

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 1008

By: Jett

AS INTRODUCED

An Act relating to higher education; prohibiting certain test or qualification from being required for admission into or promotion within certain institution of higher education; defining term; providing for termination of employment for certain willful violation; providing certain construction; providing for promulgation of rules; providing for codification; providing an effective date; and declaring an emergency.

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 3251 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. No political test or qualification shall be required as a condition of employment or promotion as a teacher, faculty member, or employee within any institution of higher education within The Oklahoma State System of Higher Education.

B. For the purposes of this section, "political test" includes:

1. Compelling or soliciting an applicant for employment, a teacher, a faculty member, or an employee to identify commitment to

1 or make a statement of personal belief in support of any ideology or
2 movement that:

3 a. promotes the differential treatment of any individual
4 or groups of individuals based on race or ethnicity
5 including:

6 (1) any initiative or formulation of diversity,
7 equity, and inclusion beyond upholding the equal
8 protection of the laws guaranteed by the
9 Fourteenth Amendment to the United States
10 Constitution, or

11 (2) any theory or practice that holds that systems or
12 institutions upholding the equal protection of
13 the laws guaranteed by the Fourteenth Amendment
14 to the United States Constitution are racist,
15 oppressive, or otherwise unjust, or

16 b. promotes a specific partisan, political, or
17 ideological set of beliefs; or

18 2. Giving preferable consideration to an applicant for
19 employment, a teacher, a faculty member, or an employee for opinions
20 expressed or actions taken in support of:

21 a. another individual or a group of individuals in which
22 the institution's consideration is based on the race
23 or ethnicity of those other individuals, or

1 b. any other specific partisan, political, or ideological
2 set of beliefs.

3 Political test shall not include fidelity to or an oath or
4 effort taken to uphold the Oklahoma Constitution or the United
5 States Constitution.

6 C. If the governing board of regents for an institution of
7 higher education within The Oklahoma State System of Higher
8 Education finds that an institution employee committed a willful
9 violation of the provisions of this section, his or her employment
10 shall be terminated.

11 D. The provisions of this section shall not be construed to
12 safeguard the employment of a teacher, faculty member, or employee
13 who violates the provisions of Section 1266, 1266.2, or 1267.1 of
14 Title 21 of the Oklahoma Statutes.

15 E. The Oklahoma State Regents for Higher Education shall
16 promulgate rules to implement the provisions of this section.

17 SECTION 2. This act shall become effective July 1, 2023.

18 SECTION 3. It being immediately necessary for the preservation
19 of the public peace, health, or safety, an emergency is hereby
20 declared to exist, by reason whereof this act shall take effect and
21 be in full force from and after its passage and approval.

22
23 59-1-269 EB 1/19/2023 12:21:45 PM
24
25