

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB875 _____
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

Adopted: _____

Amendment submitted by: Kevin West

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

FLOOR SUBSTITUTE
FOR

SENATE BILL NO. 875

By: Bullard, Bergstrom, and
Jett of the Senate

and

West (Kevin) of the House

FLOOR SUBSTITUTE

An Act relating to state government; stating legislative intent regarding sovereignty; prohibiting state and local government entities from certain actions; providing for application of certain treaty provisions; creating civil cause of action for violations; providing for damages; providing for injunctive and declaratory relief; stating legal basis for enactment; providing for codification; and providing an effective date.

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 8501 of Title 74, unless there is created a duplication in numbering, reads as follows:

A. It is the intent of the Oklahoma Legislature to defend the State of Oklahoma against violations of the United States Constitution and further prevent the subjecting of the sovereignty

1 and rights of the United States of America to the Charter of the
2 United Nation

3 B. Notwithstanding another provision of law, no state agency,
4 or political subdivision of this state, including school districts,
5 or publicly funded organizations, or any elected or appointed
6 official or employee of the same, may employ state funds, personnel,
7 or facilities to implement the provisions of any treaty that has not
8 received ratification by a two-thirds vote of the United States
9 Senate as required by the United States Constitution, Article II,
10 Section 2. This section must be expressly applied to any treaty
11 drafted under the framework of "a WHO Convention, Agreement, or
12 Other International Agreement on Pandemic Prevention, Preparedness,
13 and Response" or under color of amendments to the International
14 Health Regulation.

15 C. A violation of this section raises a cause of action in
16 state court for injunctive and declaratory relief, plus compensatory
17 damages of up to Ten Thousand Dollars (\$10,000.00)per violation, and
18 attorney's fees. A state agency or political subdivision that
19 publishes a rule, regulation, or guidance recommending or requiring
20 compliance with a provision of a treaty that has not received
21 ratification in the United States Senate bears the burden of proof
22 to show that the rule, regulation, or guidance was developed
23 independent of influence by the Centers for Disease Control (CDC),
24 the World Health Organization (WHO), or the United Nations (UN) and

1 that the treaty was not a factor in determining whether to publish
2 the rule, regulation, or guidance.

3 D. This section is enacted under the authority of Article VI of
4 the United States Constitution, the Tenth Amendment to the United
5 States Constitution, and the inherent power reserved to Oklahoma as
6 a sovereign state.

7 SECTION 2. This act shall become effective November 1, 2023.

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9 59-1-8301 MAH 04/24/23
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