

1 **SENATE FLOOR VERSION**

2 February 15, 2024

3 **AS AMENDED**

4 SENATE BILL NO. 1437

By: Stanley of the Senate

and

Baker of the House

6  
7  
8 **[ assault and battery - school employees - felony**  
9 **offense - penalties - notice - effective date ]**

10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 21 O.S. 2021, Section 650.7, is  
13 amended to read as follows:

14 Section 650.7. A. As used in this section, "school employee"  
15 means a teacher, principal, or any duly appointed person employed by  
16 a school system or employees of a firm contracting with a school  
17 system for any purpose, including any personnel not directly related  
18 to the teaching process and school board members during school board  
19 meetings.

20 B. Any person who, without justifiable or excusable cause,  
21 commits any assault, ~~battery, or assault and battery~~ upon the person  
22 of a school employee while such employee is in the performance of  
23 any duties as a school employee or upon any student while such  
24 student is participating in any school activity or attending classes

1 on school property during school hours shall, upon conviction, be  
2 guilty of a misdemeanor. The convicted person shall be punished by  
3 a term of imprisonment in the county jail for a period not exceeding  
4 one (1) year, or by a fine not exceeding Two Thousand Dollars  
5 (\$2,000.00), or by both such fine and imprisonment.

6 C. Any person who, without justifiable or excusable cause,  
7 commits any battery upon the person of a school employee while such  
8 employee is in the performance of any duties as a school employee  
9 shall, upon conviction, be guilty of a felony. The convicted person  
10 shall be punished by a term of imprisonment in the custody of the  
11 Department of Corrections for a period not exceeding two (2) years,  
12 or by a fine not exceeding Three Thousand Dollars (\$3,000.00), or by  
13 both such fine and imprisonment.

14 D. Any person who, without justifiable or excusable cause,  
15 commits any aggravated battery or aggravated assault and battery  
16 upon the person of a school employee while such employee is in the  
17 performance of any duties as a school employee shall, upon  
18 conviction, be guilty of a felony punishable by a term of  
19 imprisonment in the ~~State Penitentiary~~ custody of the Department of  
20 Corrections for a period not exceeding ~~two (2)~~ four (4) years, or by  
21 a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both  
22 such fine and imprisonment.

23 ~~D.~~ E. Every school site shall post in a prominent place a  
24 notice having the following or similar language: "FELONY CHARGES

1 MAY BE FILED AGAINST ANY PERSON(S) COMMITTING BATTERY OR AN  
2 AGGRAVATED ASSAULT OR BATTERY UPON ANY SCHOOL EMPLOYEE."

3 ~~E.~~ F. For purposes of this section, "assault" shall be defined  
4 by Section 641 of Title 21 of the Oklahoma Statutes, "battery" shall  
5 be defined by Section 642 of Title 21 of the Oklahoma Statutes, and  
6 "aggravated assault and battery" shall be defined by Section 646 of  
7 Title 21 of the Oklahoma Statutes.

8 SECTION 2. This act shall become effective November 1, 2024.

9 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
10 February 15, 2024 - DO PASS AS AMENDED

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24