weaver of the Senate

An Act relating to schools; providing for digital or online library database resources to be offered to certain students under certain conditions; requiring safety policies and technology protection measures for resources; directing withholding of payments to 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.

SUBJECT: Schools

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 11-201 of Title 70, unless there is created a duplication in numbering, reads as follows:

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

B. Digital or online library database resources offered by school districts, charter schools, virtual charter schools, state agencies, public libraries, or universities to students in

kindergarten through twelfth grade shall have safety policies and technology protection measures that:

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

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

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

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

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

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

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

Passed the House of Representatives the 12th day of May, 2022.

Presiding Officer of the House
of Representatives

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

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____