

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 HOUSE BILL 2184

By: Kane

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6 AS INTRODUCED

7 An Act relating to higher education; creating the
8 Oklahoma Research and Education Protection Act;
9 defining terms; requiring disclosure of certain
10 gifts; requiring disclosure include certain
11 information; requiring Oklahoma State Regents for
12 Higher Education maintain certain online information;
13 requiring disclosure of certain contracts; requiring
14 disclosure include certain information; requiring
15 State Regents maintain certain online information;
16 permitting State Regents to conduct certain audits;
17 authorizing Attorney General to bring certain civil
18 action; authorizing certain persons to request civil
19 action; providing for injunctive relief; authorizing
20 payment of certain costs; requiring State Regents
21 send disclosures to Attorney General; providing an
22 effective date; and declaring an emergency.
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 9101 of Title 70, unless there
20 is created a duplication in numbering, reads as follows:

21 This act shall be known as and may be cited as the "Oklahoma
22 Research and Education Protection Act".
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1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 9102 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 A. As used in this act:

5 1. "Affiliate organization" means any entity under the control
6 of, or established for the benefit of, a state educational
7 institution, including a direct-support organization;

8 2. "Contract" means an agreement for the acquisition of
9 property or services by purchase, lease, or barter for the direct
10 benefit or use of either of the parties;

11 3. "Direct-support organization" means an organization that is
12 organized and operated to receive, hold, invest, and administer
13 property and to make expenditures to or for the benefit of a state
14 educational institution or for the benefit of a research and
15 development park or a research and development entity affiliated
16 with a state educational institution;

17 4. "Foreign adversary" means a government other than the
18 federal government of the United States, the government of any
19 state, political subdivision of the state, tribe, territory, or
20 possession of the United States and designated by the United States
21 Secretary of State as hostile or a Country of Particular Concern
22 (CPC);

23 5. "Foreign government" means a government other than the
24 federal government of the United States, the government of any

1 state, political subdivision of the state, tribe, territory, or
2 possession of the United States;

3 6. "Foreign source" means any of the following:

4 a. a foreign government or an agency of a foreign
5 government,

6 b. a legal entity, governmental or otherwise, created
7 solely under the laws of a foreign nation or group of
8 nations,

9 c. an individual who is not a citizen or a national of
10 the United States or a territory or protectorate of
11 the United States,

12 d. a partnership, an association, a corporation, an
13 organization, or any other combination of persons,
14 including a subsidiary of an entity described in this
15 subdivision, organized under the laws of, or having
16 its principal place of business in, a foreign
17 adversary,

18 e. an agent, including a subsidiary or an affiliate of a
19 foreign legal entity, acting on behalf of a foreign
20 source, or

21 f. a political party of a foreign adversary or an
22 individual who is a member of a political party of a
23 foreign adversary;

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1 7. "Gift" means any gift, grant, endowment, award, or donation
2 of money or property of any kind, or any combination thereof,
3 including a conditional or unconditional promise, pledge, or
4 agreement to make a gift, endowment, award, or donation;

5 8. "Grant" means a transfer of money for a specified purpose,
6 including a conditional gift;

7 9. "Political party of a foreign adversary" means an
8 organization or combination of individuals organized for the purpose
9 of, or engaged in any activity devoted in whole or in part to,
10 either of the following:

11 a. the establishment, administration, control, or the
12 acquisition of the administration or control, of the
13 government of a foreign adversary, or

14 b. the furtherance or influencing of the political or
15 public interest, policies, or relations of the
16 government of a foreign adversary;

17 10. "State educational institution" means any institution
18 supported wholly or in part by direct legislative appropriations and
19 offering courses of education of any kind beyond or in addition to
20 the twelfth grade, or its equivalent, as such grade is generally
21 understood and accepted in the public school system of Oklahoma,
22 whether called a university, college, junior college, school or
23 academy; and

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1 11. "State Regents" means the Oklahoma State Regents for Higher
2 Education.

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 9103 of Title 70, unless there
5 is created a duplication in numbering, reads as follows:

6 A. A state educational institution shall disclose to the State
7 Regents any gift of any value received directly or indirectly from
8 any foreign source located in a foreign adversary as follows:

9 1. For a disclosable gift received after December 31, 2020, and
10 before July 1, 2025, not later than September 1, 2025.

11 2. For a disclosable gift received after June 30, 2025,
12 biannually on January 1 and July 1 of each subsequent year.

13 B. A gift received from a foreign source through an
14 intermediary or affiliate organization is considered an indirect
15 gift to a state educational institution and is subject to the
16 disclosure required by subsection A.

17 C. Unless otherwise prohibited or deemed confidential under
18 state or federal law, a disclosure under subsection A must include
19 the following information:

20 1. The date of the gift;

21 2. The amount of the gift;

22 3. The purpose of the gift;

23 4. The identification of the persons for whom the gift is
24 explicitly intended to benefit;

1 5. Any applicable conditions, requirements, restrictions, or
2 terms made part of the gift;

3 6. The name and country of residence or domicile of the foreign
4 source;

5 7. The name and mailing address of the state educational
6 institution receiving the gift; and

7 8. If applicable, the date of termination of the gift.

8 D. The State Regents shall establish and maintain a website to
9 enable the public to access information concerning gifts disclosed
10 by state educational institutions under this section.

11 SECTION 4. NEW LAW A new section of law to be codified
12 in the Oklahoma Statutes as Section 9104 of Title 70, unless there
13 is created a duplication in numbering, reads as follows:

14 A. A state educational institution shall disclose to the State
15 Regents any contract of any value entered into directly or
16 indirectly with any foreign source located in a foreign adversary as
17 follows:

18 1. For a disclosable contract entered into after December 31,
19 2020, and before July 1, 2025, not later than September 1, 2025.

20 2. For a disclosable contract entered into after June 30, 2025,
21 biannually on January 1 and July 1 of each subsequent year.

22 B. A contract entered into with a foreign source through an
23 intermediary or affiliate organization is considered an indirect
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1 contract with a state educational institution and is subject to the
2 disclosure required by subsection A.

3 C. Unless otherwise prohibited or deemed confidential under
4 state or federal law, a disclosure under subsection A must include
5 the following information:

6 1. The date of the contract;

7 2. The amount of the contract;

8 3. The purpose of the contract;

9 4. The identification of the persons for whom the contract is
10 explicitly intended to benefit;

11 5. Any applicable conditions, requirements, restrictions, or
12 terms made part of the contract;

13 6. A copy of the contract;

14 7. The name and country of residence or domicile of the foreign
15 source;

16 8. The name and mailing address of the state educational
17 institution entering into the contract; and

18 9. If applicable, the date of termination of the contract.

19 D. The State Regents shall establish and maintain a website to
20 enable the public to access information concerning contracts
21 disclosed by state educational institutions under this section.

22 SECTION 5. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 9105 of Title 70, unless there
24 is created a duplication in numbering, reads as follows:

1 A. The State Regents may audit, or contract with a qualified
2 person to audit, a state educational institution's use of a gift
3 disclosed under Section 3 of this act that the state educational
4 institution received after June 30, 2022, and before July 1, 2025.

5 B. The State Regents may audit, or contract with a qualified
6 person to audit, a state educational institution's use of the
7 proceeds of a contract disclosed under Section 4 of this act that
8 the state educational institution entered into after June 30, 2022,
9 and before July 1, 2025.

10 SECTION 6. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 9106 of Title 70, unless there
12 is created a duplication in numbering, reads as follows:

13 A. The Attorney General may bring a civil action against a
14 state educational institution that has failed to comply with the
15 Oklahoma Research and Education Protection Act based upon
16 information known to the Attorney General or at the request of:

- 17 1. A member of the Legislature;
- 18 2. The Governor;
- 19 3. A member of the State Regents;
- 20 4. A member of the Oklahoma State Board of Education; or
- 21 5. An Oklahoma taxpayer.

22 If the person described in this subsection submits a signed
23 affidavit affirming that a state educational institution is not in
24 compliance with the requirements of this act.

1 B. If the Attorney General prevails in an action brought under
2 this section, the Attorney General is entitled to injunctive relief
3 to require the state educational institution to comply with the
4 requirements of this act. In addition, a state educational
5 institution that is found to have knowingly or willingly failed to
6 comply with the requirements of this act must pay to the Attorney
7 General:

8 1. The costs incurred in bringing the civil action under this
9 section; and

10 2. Any associated costs of investigation and enforcement.

11 C. The State Regents shall send copies of all disclosures
12 described in Sections 3 and 4 of this act to the Attorney General,
13 in a manner prescribed by the Attorney General.

14 SECTION 7. This act shall become effective July 1, 2025.

15 SECTION 8. It being immediately necessary for the preservation
16 of the public peace, health or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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