

1 SECTION 1. AMENDATORY Section 1, Chapter 323, O.S.L.
2 2022, as amended by Section 1, Chapter 283, O.S.L. 2023 (70 O.S.
3 Supp. 2025, Section 1-125), is amended to read as follows:

4 Section 1-125. A. As used in this section:

5 1. "Sex" ~~means the physical condition of being male or female~~
6 ~~based on genetics and physiology, as identified on the individual's~~
7 ~~original birth certificate~~ has the same meaning as provided in
8 paragraph 8 of Section 16 of Title 25 of the Oklahoma Statutes;

9 2. "Multiple occupancy restroom or changing area" means an area
10 in a public school or public charter school building designed or
11 designated to be used by more than one individual at a time, where
12 individuals may be in various stages of undress in the presence of
13 other individuals. The term may include but is not limited to a
14 school restroom, locker room, changing room, or shower room;

15 3. "Coach" means a person employed by a public school district
16 or public charter school who is involved in the teaching or training
17 of students participating in a school-sponsored athletic activity;
18 ~~and~~

19 4. "School-sponsored athletic activity" means a sporting event
20 that is supported and affiliated with the school such as practices,
21 games, matches, and tournaments; and

22 5. "Sleeping quarters" means a room containing a bed and in
23 which more than one individual is housed overnight.

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1 B. To ensure privacy and safety, each public school and public
2 charter school that serves students in prekindergarten through
3 twelfth grades in this state shall require every multiple occupancy
4 restroom ~~or~~, changing area, and sleeping quarters designated as
5 follows:

6 1. For the exclusive use of the male sex; or

7 2. For the exclusive use of the female sex.

8 C. Each public school or public charter school in this state
9 shall provide a reasonable accommodation to any individual who does
10 not wish to comply with the provisions of subsection B of this
11 section. A reasonable accommodation shall be access to a single-
12 occupancy restroom or changing room.

13 D. During any activity or event authorized by a public school
14 or public charter school where students share sleeping quarters, no
15 student shall be required to share sleeping quarters with a member
16 of the opposite sex, unless such persons are members of the same
17 family, such as a parent, guardian, sibling, or grandparent.

18 E. In any other facility or setting in a public school or
19 charter school where a person may be in a state of undress in the
20 presence of others, school personnel shall provide separate, private
21 areas designated for use by persons based on their sex. Except as
22 provided in subsection F of this section, no person shall enter such
23 private areas unless he or she is a member of the designated sex.
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1 F. The provisions of this section shall not apply to
2 individuals entering a multiple occupancy restroom or changing area
3 designated for use by the opposite sex when entering in any of the
4 following circumstances:

- 5 1. For custodial, maintenance, or inspection purposes;
- 6 2. To render emergency medical assistance; or
- 7 3. If a suitable meeting room or area is not available, a coach
8 may enter a locker room before, during, or after a school-sponsored
9 athletic activity, provided:

- 10 a. all students present are fully clothed,
- 11 b. the coach shall be accompanied by at least one
12 additional adult at all times, and
- 13 c. if the coach is the opposite sex of the students
14 present, the coach shall be accompanied by at least
15 one adult of the same sex as the students present.

16 The adult shall not be a current high school student.

17 ~~F.~~ G. 1. Each school district board of education and public
18 charter school governing board shall adopt a policy to provide
19 disciplinary action for individuals who refuse to comply with the
20 provisions of this section.

21 2. No school district board of education or charter school
22 governing board shall adopt a policy contrary to the provisions of
23 this section.

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1 ~~F.~~ H. Upon a finding of noncompliance with the provisions of
2 subsections ~~B, C, and D~~ through F of this section by the State Board
3 of Education, the noncompliant school district or public charter
4 school shall receive a five percent (5%) decrease in state funding
5 for the school district or public charter school for the fiscal year
6 following the year of noncompliance.

7 ~~G.~~ I. A parent or legal guardian of a student enrolled in and
8 physically attending a public school district or public charter
9 school shall have a cause of action against the public school
10 district or public charter school for noncompliance with the
11 provisions of subsections ~~B, C, and D~~ through F of this section.

12 ~~H.~~ J. The State Board of Education shall promulgate rules to
13 implement the provisions of this section.

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 401 of Title 25, unless there is
16 created a duplication in numbering, reads as follows:

17 A. For purposes of this section:

18 1. "Changing room" means a room or area in which a person may
19 be in a state of undress in the presence of others, including a
20 locker room or shower room.

21 2. "Coach" means a person employed by a public institution of
22 higher education who is involved in the teaching or training of
23 students participating in an institution-sponsored athletic
24 activity.

1 3. "Covered entity" includes:

2 a. "public institution of higher education" which means
3 any institution within the Oklahoma State System of
4 Higher Education or technology center schools overseen
5 by the State Board of Career and Technology Education,

6 b. "public building" which means a building owned or
7 operated by a governmental subdivision of the state,
8 and

9 c. "domestic violence shelter" which means a state-
10 operated or state-funded facility that provides
11 services, including food, housing, counseling, and
12 assistance to victims of domestic violence or abuse
13 and their minor dependent children in this state.

14 4. "Multi-occupancy" means a space that is designed for use by
15 multiple persons simultaneously.

16 5. "Institution-sponsored athletic activity" means a sporting
17 event that is supported and affiliated with a public institution of
18 higher education such as practices, games, matches, and tournaments.

19 6. "Restroom" means a room that includes one or more toilets or
20 urinals.

21 7. "Sleeping quarters" means a room containing a bed and in
22 which more than one individual is housed overnight.

1 B. 1. A covered entity shall designate each multi-occupancy
2 restroom, changing room, and sleeping quarters for the exclusive use
3 of:

- 4 a. females, or
- 5 b. males.

6 2. Every restroom or changing room within a covered entity that
7 is designated for females or males shall only be used by members of
8 that sex. No individual shall enter a restroom or changing room
9 that is designated for females or males unless he or she is a member
10 of the designated sex.

11 3. The covered entity shall take reasonable steps to provide
12 individuals with privacy in restrooms, changing rooms, and sleeping
13 quarters from members of the opposite sex.

14 4. This section shall not apply to an individual who enters a
15 restroom or changing room designated for the opposite sex in any of
16 the following circumstances, provided that the restroom or changing
17 room is not in use:

- 18 a. to perform custodial, maintenance, or inspection
19 purposes,
- 20 b. to render medical assistance,
- 21 c. to render assistance by law enforcement,
- 22 d. to provide services or render aid during a natural
23 disaster, a declared emergency, or when necessary to
24 prevent a serious threat to good order or safety, or

1 e. if a suitable meeting room or area is not available, a
2 coach may enter a locker room before, during, or after
3 an institution-sponsored athletic activity, provided:
4 (1) all students present are fully clothed,
5 (2) the coach shall be accompanied by at least one
6 additional adult at all times, and
7 (3) if the coach is the opposite sex of the students
8 present, the coach shall be accompanied by at
9 least one adult of the same sex as the students
10 present.

11 5. During any activity or event authorized by a public
12 institution of higher education where students share sleeping
13 quarters, no student shall be required to share sleeping quarters
14 with a member of the opposite sex, unless such persons are members
15 of the same family, such as a parent, guardian, sibling, or
16 grandparent.

17 6. In any other facility or setting in a public institution of
18 higher education where a person may be in a state of undress in the
19 presence of others, institution personnel shall provide separate,
20 private areas designated for use by persons based on their sex.
21 Except as provided in subsection (4), no person shall enter said
22 private areas unless he or she is a member of the designated sex.
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1 7. A public institution of higher education that offers housing
2 for student residents shall provide students the option to be housed
3 only with persons of the same sex.

4 8. Nothing in this section shall be construed to prohibit a
5 covered entity from:

6 a. adopting policies necessary to accommodate persons
7 protected under the Americans with Disabilities Act,
8 young children in need of assistance, or elderly
9 persons requiring aid,

10 b. establishing single-occupancy restrooms, changing
11 rooms, or sleeping quarters, or family restrooms,
12 changing rooms, or sleeping quarters, or

13 c. redesignating a multi-occupancy restroom, changing
14 room, or sleeping quarters designated for exclusive
15 use by one sex to a designation for exclusive use by
16 the opposite sex.

17 C. 1. An individual who, while accessing a restroom or
18 changing room designated for use by their sex, encounters a person
19 of the opposite sex in that restroom or changing room has a private
20 cause of action for declaratory and injunctive relief against the
21 covered entity if the covered entity:

22 a. provided the person permission to use a restroom or
23 changing room of the opposite sex, or
24

1 b. failed to take reasonable steps to prohibit the person
2 of the opposite sex from using the restroom or
3 changing room of the opposite sex.

4 2. An individual who is required by the covered entity to share
5 sleeping quarters with a person of the opposite sex has a private
6 cause of action for declaratory and injunctive relief against the
7 covered entity.

8 3. All civil actions brought pursuant to this section shall be
9 initiated within two years after the violation occurred. An
10 individual aggrieved under this section who prevails in court may
11 recover reasonable attorney fees and costs from the offending
12 covered entity.

13 SECTION 3. This act shall become effective November 1, 2026.

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15 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION OVERSIGHT, dated
16 02/26/2026 - DO PASS, As Coauthored.