

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 1449

By: Hasenbeck, Conley, Stark,
Crosswhite Hader, Townley,
and Roe of the House

4
5 and

6 Garvin of the Senate

7
8 An Act relating to discrimination; enacting the
9 Women's Bill of Rights; declaring purpose; clarifying
10 application and interpretation of act; amending 25
11 O.S. 2021, Sections 16, 1101, and 1201, which relate
12 to definitions and general provisions; defining
13 terms; construing provisions; authorizing
14 distinctions for certain purposes; requiring certain
15 identification in collection of data for certain
16 purposes; providing for noncodification; providing
17 for codification; and providing an effective date.

18 AUTHOR: Add the following Senate Coauthors: Jett, Bullard,
19 Pederson, Woods, and Stephens

20 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
21 entire bill and insert

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

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

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

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

6 B. The purpose of the Women's Bill of Rights is to bring
7 clarity, certainty, and uniformity under the laws of this state with
8 respect to natural persons of both biological sexes and the manner
9 in which they are treated as such under the laws of this state. All
10 laws where the application thereof is contingent upon the
11 classification of a person as being female or male, woman or man,
12 girl or boy, are hereby superseded and interpreted to the extent
13 necessary by this act, including, but not limited to, any
14 educational benefits, corrections housing, employment protections,
15 and civil rights laws codified in the statutes of this state.

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

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

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

22 2. "Female" means an individual who naturally has, had, will
23 have, or would have, but for a developmental or genetic anomaly or
24

1 historical accident, the reproductive system that at some point
2 produces, transports, and utilizes eggs for fertilization;

3 3. "Male" means an individual who naturally has, had, will
4 have, or would have, but for a developmental or genetic anomaly or
5 historical accident, the reproductive system that at some point
6 produces, transports, and utilizes sperm for fertilization;

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

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

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

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

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

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

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

18 Section 1101. A. This act provides for exclusive remedies
19 within the state of the policies for individuals alleging
20 discrimination in employment on the basis of race, color, national
21 origin, sex, religion, creed, age, disability or genetic
22 information.

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

4 C. Any policy, program, or statute that prohibits sex
5 discrimination shall be construed to forbid unfair treatment of
6 females or males in relation to similarly situated members of the
7 opposite sex. The state or its political subdivisions shall not be
8 prohibited from establishing distinctions between sexes when such
9 distinctions are substantially related to an important government
10 objective, including, but not limited to, biology, privacy, safety,
11 or fairness.

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

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

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

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

22 3. "National origin" includes the national origin of an
23 ancestor; and
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1 ~~3.~~ 4. "Person" includes an individual, association,
2 corporation, joint apprenticeship committee, joint-stock company,
3 labor union, legal representative, mutual company, partnership,
4 receiver, trust, trustee, trustee in bankruptcy, unincorporated
5 organization, any other legal or commercial entity, the state, or
6 any governmental entity or agency.

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

10 The state, any political subdivision, or any state agency or
11 department, including, but not limited to, public school districts,
12 that collects vital statistics for the purpose of gathering accurate
13 public health, crime, economic, or other data shall include, but not
14 be limited to, the identification of any natural person who is part
15 of the collected data as either male or female as defined in Section
16 16 of Title 25 of the Oklahoma Statutes.

17 SECTION 6. This act shall become effective November 1, 2024."
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9 application and interpretation of act; amending 25
10 O.S. 2021, Sections 16, 1101, and 1201, which relate
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13 distinctions for certain purposes; requiring certain
14 identification in collection of data for certain
15 purposes; providing for noncodification; providing
16 for codification; and providing an effective date.

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

18 SECTION 7. NEW LAW A new section of law not to be
19 codified in the Oklahoma Statutes reads as follows:

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

22 B. The purpose of the Women's Bill of Rights is to bring
23 clarity, certainty, and uniformity under the laws of this state with
24 respect to natural persons of both biological sexes and the manner
in which they are treated as such under the laws of this state. All
laws where the application thereof is contingent upon the
classification of a person as being female or male, woman or man,

1 girl or boy, are hereby superseded and interpreted to the extent
2 necessary by this act, including, but not limited to, any
3 educational benefits, corrections housing, employment protections,
4 and civil rights laws codified in the statutes of this state.

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

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

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

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

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

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

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

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

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

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

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

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1 SECTION 9. AMENDATORY 25 O.S. 2021, Section 1101, is
2 amended to read as follows:

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

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

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

21 SECTION 10. AMENDATORY 25 O.S. 2021, Section 1201, is
22 amended to read as follows:

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

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

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

7 3. "National origin" includes the national origin of an
8 ancestor; and

9 ~~3.~~ 4. "Person" includes an individual, association,
10 corporation, joint apprenticeship committee, joint-stock company,
11 labor union, legal representative, mutual company, partnership,
12 receiver, trust, trustee, trustee in bankruptcy, unincorporated
13 organization, any other legal or commercial entity, the state, or
14 any governmental entity or agency.

15 SECTION 11. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 1202 of Title 25, unless there
17 is created a duplication in numbering, reads as follows:

18 The state, any political subdivision, or any state agency or
19 department, including, but not limited to, public school districts,
20 that collects vital statistics for the purpose of gathering accurate
21 public health, crime, economic, or other data shall identify any
22 natural person who is part of the collected data as either male or
23 female as defined in Section 16 of Title 25 of the Oklahoma
24 Statutes.

