

1 ENGROSSED HOUSE
2 BILL NO. 2017

3 By: Pae of the House

4 and

5 Seifried of the Senate

6 An Act relating to bullying; amending 21 O.S. 2021,
7 Section 813, which relates to aiding suicide;
8 modifying definition; amending 21 O.S. 2021, Section
9 1172, which relates to obscene, threatening, or
10 harassing electronic communications; modifying
11 prohibitions of certain communications; prohibiting
12 certain terrifying, intimidating, threatening or
13 harassing behavior; clarifying statutory language;
14 clarifying lawful applications; amending 21 O.S.
15 2021, Section 1953, which relates to the Oklahoma
16 Computer Crimes Act; adding electronic devices to
17 certain prohibited uses; clarifying constitutional
18 and lawful applicability; amending 70 O.S. 2021,
19 Section 24-100.3, which relates to definitions under
20 the School Safety and Bullying Prevention Act;
21 modifying definition; updating statutory reference;
22 amending 70 O.S. 2021, Section 24-100.4, as amended
23 by Section 6, Chapter 15, O.S.L. 2023 (70 O.S. Supp.
24 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
express certain thoughts or intentions; requiring
certain policy to contain a statement prohibiting
retaliation against certain school employees;
requiring a district board of education to hold
certain public hearing prior to adoption of certain
policy and any modifications to certain policy;
providing for notice of hearing; requiring submission
of certain policy to the State Department of

1 Education within certain time period; requiring a
2 superintendent to submit certain report to a district
3 board of education at least once each semester;
4 requiring a district board of education to provide
5 certain policy and explanation to employees; and
6 providing an effective date.

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

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

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

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

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

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

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

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

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

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

15 6. In conspiracy or concerted action with other persons, makes
16 repeated calls or electronic communications or simultaneous calls or
17 electronic communications solely to harass any person at the called
18 number(s).

19 B. As used in this section, "telecommunication" and "electronic
20 communication" mean any type of telephonic, electronic, or radio
21 communications, or transmission of signs, signals, data, writings,
22 images and sounds, or intelligence of any nature by telephone,
23 including cellular telephones, wire, cable, radio, electromagnetic,
24 photoelectronic, or photo-optical system or the creation, display,

1 management, storage, processing, transmission, or distribution of
2 images, text, voice, video, or data by wire, cable, or wireless
3 means, including the Internet. The term includes:

4 1. A communication initiated by electronic mail, instant
5 message, network call, or facsimile machine including text, sound,
6 or images;

7 2. A communication made to a pager; or

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

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

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

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

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

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

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

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

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

15 3. Willfully exceed the limits of authorization and damage,
16 modify, alter, destroy, copy, delete, disclose or take possession of
17 a computer, computer system, computer network, data or any other
18 property;

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

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

1 6. Willfully and without authorization disrupt or cause the
2 disruption of computer services or deny or cause the denial of
3 access or other computer services to an authorized user of a
4 computer, computer system or computer network, other than an
5 authorized entity acting for a legitimate business purpose with the
6 effective consent of the owner;

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

10 8. Willfully use a computer, computer system, ~~or~~ computer
11 network, or other electronic device or system to ~~annoy, abuse,~~
12 threaten, or harass another person;

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

16 10. Willfully solicit another, regardless of any financial
17 consideration or exchange of property, of any acts described in
18 paragraphs 1 through 9 of this subsection.

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

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

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

7 E. Nothing in the Oklahoma Computer Crimes Act shall be
8 construed to prohibit testing by an authorized entity, the purpose
9 of which is to provide to the owner or operator of the computer,
10 computer system or computer network an evaluation of the security of
11 the computer, computer system or computer network against real or
12 imagined threats or harms.

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

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

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

20 1. "Bullying" means any pattern of harassment, intimidation,
21 threatening behavior, physical acts, or verbal or electronic
22 communication directed toward a student or group of students that
23 results in or is reasonably perceived as being done with the intent
24 to cause negative educational or physical results for the targeted

1 individual or group and is communicated in such a way as to disrupt
2 or interfere with the school's educational mission or the education
3 of any student;

4 2. "~~At school~~" "On school premises" means on school grounds, in
5 school vehicles, at school-sponsored activities, or at school-
6 sanctioned events;

7 3. "Electronic communication" means the communication of any
8 written, verbal, or pictorial information or video content by means
9 of an electronic device, including, but not limited to, a telephone,
10 a mobile or cellular telephone or other wireless telecommunication
11 device, or a computer; and

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

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

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

22 Section 24-100.4. A. Each school district board of education
23 shall adopt a policy for the discipline of all children attending
24 public school in that district, and for the investigation of

1 reported incidents of bullying. The policy shall provide options
2 for the discipline of the students and shall define standards of
3 conduct to which students are expected to conform. The policy
4 shall:

5 1. Specifically address bullying by students ~~at school on~~
6 school premises and by electronic communication, if the
7 communication is specifically directed at students or school
8 personnel and ~~concerns~~ ~~bullying at school is communicated in such a~~
9 way as to disrupt or interfere with the school's educational mission
10 or the education of any student;

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

17 3. Contain a requirement that any school employee that has
18 reliable information that would lead a reasonable person to suspect
19 that a person is a target of bullying shall immediately report it to
20 the principal or a designee of the principal. A school employee,
21 school volunteer, a student, or the parent or legal guardian of a
22 student who promptly reports in good faith an incident of bullying
23 to a school official and who makes the report in compliance with the
24 provisions of this section shall be immune from a cause of action

1 for damages arising out of the reporting itself or any failure to
2 remedy the reported incident of bullying;

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

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

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

20 6. Contain a procedure and requirement for providing
21 notification to the parents or legal guardians of the reported
22 victim of bullying and the parents or legal guardians of the
23 reported perpetrator of the bullying within twenty-four (24) hours
24 of receipt of the report of bullying and providing timely

1 notification to the parents or legal guardians of a victim of
2 documented and verified bullying and to the parents or legal
3 guardians of the perpetrator of the documented and verified
4 bullying; provided, if a student expresses suicidal thoughts or
5 intentions or encourages another student to commit suicide, the
6 parents or legal guardians of the student(s) shall be notified
7 immediately;

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

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

14 9. Require training for administrators and school employees,
15 including school resource officers, as developed and provided by the
16 State Department of Education in preventing, identifying, responding
17 to, and reporting incidents of bullying. The training shall be
18 completed the first year an administrator or school employee is
19 employed by a school district, and then once every fifth academic
20 year;

21 10. Provide for an educational program as designed and
22 developed by the State Department of Education and in consultation
23 with the Office of Juvenile Affairs for students and parents in
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1 preventing, identifying, responding to and reporting incidents of
2 bullying;

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

6 12. Address prevention by providing:

- 7 a. consequences and remedial action for a person who
8 commits an act of bullying,
- 9 b. consequences and remedial action for a student found
10 to have falsely accused another as a means of
11 retaliation, reprisal, or as a means of bullying, and
- 12 c. a strategy for providing counseling or referral to
13 appropriate services, including guidance, academic
14 intervention, and other protection for students, both
15 targets and perpetrators, and family members affected
16 by bullying, as necessary;

17 13. Establish a procedure for:

- 18 a. the investigation, determination, and documentation of
19 all incidents of bullying reported to school
20 officials,
- 21 b. identifying the principal or a designee of the
22 principal as the person responsible for investigating
23 incidents of bullying,
- 24 c. reporting the number of incidents of bullying, and

1 d. determining the severity of the incidents and their
2 potential to result in future violence;

3 14. Establish a procedure whereby, upon completing an

4 investigation of bullying, a school may recommend that available
5 community mental health care, substance abuse or other counseling
6 options be provided to the student, if appropriate; and

7 15. Establish a procedure whereby a school may request the

8 disclosure of any information concerning students who have received
9 mental health, substance abuse, or other care pursuant to paragraph
10 14 of this subsection that indicates an explicit threat to the
11 safety of students or school personnel, provided the disclosure of
12 the information does not violate the requirements and provisions of
13 the Family Educational Rights and Privacy Act of 1974, the Health
14 Insurance Portability and Accountability Act of 1996, Section 2503
15 of Title 12 of the Oklahoma Statutes, Section 1376 of Title 59 of
16 the Oklahoma Statutes, or any other state or federal laws regarding
17 the disclosure of confidential information; and

18 16. Contain a statement prohibiting retaliation against a

19 school employee who notifies the district board of education or the
20 State Department of Education of noncompliance with the provisions
21 of this section.

22 B. 1. In developing the policy, the district board of

23 education shall ~~make an effort to~~ involve the teachers, parents,

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1 administrators, school staff, school volunteers, community
2 representatives, local law enforcement agencies, and students.

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

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

15 4. The students, teachers, and parents or guardian legal
16 guardians of every child residing within a school district shall be
17 notified by the district board of education of its adoption of the
18 policy and shall receive a copy upon request. The school district
19 policy shall be implemented in a manner that is ongoing throughout
20 the school year and is integrated with other violence prevention
21 efforts.

22 C. The teacher of a child attending a public school shall have
23 the same right as a parent or legal guardian to control and
24 discipline such child according to district policies during the time

1 the child is in attendance or in transit to or from the school or
2 any other school function authorized by the school district or
3 classroom presided over by the teacher.

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

14 E. The board of education of each school district in this state
15 shall have the option of adopting a dress code for students enrolled
16 in the school district. The board of education of a school district
17 shall also have the option of adopting a dress code which includes
18 school uniforms.

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

22 G. The State Board of Education shall:

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

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

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

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

Passed the House of Representatives the 25th day of March, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the _____ day of _____, 2025.

Presiding Officer of the Senate