

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1449 _____
 _____ Of the printed Bill
 Page _____ Section _____ Lines _____
 _____ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Toni Hasenbeck _____

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 1449

By: Hasenbeck

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to discrimination; enacting the
10 Women's Bill of Rights; declaring purpose; clarifying
11 application and interpretation of act; amending 25
12 O.S. 2021, Sections 16, 1101, and 1201, which relate
13 to definitions and general provisions; defining
14 terms; construing provisions; authorizing
15 distinctions for certain purposes; requiring certain
16 identification in collection of data for certain
17 purposes; providing for noncodification; providing
18 for codification; and providing an effective date.

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

20 SECTION 1. NEW LAW A new section of law not to be
21 codified in the Oklahoma Statutes reads as follows:

22 A. This act shall be known and may be cited as the "Women's
23 Bill of Rights".

24 B. The purpose of the Women's Bill of Rights is to bring
25 clarity, certainty, and uniformity under the laws of this state with
26 respect to natural persons of both biological sexes and the manner
27 in which they are treated as such under the laws of this state. All

1 laws where the application thereof is contingent upon the
2 classification of a person as being female or male, woman or man,
3 girl or boy, are hereby superseded and interpreted to the extent
4 necessary by this act, including, but not limited to, any
5 educational benefits, corrections housing, employment protections,
6 and civil rights laws codified in the statutes of this state.

7 SECTION 2. AMENDATORY 25 O.S. 2021, Section 16, is
8 amended to read as follows:

9 Section 16. ~~The word "person,"~~ As used in the Oklahoma
10 Statutes:

11 1. "Father" means the male parent of a child or children as
12 defined in Section 7 of this title;

13 2. "Female" means a natural person whose biological
14 reproductive system is developed to produce ova;

15 3. "Male" means a natural person whose biological reproductive
16 system is developed to fertilize the ova of a female;

17 4. "Man" or "boy" means a natural person who is male;

18 5. "Mother" means the female parent of a child or children as
19 defined in Section 7 of this title;

20 6. "Natural person" means a person as defined in paragraph 7 of
21 this section, except for bodies politic or corporate;

22 7. "Person", except when used by way of contrast, includes not
23 only human beings, but bodies politic or corporate;

24 8. "Sex" means a natural person's biological sex at birth; and

1 9. "Woman" or "girl" means a natural person who is female.

2 SECTION 3. AMENDATORY 25 O.S. 2021, Section 1101, is
3 amended to read as follows:

4 Section 1101. A. This act provides for exclusive remedies
5 within the state of the policies for individuals alleging
6 discrimination in employment on the basis of race, color, national
7 origin, sex, religion, creed, age, disability or genetic
8 information.

9 B. This act shall be construed according to the fair import of
10 its terms to further the general purposes stated in this section and
11 the special purposes of the particular provision involved.

12 C. Any policy, program, or statute that prohibits sex
13 discrimination shall be construed to forbid unfair treatment of
14 females or males in relation to similarly situated members of the
15 opposite sex. The state or its political subdivisions shall not be
16 prohibited from establishing distinctions between sexes when such
17 distinctions are substantially related to an important government
18 objective, including, but not limited to, biology, privacy, safety,
19 or fairness in locations and circumstances such as prisons or other
20 detention facilities, domestic violence shelters, rape crisis
21 centers, athletics and locker rooms, and restrooms.

22 SECTION 4. AMENDATORY 25 O.S. 2021, Section 1201, is
23 amended to read as follows:

1 Section 1201. In Section 1101 et seq. of this title, unless the
2 context otherwise requires:

3 1. "Discriminatory practice" means a practice designated as
4 discriminatory under the terms of this act;

5 2. "Equal", with reference to sex as defined in Section 16 of
6 this title, shall not be construed to mean same or identical, and to
7 differentiate between the sexes shall not necessarily be construed
8 to be treating the sexes unequally;

9 3. "National origin" includes the national origin of an
10 ancestor; and

11 ~~3.~~ 4. "Person" includes an individual, association,
12 corporation, joint apprenticeship committee, joint-stock company,
13 labor union, legal representative, mutual company, partnership,
14 receiver, trust, trustee, trustee in bankruptcy, unincorporated
15 organization, any other legal or commercial entity, the state, or
16 any governmental entity or agency.

17 SECTION 5. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 1202 of Title 25, unless there
19 is created a duplication in numbering, reads as follows:

20 The state, any political subdivision, or any state agency or
21 department, including, but not limited to, public school districts,
22 that collects vital statistics for the purpose of gathering accurate
23 public health, crime, economic, or other data shall identify any
24 natural person who is part of the collected data as either male or

1 female as defined in Section 16 of Title 25 of the Oklahoma
2 Statutes.

3 SECTION 6. This act shall become effective November 1, 2023.

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