

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 591

By: Deevers

AS INTRODUCED

An Act relating to education; creating the Free to Speak Act; providing short title; defining terms; prohibiting public school and certain institution of higher learning employees from addressing certain students in certain manner and being subject to certain adverse actions; prohibiting public school and certain institution of higher learning students from being subject to disciplinary actions for declining to take certain actions; creating a cause of action; requiring a cause of action to be brought within certain time period; 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 24-162 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Free to Speak Act".

B. As used in this section:

1. "Employee" means an individual employed or contracted by a public school or state institution of higher learning;

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

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

9 4. "Public school" means a public school district in this
10 state, a public charter school established pursuant to the Oklahoma
11 Charter Schools Act, and a technology center school district under
12 the governance of the State Board of Career and Technology
13 Education. Public school shall not include private schools or home
14 schools;

15 5. "Sex" means the physical condition of being male or female
16 based on genetics and physiology, as identified on an individual's
17 original birth certificate;

18 6. "State institution of higher learning" means an institution
19 of higher education within The Oklahoma State System of Higher
20 Education; and

21 7. "Student" means an individual who is enrolled in a public
22 school or a state institution of higher learning.

23 C. An employee of a public school or institution of higher
24 learning, regardless of the scope of his or her official duties:

1 1. Shall not knowingly and intentionally address an
2 unemancipated minor student by a name other than the student's legal
3 name, or a derivative thereof, or by a pronoun or title that is
4 inconsistent with the student's sex without the written permission
5 of a student's parent or legal guardian;

6 2. Shall not be subject to adverse employment action for
7 declining to address a person using a name other than the person's
8 legal name, or a derivative thereof, or by a pronoun or title that
9 is inconsistent with the person's sex; and

10 3. Shall not be subject to adverse employment action for
11 declining to identify his or her pronouns.

12 D. A student enrolled in a public school or state institution
13 of higher learning shall not be subject to any disciplinary action
14 for declining to:

15 1. Address a person using a name other than the person's legal
16 name, or a derivative thereof, or by a pronoun or title that is
17 inconsistent with the person's sex; and

18 2. Identify his or her pronouns.

19 E. An employee or student who suffers any direct or indirect
20 harm as a result of a violation of this act shall have a cause of
21 action for injunctive relief, monetary damages, reasonable attorney
22 fees and costs, and any other appropriate relief against a public
23 school or a state institution of higher learning. A cause of action
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1 brought pursuant to this subsection shall be initiated within two
2 (2) years of the violation.

3 SECTION 2. This act shall become effective July 1, 2025.

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

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