

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 60th Legislature (2025)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2017

By: Pae of the House

and

7 **Seifried** of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to bullying; amending 21 O.S. 2021,
11 Section 813, which relates to aiding suicide;
12 modifying definition; amending 21 O.S. 2021, Section
13 1172, which relates to obscene, threatening, or
14 harassing electronic communications; modifying
15 prohibitions of certain communications; prohibiting
16 certain terrifying, intimidating, threatening or
17 harassing behavior; clarifying statutory language;
18 clarifying lawful applications; amending 21 O.S.
19 2021, Section 1953, which relates to the Oklahoma
20 Computer Crimes Act; adding electronic devices to
21 certain prohibited uses; clarifying constitutional
22 and lawful applicability; amending 70 O.S. 2021,
23 Section 24-100.3, which relates to definitions under
24 the School Safety and Bullying Prevention Act;
 modifying definition; updating statutory reference;
 amending 70 O.S. 2021, Section 24-100.4, as amended
 by Section 6, Chapter 15, O.S.L. 2023 (70 O.S. Supp.
 2024, Section 24-100.4), which relates to the control
 and discipline of a child; requiring certain policy
 to be updated annually; modifying who can report
 incidents of bullying; requiring anonymous reports to
 be investigated in certain manner; providing immunity
 from a cause of action for certain individuals making
 certain reports of bullying; requiring notification
 of the parents or legal guardians of certain students
 within certain time period of receiving a report of
 bullying; requiring immediate notification of the
 parents or legal guardians of certain students who

1 express certain thoughts or intentions; requiring
2 certain policy to contain a statement prohibiting
3 retaliation against certain school employees;
4 requiring a district board of education to hold
5 certain public hearing prior to adoption of certain
6 policy and any modifications to certain policy;
7 providing for notice of hearing; requiring submission
8 of certain policy to the State Department of
9 Education within certain time period; requiring a
10 superintendent to submit certain report to a district
11 board of education at least once each semester;
12 requiring a district board of education to provide
13 certain policy and explanation to employees; and
14 providing an effective date.

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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2021, Section 813, is
amended to read as follows:

Section 813. Every person who willfully, in any manner, ~~advises,~~
~~encourages,~~ abets, or assists another person in taking his or her
own life, is guilty of aiding suicide.

SECTION 2. AMENDATORY 21 O.S. 2021, Section 1172, is
amended to read as follows:

Section 1172. A. It shall be unlawful for a person who, ~~by~~
~~means of a telecommunication or other electronic communication~~
~~device, willfully either~~ to knowingly terrify, intimidate, threaten
or harass a specific person by doing any of the following:

1. ~~Makes~~ Directing any comment, request, suggestion, or
proposal which is obscene, lewd, lascivious, filthy, or indecent to
that person;

1 2. ~~Makes~~ Make a telecommunication, or other electronic
2 communication, including text, sound, or images, with intent to
3 terrify, intimidate or harass, or threaten to inflict injury or
4 physical harm to any person or property of that person;

5 3. ~~Makes~~ Make a telecommunication, or other electronic
6 communication, whether or not conversation ensues, with intent to
7 put the party called in fear of physical harm or death;

8 4. ~~Makes a telecommunication or other electronic communication,~~
9 ~~including text, sound or images whether or not conversation ensues,~~
10 ~~without disclosing the identity of the person making the call or~~
11 ~~communication and with intent to annoy, abuse, threaten, or harass~~
12 ~~any person at the called number~~ Otherwise disturb by repeated,
13 unwanted, or unsolicited electronic communications the peace, quiet,
14 or right of privacy of the person at the place where the
15 communication was received;

16 5. Knowingly ~~permits~~ permit any telecommunication, or other
17 electronic communication, under the control of the person to be used
18 for any purpose prohibited by this section; and

19 6. In conspiracy or concerted action with other persons, makes
20 repeated calls or electronic communications or simultaneous calls or
21 electronic communications solely to harass any person at the called
22 number(s).

23 B. As used in this section, "telecommunication" and "electronic
24 communication" mean any type of telephonic, electronic, or radio

1 communications, or transmission of signs, signals, data, writings,
2 images and sounds, or intelligence of any nature by telephone,
3 including cellular telephones, wire, cable, radio, electromagnetic,
4 photoelectronic, or photo-optical system or the creation, display,
5 management, storage, processing, transmission, or distribution of
6 images, text, voice, video, or data by wire, cable, or wireless
7 means, including the Internet. The term includes:

8 1. A communication initiated by electronic mail, instant
9 message, network call, or facsimile machine including text, sound,
10 or images;

11 2. A communication made to a pager; or

12 3. A communication including text, sound, or images posted to a
13 social media or other public media source which is directed at a
14 particular person.

15 C. Use of a telephone or other electronic communications
16 facility under this section shall include all use made of such a
17 facility between the points of origin and reception. Any offense
18 under this section is a continuing offense and shall be deemed to
19 have been committed at either the place of origin or the place of
20 reception.

21 D. Except as provided in subsection E of this section, any
22 person who is convicted of any of the provisions of subsection A of
23 this section, shall be guilty of a misdemeanor.

1 E. Any person who is convicted of a second offense under this
2 section shall be guilty of a felony.

3 F. This section does not apply to constitutionally protected
4 speech or activity or to any other activity authorized by law.

5 SECTION 3. AMENDATORY 21 O.S. 2021, Section 1953, is
6 amended to read as follows:

7 Section 1953. A. It shall be unlawful to:

8 1. Willfully, and without authorization, gain or attempt to
9 gain access to and damage, modify, alter, delete, destroy, copy,
10 make use of, use malicious computer programs on, disclose or take
11 possession of a computer, computer system, computer network, data or
12 any other property;

13 2. Use a computer, computer system, computer network or any
14 other property as hereinbefore defined for the purpose of devising
15 or executing a scheme or artifice with the intent to defraud,
16 deceive, extort or for the purpose of controlling or obtaining
17 money, property, data, services or other thing of value by means of
18 a false or fraudulent pretense or representation;

19 3. Willfully exceed the limits of authorization and damage,
20 modify, alter, destroy, copy, delete, disclose or take possession of
21 a computer, computer system, computer network, data or any other
22 property;

1 4. Willfully and without authorization, gain or attempt to gain
2 access to a computer, computer system, computer network, data or any
3 other property;

4 5. Willfully and without authorization use or cause to be used
5 computer services;

6 6. Willfully and without authorization disrupt or cause the
7 disruption of computer services or deny or cause the denial of
8 access or other computer services to an authorized user of a
9 computer, computer system or computer network, other than an
10 authorized entity acting for a legitimate business purpose with the
11 effective consent of the owner;

12 7. Willfully and without authorization provide or assist in
13 providing a means of accessing a computer, computer system, data or
14 computer network in violation of this section;

15 8. Willfully use a computer, computer system, ~~or~~ computer
16 network, or other electronic device or system to ~~annoy, abuse,~~
17 threaten, or harass another person;

18 9. Willfully use a computer, computer system, ~~or~~ computer
19 network, or other electronic device or system to put another person
20 in fear of physical harm or death; and

21 10. Willfully solicit another, regardless of any financial
22 consideration or exchange of property, of any acts described in
23 paragraphs 1 through 9 of this subsection.
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1 B. Any person convicted of violating paragraph 1, 2, 3, 6, 7, 9
2 or 10 of subsection A of this section shall be guilty of a felony
3 punishable as provided in Section 1955 of this title.

4 C. Any person convicted of violating paragraph 4, 5 or 8 of
5 subsection A of this section shall be guilty of a misdemeanor.

6 D. Nothing in the Oklahoma Computer Crimes Act shall be
7 construed to prohibit the monitoring of computer usage of, or the
8 denial of computer or Internet access to, a child by a parent, legal
9 guardian, legal custodian, or foster parent. As used in this
10 subsection, "child" shall mean any person less than eighteen (18)
11 years of age.

12 E. Nothing in the Oklahoma Computer Crimes Act shall be
13 construed to prohibit testing by an authorized entity, the purpose
14 of which is to provide to the owner or operator of the computer,
15 computer system or computer network an evaluation of the security of
16 the computer, computer system or computer network against real or
17 imagined threats or harms.

18 F. Nothing in the Oklahoma Computer Crimes Act shall be
19 construed to apply to constitutionally protected speech or activity
20 or to any other activity authorized by law.

21 SECTION 4. AMENDATORY 70 O.S. 2021, Section 24-100.3, is
22 amended to read as follows:

23 Section 24-100.3. A. As used in the School Safety and Bullying
24 Prevention Act:

1 1. "Bullying" means any pattern of harassment, intimidation,
2 threatening behavior, physical acts, or verbal or electronic
3 communication directed toward a student or group of students that
4 results in or is reasonably perceived as being done with the intent
5 to cause negative educational or physical results for the targeted
6 individual or group and is communicated in such a way as to disrupt
7 or interfere with the school's educational mission or the education
8 of any student;

9 2. ~~"At school"~~ "On school premises" means on school grounds, in
10 school vehicles, at school-sponsored activities, or at school-
11 sanctioned events;

12 3. "Electronic communication" means the communication of any
13 written, verbal, or pictorial information or video content by means
14 of an electronic device, including, but not limited to, a telephone,
15 a mobile or cellular telephone or other wireless telecommunication
16 device, or a computer; and

17 4. "Threatening behavior" means any pattern of behavior or
18 isolated action, whether or not it is directed at another person,
19 that a reasonable person would believe indicates potential for
20 future harm to students, school personnel, or school property.

21 B. Nothing in ~~this act~~ Section 24-100.1 et seq. of this title
22 shall be construed to impose a specific liability on any school
23 district.

1 SECTION 5. AMENDATORY 70 O.S. 2021, Section 24-100.4, as
2 amended by Section 6, Chapter 15, O.S.L. 2023 (70 O.S. Supp. 2024,
3 Section 24-100.4), is amended to read as follows:

4 Section 24-100.4. A. Each school district board of education
5 shall adopt a policy for the discipline of all children attending
6 public school in that district, and for the investigation of
7 reported incidents of bullying. The policy shall provide options
8 for the discipline of the students and shall define standards of
9 conduct to which students are expected to conform. The policy
10 shall:

11 1. Specifically address bullying by students ~~at school~~ on
12 school premises and by electronic communication, if the
13 communication is specifically directed at students or school
14 personnel and ~~concerns bullying at school~~ is communicated in such a
15 way as to disrupt or interfere with the school's educational mission
16 or the education of any student;

17 2. Contain a procedure for ~~reporting~~ a student, a school
18 employee, a school volunteer, or a parent or legal guardian to
19 report an act of bullying to a school official or law enforcement
20 agency, including a provision that permits a person to report an act
21 anonymously. No formal disciplinary action shall be taken solely on
22 the basis of an anonymous report;

23 3. Contain a requirement that any school employee that has
24 reliable information that would lead a reasonable person to suspect

1 that a person is a target of bullying shall immediately report it to
2 the principal or a designee of the principal. A school employee,
3 school volunteer, a student, or the parent or legal guardian of a
4 student who promptly reports in good faith an incident of bullying
5 to a school official and who makes the report in compliance with the
6 provisions of this section shall be immune from a cause of action
7 for damages arising out of the reporting itself or any failure to
8 remedy the reported incident of bullying;

9 4. Contain a statement of how the policy is to be publicized
10 including a requirement that:

- 11 a. an annual written notice of the policy be provided to
12 parents, legal guardians, staff, volunteers, and
13 students, with age-appropriate language for students,
- 14 b. notice of the policy be posted at various locations
15 within each school site, including, but not limited
16 to, cafeterias, school bulletin boards, and
17 administration offices,
- 18 c. the policy be posted on the Internet website for the
19 school district and each school site that has an
20 Internet website, and
- 21 d. the policy be included in all student and employee
22 handbooks;

1 5. Require that appropriate school district personnel involved
2 in investigating reports of bullying make a determination regarding
3 whether the conduct is actually occurring;

4 6. Contain a procedure and requirement for providing
5 notification to the parents or legal guardians of the reported
6 victim of bullying and the parents or legal guardians of the
7 reported perpetrator of the bullying within twenty-four (24) hours
8 of receipt of the report of bullying and providing timely
9 notification to the parents or legal guardians of a victim of
10 documented and verified bullying and to the parents or legal
11 guardians of the perpetrator of the documented and verified
12 bullying; provided, if a student expresses suicidal thoughts or
13 intentions or encourages another student to commit suicide, the
14 parents or legal guardians of the student(s) shall be notified
15 immediately;

16 7. Identify by job title the school official responsible for
17 enforcing the policy at each school site within a school district;

18 8. Contain procedures for reporting to law enforcement all
19 documented and verified acts of bullying which may constitute
20 criminal activity or reasonably have the potential to endanger
21 school safety;

22 9. Require training for administrators and school employees,
23 including school resource officers, as developed and provided by the
24 State Department of Education in preventing, identifying, responding

1 to, and reporting incidents of bullying. The training shall be
2 completed the first year an administrator or school employee is
3 employed by a school district, and then once every fifth academic
4 year;

5 10. Provide for an educational program as designed and
6 developed by the State Department of Education and in consultation
7 with the Office of Juvenile Affairs for students and parents in
8 preventing, identifying, responding to and reporting incidents of
9 bullying;

10 11. Establish a procedure for referral of a person who commits
11 an act of bullying to a delinquency prevention and diversion program
12 administered by the Office of Juvenile Affairs;

13 12. Address prevention by providing:

14 a. consequences and remedial action for a person who
15 commits an act of bullying,

16 b. consequences and remedial action for a student found
17 to have falsely accused another as a means of
18 retaliation, reprisal, or as a means of bullying, and

19 c. a strategy for providing counseling or referral to
20 appropriate services, including guidance, academic
21 intervention, and other protection for students, both
22 targets and perpetrators, and family members affected
23 by bullying, as necessary;

24 13. Establish a procedure for:

- a. the investigation, determination, and documentation of all incidents of bullying reported to school officials,
- b. identifying the principal or a designee of the principal as the person responsible for investigating incidents of bullying,
- c. reporting the number of incidents of bullying, and
- d. determining the severity of the incidents and their potential to result in future violence;

14. Establish a procedure whereby, upon completing an investigation of bullying, a school may recommend that available community mental health care, substance abuse or other counseling options be provided to the student, if appropriate; ~~and~~

15. Establish a procedure whereby a school may request the disclosure of any information concerning students who have received mental health, substance abuse, or other care pursuant to paragraph 14 of this subsection that indicates an explicit threat to the safety of students or school personnel, provided the disclosure of the information does not violate the requirements and provisions of the Family Educational Rights and Privacy Act of 1974, the Health Insurance Portability and Accountability Act of 1996, Section 2503 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of the Oklahoma Statutes, or any other state or federal laws regarding the disclosure of confidential information; and

1 16. Contain a statement prohibiting retaliation against a
2 school employee who notifies the district board of education or the
3 State Department of Education of noncompliance with the provisions
4 of this section.

5 B. 1. In developing the policy, the district board of
6 education shall ~~make an effort to~~ involve the teachers, parents,
7 administrators, school staff, school volunteers, community
8 representatives, local law enforcement agencies, and students.

9 2. Before adopting the policy required by this section or any
10 modifications to the policy, the district board of education shall
11 hold at least one public hearing on the proposed policy or
12 modifications to the policy. The public hearing may be held as part
13 of a regularly scheduled board meeting. The district board of
14 education shall provide notice of the public hearing to students and
15 the parents or legal guardians of students using social media and at
16 least one other communication method regularly used by the board of
17 education.

18 3. Within thirty (30) days of approving the policy required by
19 this section or any modifications, the district board of education
20 shall submit a copy to the State Department of Education.

21 4. The students, teachers, and parents or ~~guardian~~ legal
22 guardians of every child residing within a school district shall be
23 notified by the district board of education of its adoption of the
24 policy and shall receive a copy upon request. The school district

1 policy shall be implemented in a manner that is ongoing throughout
2 the school year and is integrated with other violence prevention
3 efforts.

4 C. The teacher of a child attending a public school shall have
5 the same right as a parent or legal guardian to control and
6 discipline such child according to district policies during the time
7 the child is in attendance or in transit to or from the school or
8 any other school function authorized by the school district or
9 classroom presided over by the teacher.

10 D. Except concerning students on individualized education plans
11 (IEP) pursuant to the Individuals with Disabilities Education Act
12 (IDEA), P.L. No. 101-476, the State Board of Education shall not
13 have authority to prescribe student disciplinary policies for school
14 districts or to proscribe corporal punishment in the public schools.
15 The State Board of Education shall not have authority to require
16 school districts to file student disciplinary action reports more
17 often than once each year and shall not use disciplinary action
18 reports in determining a school district's or school site's
19 eligibility for program assistance including competitive grants.

20 E. The board of education of each school district in this state
21 shall have the option of adopting a dress code for students enrolled
22 in the school district. The board of education of a school district
23 shall also have the option of adopting a dress code which includes
24 school uniforms.

1 F. The board of education of each school district in this state
2 shall have the option of adopting a procedure that requires students
3 to perform campus-site service for violating the district's policy.

4 G. The State Board of Education shall:

5 1. Promulgate rules for periodically monitoring school
6 districts for compliance with this section and providing sanctions
7 for noncompliance with this section;

8 2. Establish and maintain a central repository for the
9 collection of information regarding documented and verified
10 incidents of bullying; and

11 3. Publish a report annually on the State Department of
12 Education website regarding the number of documented and verified
13 incidents of bullying in the public schools in the state.

14 SECTION 6. This act shall become effective November 1, 2025.
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16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY
17 OVERSIGHT, dated 03/06/2025 - DO PASS, As Amended and Coauthored.
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