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AS AMENDED

By: Pae of the House

Seifried of the Senate

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

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

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

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

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

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

3 B. As used in this section, "telecommunication" and "electronic
4 communication" mean any type of telephonic, electronic, or radio
5 communications, or transmission of signs, signals, data, writings,
6 images and sounds, or intelligence of any nature by telephone,
7 including cellular telephones, wire, cable, radio, electromagnetic,
8 photoelectronic, or photo-optical system or the creation, display,
9 management, storage, processing, transmission, or distribution of
10 images, text, voice, video, or data by wire, cable, or wireless
11 means, including the Internet. The term includes:

12 1. A communication initiated by electronic mail, instant
13 message, network call, or facsimile machine including text, sound,
14 or images;

15 2. A communication made to a pager; or

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

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

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

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

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

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

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

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

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

22 3. Willfully exceed the limits of authorization and damage,
23 modify, alter, destroy, copy, delete, disclose or take possession of
24

1 a computer, computer system, computer network, data or any other
2 property;

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

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

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

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

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

20 9. Willfully use a computer, computer system, ~~or~~ computer
21 network, or other electronic device or system to put another person
22 in fear of physical harm or death; and
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1 10. Willfully solicit another, regardless of any financial
2 consideration or exchange of property, of any acts described in
3 paragraphs 1 through 9 of this subsection.

4 B. Any person convicted of violating paragraph 1, 2, 3, 6, 7, 9
5 or 10 of subsection A of this section shall be guilty of a felony
6 punishable as provided in Section 1955 of this title.

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

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

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

21 F. Nothing in the Oklahoma Computer Crimes Act shall be
22 construed to apply to constitutionally protected speech or activity
23 or to any other activity authorized by law.
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1 SECTION 4. AMENDATORY 70 O.S. 2021, Section 24-100.3, is
2 amended to read as follows:

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

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

13 2. ~~"At school"~~ "On school premises" means on school grounds, in
14 school vehicles, at school-sponsored activities, or at school-
15 sanctioned events;

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

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

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

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

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

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

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

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

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

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

d. the policy be included in all student and employee handbooks;

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

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

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

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

1 9. Require training for administrators and school employees,
2 including school resource officers, as developed and provided by the
3 State Department of Education in preventing, identifying, responding
4 to, and reporting incidents of bullying. The training shall be
5 completed the first year an administrator or school employee is
6 employed by a school district, and then once every fifth academic
7 year;

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

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

16 12. Address prevention by providing:

- 17 a. consequences and remedial action for a person who
- 18 commits an act of bullying,
- 19 b. consequences and remedial action for a student found
- 20 to have falsely accused another as a means of
- 21 retaliation, reprisal, or as a means of bullying, and
- 22 c. a strategy for providing counseling or referral to
- 23 appropriate services, including guidance, academic
- 24 intervention, and other protection for students, both

1 targets and perpetrators, and family members affected
2 by bullying, as necessary;

3 13. Establish a procedure for:

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

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

17 15. Establish a procedure whereby a school may request the
18 disclosure of any information concerning students who have received
19 mental health, substance abuse, or other care pursuant to paragraph
20 14 of this subsection that indicates an explicit threat to the
21 safety of students or school personnel, provided the disclosure of
22 the information does not violate the requirements and provisions of
23 the Family Educational Rights and Privacy Act of 1974, the Health
24 Insurance Portability and Accountability Act of 1996, Section 2503

1 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of
2 the Oklahoma Statutes, or any other state or federal laws regarding
3 the disclosure of confidential information; and

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

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

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

21 3. Within thirty (30) days of approving the policy required by
22 this section or any modifications, the district board of education
23 shall submit a copy to the State Department of Education.
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1 4. The students, teachers, and parents or ~~guardian~~ legal
2 guardians of every child residing within a school district shall be
3 notified by the district board of education of its adoption of the
4 policy and shall receive a copy upon request. The school district
5 policy shall be implemented in a manner that is ongoing throughout
6 the school year and is integrated with other violence prevention
7 efforts.

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

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

1 E. The board of education of each school district in this state
2 shall have the option of adopting a dress code for students enrolled
3 in the school district. The board of education of a school district
4 shall also have the option of adopting a dress code which includes
5 school uniforms.

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

9 G. The State Board of Education shall:

10 1. Promulgate rules for periodically monitoring school
11 districts for compliance with this section and providing sanctions
12 for noncompliance with this section;

13 2. Establish and maintain a central repository for the
14 collection of information regarding documented and verified
15 incidents of bullying; and

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

19 SECTION 6. This act shall become effective November 1, 2025.

20 COMMITTEE REPORT BY: COMMITTEE ON TECHNOLOGY AND TELECOMMUNICATIONS
21 April 17, 2025 - DO PASS AS AMENDED
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