

An Act

ENROLLED SENATE
BILL NO. 796

By: Pugh, Bullard, Hines, Jett,
and Hamilton of the Senate

and

Crosswhite Hader, Wilk,
Maynard, Adams, West
(Kevin), Caldwell (Chad),
and Miller of the House

An Act relating to higher education; prohibiting certain institutions of higher education from using state funds, property, or resources to support or require certain activities related to diversity, equity, and inclusion; requiring certain institutions of higher education to initiate certain review after certain date; providing for restructuring or elimination of certain unnecessary functions; providing certain construction; requiring certain institutions to submit certain annual certificate of compliance by certain date; providing for promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Higher education

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 3251 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. No institution of higher education within The Oklahoma State System of Higher Education shall utilize state funds, property, or resources to:

1. Grant or support diversity, equity, and inclusion positions, departments, activities, procedures, or programs to the extent they grant preferential treatment based on one person's particular race, color, ethnicity, or national origin over another's;

2. Mandate any person to participate in, listen to, or receive any education, training, activities, procedures, or programming to the extent such education, training, activities, procedures, or programming grants preferences based on one person's particular race, color, sex, ethnicity, or national origin over another's;

3. Mandate any person swear, certify, or agree to any loyalty oath that favors or prefers one particular race, color, sex, ethnicity, or national origin over another's;

4. Mandate any person to certify or declare agreement with, recognition of, or adherence to any particular political, philosophical, religious, or other ideological viewpoint;

5. Mandate any applicant for employment provide a diversity, equity, and inclusion statement or give any applicant for employment preferential consideration based on the provision of such a diversity, equity, and inclusion statement; or

6. Mandate any person to disclose his or her pronouns.

B. After the effective date of this act, institutions of higher education within The Oklahoma State System of Higher Education shall initiate a review of diversity, equity, and inclusion positions, departments, activities, procedures, and programs and, if deemed necessary, restructure or eliminate functions that are not necessary for compliance, accreditation, or student or employee support services intended to broadly support success.

C. Nothing in this section shall be construed to limit or prohibit institutions of higher education within The Oklahoma State System of Higher Education, including any agency of the executive branch supporting those institutions' work, from applying for a

grant or complying with the accreditation requirements of an accrediting or licensing agency including, but not limited to, submitting to the grantor or accreditation agency a statement that:

1. Highlights the institution's or agency's work in supporting:

- a. first-generation college students,
- b. students from low-income families,
- c. students with unique abilities, or
- d. underserved student populations; or

2. Certifies compliance with applicable anti-discrimination laws, rules, and regulations.

D. The provisions of this section shall not be construed to apply to institutions of higher education within The Oklahoma State System of Higher Education with respect to:

1. A policy, practice, procedure, program, class, or activity required for compliance with state or federal laws, rules, or regulations for obtaining or retaining institutional, academic, or discipline-specific accreditation or licensure;

2. The academic freedom of any individual faculty member to direct the instruction within his or her own course;

3. Scholarly research or creative work by an institution of higher education's students, faculty, or other research personnel or the dissemination of such research or work;

4. An activity of a student organization registered with or recognized by an institution of higher education;

5. Guest speakers or performances on short-term engagements;

6. Academic support, tutoring, and career services and student success centers, so long as the programming is designed and implemented without regard to race, sex, color, national origin, or ethnicity;

7. Data collection; or

8. Access programs for military, veterans, Pell Grant recipients, first-generation college students, students from low-income families, students with unique abilities, or underserved student populations.

E. By July 1, 2026, and each July 1 thereafter, institutions of higher education within The Oklahoma State System of Higher Education shall electronically submit to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives a certificate of compliance with the provisions of this section.

F. Nothing in this section shall be construed to prohibit the promotion of civil discourse, debate, or speech that is protected by the First Amendment to the United States Constitution.

G. The Oklahoma State Regents for Higher Education may promulgate rules to implement the provisions of this section.

SECTION 2. This act shall become effective July 1, 2025.

SECTION 3. It being immediately necessary for the preservation of the public peace, health, or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 27th day of March, 2025.

Presiding Officer of the Senate

Passed the House of Representatives the 6th day of May, 2025.

Presiding Officer of the House
of Representatives

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: _____