

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 944

By: Guthrie

6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2021, Section 1190, which relates to hazing;
9 defining terms; removing certain provision; modifying
10 provisions of certain offenses; modifying provisions
11 of certain penalties; providing certain civil
12 penalties; directing deposit of civil penalties into
13 certain fund; prohibiting certain defense; providing
14 certain liability exception; authorizing certain
15 disciplinary process; requiring certain assistance;
16 creating misdemeanor and felony offenses; providing
17 penalties; requiring development of certain
18 educational plan; establishing plan criteria;
19 requiring certain report; establishing report
20 criteria; requiring certain posting; updating
21 statutory language; creating the Anti-Hazing
22 Revolving Fund; specifying permissible sources of
23 funding; authorizing certain expenditures by the
24 Oklahoma State Regents for Higher Education;
25 providing for codification; and providing an
26 effective date.

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

20 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1190, is
21 amended to read as follows:

22 Section 1190. A. For purposes of this section:

23 1. "Educational institution" means any public or private school
24 or institution of higher education in this state;

1 2. "Endangers the physical health" shall include, but not be
2 limited to, any brutality of a physical nature, such as whipping;
3 beating; branding; forced calisthenics; exposure to the elements;
4 forced consumption of any food, alcoholic beverage as defined in
5 Section 506 of Title 37 of the Oklahoma Statutes, low-point beer as
6 defined in Section 163.2 of Title 37 of the Oklahoma Statutes, drug,
7 controlled dangerous substance, or other substance; or any other
8 forced physical activity which could adversely affect the physical
9 health or safety of the individual;

10 3. "Endangers the mental health" shall include any activity,
11 except those activities authorized by law, which would subject the
12 individual to extreme mental stress, such as prolonged sleep
13 deprivation, forced prolonged exclusion from social contact, forced
14 conduct which could result in extreme embarrassment, or any other
15 forced activity which could adversely affect the mental health or
16 dignity of the individual;

17 4. "Hazing" means an activity which recklessly or intentionally
18 endangers the mental health or physical health or safety of a
19 student for the purpose of initiation or admission into or
20 affiliation with or for the purpose of continuance or enhancement of
21 status in any organization that operates subject to the sanction of
22 an educational institution in this state; and

23 5. "Organization" means a club, association, corporation,
24 order, society, corps, private club, fraternity, sorority, varsity

1 or club athletic team, or similar group that is sanctioned or
2 authorized by the governing board of an educational institution and
3 whose members are primarily students or alumni of one or more
4 educational institutions.

5 B. No student organization or any person associated with any
6 organization sanctioned or authorized by the governing board of any
7 ~~public or private school or institution of higher education~~
8 educational institution in this state shall engage or participate in
9 hazing.

10 ~~B. Any hazing activity described in subsection F of this~~
11 ~~section upon which the initiation or admission into or affiliation~~
12 ~~with an organization sanctioned or authorized by a public or private~~
13 ~~school or by any institution of higher education in this state is~~
14 ~~directly or indirectly conditioned shall be presumed to be a forced~~
15 ~~activity, even if the student willingly participates in such~~
16 ~~activity.~~

17 C. A copy of the policy or the rules and regulations of the
18 ~~public or private school or institution of higher education~~
19 educational institution which prohibits hazing shall be given to
20 each student enrolled in the ~~school or~~ institution and shall be
21 deemed to be part of the bylaws of all organizations operating at
22 the ~~public school or the institution of higher education~~ educational
23 institution.

1 D. Any organization sanctioned or authorized by the governing
2 board of a public or private school or of an institution of higher
3 education in this state which violates subsection ~~A~~ B of this
4 section, upon conviction, shall be guilty of a misdemeanor, and may
5 be punishable by a fine ~~of~~ not more than One Thousand Five Hundred
6 Dollars (\$1,500.00), by a civil penalty not more than Fifteen
7 Thousand Dollars (\$15,000.00), or by both such fine and civil
8 penalty, and the ~~forfeit~~ forfeiture for a period ~~of~~ not less than
9 one (1) year ~~all~~ of the rights and privileges of being an
10 organization organized or operating at the ~~public or private school~~
11 ~~or at the institution of higher education~~ educational institution.

12 E. 1. Any individual convicted of violating the provisions of
13 subsection ~~A~~ B of this section shall be guilty of a misdemeanor, ~~and~~
14 ~~may be~~ if such violation did not result in the seriously bodily
15 injury or death of another person, punishable by imprisonment in the
16 county jail for a term not to exceed ninety (90) days ~~in the county~~
17 ~~jail, or by the imposition of~~ a fine not to exceed ~~Five Hundred~~
18 ~~Dollars (\$500.00)~~ Five Thousand Dollars (\$5,000.00), by a civil
19 penalty not more than Fifteen Thousand Dollars (\$15,000.00), or by
20 ~~both~~ any such imprisonment, ~~and~~ fine, and civil penalty.

21 2. Any individual convicted of violating the provisions of
22 subsection B of this section shall be guilty of a felony, if such
23 violation results in the serious bodily injury or death of another
24 person, punishable by imprisonment in the custody of the Department

1 of Corrections for a term not more than ten (10) years, by a fine
2 not more than Fifteen Thousand Dollars (\$15,000.00), by a civil
3 penalty not more than Fifteen Thousand Dollars (\$15,000.00), or by
4 any such imprisonment, fine, and civil penalty.

5 3. Any civil penalties assessed pursuant to this subsection and
6 subsection D of this section shall be deposited into the Anti-Hazing
7 Revolving Fund created in Section 2 of this act.

8 F. 1. The implied or expressed consent of the person or
9 persons against whom the hazing was directed shall not be a defense
10 to any action brought pursuant to the provisions of this section.

11 2. The argument that the conduct was sanctioned or approved by
12 the educational institution or organization or was traditional or
13 customary shall not be a defense to any action brought pursuant to
14 the provisions of this section.

15 G. 1. A student or organization who, in good faith, reports or
16 participates in reporting an allegation of hazing to local law
17 enforcement or to the educational institution in advance of any
18 hazing activity or who takes reasonable steps to prevent hazing in
19 the future is not subject to any civil or criminal liability that
20 arises from such reported hazing.

21 2. A person who acts in good faith and in a timely manner shall
22 be immune from prosecution for any criminal offenses related to
23 alcohol possession, consumption, or distribution if the person:

24 a. (1) requests emergency medical assistance,
25

1 (2) acts in concert with another person who requests
2 emergency medical assistance, or

3 (3) is the individual for whom medical assistance was
4 requested, and

5 b. (1) provides his or her own full name if requested by
6 medical or law enforcement personnel,

7 (2) provides any other relevant information requested
8 by medical or law enforcement personnel,

9 (3) remains with, or is, the person for which
10 emergency medical assistance was requested, and

11 (4) cooperates with medical and law enforcement
12 personnel.

13 3. Any person who is not immune from prosecution pursuant to
14 the provisions of this subsection shall be subject to the
15 educational institution's standard disciplinary process.

16 H. 1. Any person who actively directs or engages in an act of
17 hazing which results in the injury of another person, shall, to the
18 extent possible without causing danger or peril to himself or
19 herself or others, give reasonable assistance to the injured person.
20 Reasonable assistance includes immediately seeking or reporting the
21 need for medical assistance.

22 2. A violation of a provision of this subsection in which no
23 seriously bodily injury or death occurs shall, upon conviction, be a
24 misdemeanor punishable by imprisonment in the county jail for a term

1 not to exceed one (1) year, by a fine not more than One Thousand
2 Dollars (\$1,000.00), or by both such imprisonment and fine.

3 3. A violation of a provision of this subsection in which
4 seriously bodily injury or death occurs shall, upon conviction, be a
5 felony punishable by imprisonment in the custody of the Department
6 of Corrections for a term not to exceed five (5) years, by a fine
7 not more than Two Thousand Dollars (\$2,000.00), or by both such
8 imprisonment and fine.

9 I. 1. The State Regents for Higher Education shall develop a
10 statewide educational plan to prevent hazing at educational
11 institutions and provide such plan to all students as well as all
12 staff or volunteers that advise or coach organizations. Such plan
13 shall:

- 14 a. include information regarding hazing awareness,
15 prevention, intervention, and the institution's
16 policies on hazing, and
17 b. be conducted in-person or online and shall verify
18 attendance. A student who does not complete the
19 educational program within thirty (30) days of
20 enrollment may not participate in any organizations
21 until the completion of such program.

22 2. Each private educational institution in this state shall
23 develop an educational plan to prevent hazing and provide such plan
24

1 to all students as well as all staff or volunteers that advise or
2 coach organizations. Such plan shall:

3 a. include information regarding hazing awareness,
4 prevention, intervention, and the institution's
5 policies on hazing, and

6 b. be conducted in-person or online and shall verify
7 attendance. A student who does not complete the
8 educational program within thirty (30) days of
9 enrollment may not participate in any organizations
10 until the completion of such program.

11 National organizations shall provide separate and supplemental
12 hazing prevention education for their local affiliate chapters that
13 operate within this state.

14 J. 1. On or after the effective date of this act, each
15 educational institution shall maintain and publicly report actual
16 findings of violations of the educational institution's code of
17 conduct or federal or state laws related to hazing that are reported
18 to campus authorities, local law enforcement, national
19 organizations, or any organization formally affiliated with the
20 educational institution.

21 2. Such report shall include:

22 a. the name of the organization,

23 b. the date on which the organization was charged with a
24 violation pursuant to this section,

- c. the dates on which the event occurred,
- d. the date the investigation was initiated,
- e. a general description of the incident, charges,
findings, and sanctions placed on the organization,
and
- f. the date on which the investigation ended with a
finding that a violation occurred.

3. Investigations that do not result in a finding of a formal violation of the student code of conduct shall not be included in the report.

4. The report shall not include any personal identifying information of the individual student members and shall be subject to the requirements of the federal Family Educational Rights and Privacy Act of 1974.

5. Each educational institution shall update such report at least ten (10) calendar days before the start of each academic semester.

6. Reports required pursuant to the provisions of this subsection shall be made available on the educational institution's website in a prominent location. The webpage that contains the reports shall include a statement notifying the public:

- a. of the availability of additional information related to findings, sanctions, and organizational sanction completion,

1 b. where additional information that is not protected
2 under the federal Family Educational Rights and
3 Privacy Act of 1974 may be obtained, and

4 c. that the educational institution is required to
5 provide such additional information pursuant to the
6 Oklahoma Open Records Act.

7 7. Each educational institution shall furnish a printed notice
8 of the nature and availability of such report and the website
9 address where it can be found to attendees of student orientation.

10 8. Each educational institution shall maintain reports as they
11 are updated for five (5) years.

12 9. Each educational institution shall report to local
13 authorities within seventy-two (72) hours any hazing allegation that
14 involved a significant risk of serious bodily injury or death.

15 ~~For purposes of this section:~~

16 ~~1. "Hazing" means an activity which recklessly or intentionally~~
17 ~~endangers the mental health or physical health or safety of a~~
18 ~~student for the purpose of initiation or admission into or~~
19 ~~affiliation with any organization operating subject to the sanction~~
20 ~~of the public or private school or of any institution of higher~~
21 ~~education in this state;~~

22 ~~2. "Endanger the physical health" shall include but not be~~
23 ~~limited to any brutality of a physical nature, such as whipping,~~
24 ~~beating, branding, forced calisthenics, exposure to the elements,~~

1 ~~forced consumption of any food, alcoholic beverage as defined in~~
2 ~~Section 506 of Title 37 of the Oklahoma Statutes, low-point beer as~~
3 ~~defined in Section 163.2 of Title 37 of the Oklahoma Statutes, drug,~~
4 ~~controlled dangerous substance, or other substance, or any other~~
5 ~~forced physical activity which could adversely affect the physical~~
6 ~~health or safety of the individual; and~~

7 ~~3. "Endanger the mental health" shall include any activity,~~
8 ~~except those activities authorized by law, which would subject the~~
9 ~~individual to extreme mental stress, such as prolonged sleep~~
10 ~~deprivation, forced prolonged exclusion from social contact, forced~~
11 ~~conduct which could result in extreme embarrassment, or any other~~
12 ~~forced activity which could adversely affect the mental health or~~
13 ~~dignity of the individual.~~

14 SECTION 2. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 1190.a of Title 21, unless there
16 is created a duplication in numbering, reads as follows:

17 There is hereby created in the State Treasury a revolving fund
18 for the Oklahoma State Regents for Higher Education to be designated
19 the "Anti-Hazing Revolving Fund". The fund shall be a continuing
20 fund, not subject to fiscal year limitations, and shall consist of
21 all monies received by the Oklahoma State Regents for Higher
22 Education from fines collected pursuant to Section 1190 of Title 21
23 of the Oklahoma Statutes provided for the purpose of hazing
24 education programs. All monies accruing to the credit of the fund

1 are hereby appropriated and may be budgeted and expended by the
2 Oklahoma State Regents for Higher Education for the purpose provided
3 for in this act. Expenditures from the fund shall be made upon
4 warrants issued by the State Treasurer against claims filed as
5 prescribed by law with the Director of the Office of Management and
6 Enterprise Services for approval and payment.

7 SECTION 3. This act shall become effective November 1, 2025.
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