

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 418

By: Daniels

AS INTRODUCED

An Act relating to the Department of Corrections; defining terms; requiring certain designation; prohibiting certain use by certain persons; providing certain exceptions; construing provisions; requiring promulgation of rules; providing for certain relief; providing for certain action within certain period; authorizing recovery of certain fees and costs; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 509.7 of Title 57, unless there is created a duplication in numbering, reads as follows:

A. For purposes of this section:

1. "Changing room" means a room or area in which a person may be in a state of undress while in the presence of others, including a locker room or shower room;

2. "Covered entity" means an institution or facility operated by the Department of Corrections or contracted with the Department of Corrections as provided in Section 502 of Title 57 of the Oklahoma Statutes;

1 3. "Female" means a person who has, had, will have, or would  
2 have, but for a developmental or genetic anomaly or historical  
3 accident, the reproductive system that at some point produces,  
4 transports, and utilizes eggs for fertilization;

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

9 5. "Multi-occupancy" means a space that is designed to be  
10 utilized by multiple persons simultaneously;

11 6. "Restroom" means a room that includes one or more toilets or  
12 urinals;

13 7. "Sex" means a person's biological sex, either male or  
14 female; and

15 8. "Sleeping quarters" means a room that contains a bed and in  
16 which more than one individual is housed overnight.

17 B. 1. A covered entity shall designate each multi-occupancy  
18 restroom, changing room, and sleeping quarters for the exclusive use  
19 of either females or males.

20 2. Every restroom, changing room, or sleeping quarters within a  
21 covered entity that is designated for use by females or males shall  
22 only be used by members of the designated sex. No individual shall  
23 enter a restroom, changing room, or sleeping quarters that is  
24

1 designated for members of the opposite sex except for an employee of  
2 the covered entity.

3 3. A covered entity shall take reasonable steps to provide  
4 individuals with privacy from members of the opposite sex in  
5 restrooms, changing rooms, and sleeping quarters.

6 4. This section shall not apply to an individual who enters a  
7 restroom, changing room, or sleeping quarters designated for members  
8 of the opposite sex in any of the following circumstances:

- 9 a. performance of custodial services or maintenance,
- 10 b. rendering of medical or law enforcement assistance, or
- 11 c. provision of services or aid during a natural disaster  
12 or declared emergency, or when necessary to prevent a  
13 serious threat to order and safety.

14 5. Nothing in this section shall be construed to prohibit a  
15 covered entity from:

- 16 a. adopting policies necessary to accommodate persons  
17 protected under the Americans with Disabilities Act of  
18 1990 or elderly persons in need of aid or assistance,
- 19 b. establishing single-occupancy restrooms, changing  
20 rooms, or sleeping quarters, or
- 21 c. redesignating a multi-occupancy restroom, changing  
22 room, or sleeping quarters designated for exclusive  
23 use by members of one sex to that of members of the  
24 opposite sex.

1           6. The Department of Corrections shall promulgate rules to  
2 administer the provisions of this section.

3           C. 1. Any individual who accesses a restroom or changing room  
4 for use by members of his or her sex and encounters a person of the  
5 opposite sex in such restroom or changing room has a private cause  
6 of action for declaratory and injunctive relief against the covered  
7 entity that:

- 8           a. provided permission to the person of the opposite sex  
9           to use such restroom or changing room, or
- 10           b. failed to take reasonable steps to prohibit access of  
11           the restroom or changing room to the person of the  
12           opposite sex.

13           2. Any individual who is required by the covered entity to  
14 share sleeping quarters with a person of the opposite sex has a  
15 private cause of action for declaratory and injunctive relief  
16 against the covered entity.

17           3. Any civil action brought against a covered entity pursuant  
18 to this section shall be initiated within two (2) years after the  
19 violation occurred. Any individual aggrieved pursuant to this  
20 section who prevails in court may recover reasonable attorney fees  
21 and court costs from the covered entity.

22           SECTION 2. This act shall become effective November 1, 2025.