

An Act

ENROLLED HOUSE
BILL NO. 1449

By: Hasenbeck, Conley, Stark,
Crosswhite Hader, Townley,
Roe, Baker, McDugle, and
Hill of the House

and

Garvin, Jett, Bullard,
Pederson, Woods, and
Stephens of the Senate

An Act relating to discrimination; enacting the Women's Bill of Rights; declaring purpose; clarifying application and interpretation of act; amending 25 O.S. 2021, Sections 16, 1101, and 1201, which relate to definitions and general provisions; defining terms; construing provisions; authorizing distinctions for certain purposes; requiring certain identification in collection of data for certain purposes; providing for noncodification; providing for codification; and providing an effective date.

SUBJECT: Discrimination

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. This act shall be known and may be cited as the "Women's Bill of Rights".

B. The purpose of the Women's Bill of Rights is to bring clarity, certainty, and uniformity under the laws of this state with respect to natural persons of both biological sexes and the manner in which they are treated as such under the laws of this state. All laws where the application thereof is contingent upon the classification of a person as being female or male, woman or man,

girl or boy, are hereby superseded and interpreted to the extent necessary by this act, including, but not limited to, any educational benefits, corrections housing, employment protections, and civil rights laws codified in the statutes of this state.

SECTION 2. AMENDATORY 25 O.S. 2021, Section 16, is amended to read as follows:

Section 16. ~~The word "person,"~~ As used in the Oklahoma Statutes:

1. "Father" means the male parent of a child or children as defined in Section 7 of this title;

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

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

4. "Man" or "boy" means a natural person who is male;

5. "Mother" means the female parent of a child or children as defined in Section 7 of this title;

6. "Natural person" means a person as defined in paragraph 7 of this section, except for bodies politic or corporate;

7. "Person", except when used by way of contrast, includes not only human beings, but bodies politic or corporate;

8. "Sex" means a natural person's biological sex at birth; and

9. "Woman" or "girl" means a natural person who is female.

SECTION 3. AMENDATORY 25 O.S. 2021, Section 1101, is amended to read as follows:

Section 1101. A. This act provides for exclusive remedies within the state of the policies for individuals alleging discrimination in employment on the basis of race, color, national

origin, sex, religion, creed, age, disability or genetic information.

B. This act shall be construed according to the fair import of its terms to further the general purposes stated in this section and the special purposes of the particular provision involved.

C. Any policy, program, or statute that prohibits sex discrimination shall be construed to forbid unfair treatment of females or males in relation to similarly situated members of the opposite sex. The state or its political subdivisions shall not be prohibited from establishing distinctions between sexes when such distinctions are substantially related to an important government objective, including, but not limited to, biology, privacy, safety, or fairness.

SECTION 4. AMENDATORY 25 O.S. 2021, Section 1201, is amended to read as follows:

Section 1201. In Section 1101 et seq. of this title, unless the context otherwise requires:

1. "Discriminatory practice" means a practice designated as discriminatory under the terms of this act;

2. "Equal", with reference to sex as defined in Section 16 of this title, shall not be construed to mean same or identical, and to differentiate between the sexes shall not necessarily be construed to be treating the sexes unequally;

3. "National origin" includes the national origin of an ancestor; and

~~3.~~ 4. "Person" includes an individual, association, corporation, joint apprenticeship committee, joint-stock company, labor union, legal representative, mutual company, partnership, receiver, trust, trustee, trustee in bankruptcy, unincorporated organization, any other legal or commercial entity, the state, or any governmental entity or agency.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1202 of Title 25, unless there is created a duplication in numbering, reads as follows:

The state, any political subdivision, or any state agency or department, including, but not limited to, public school districts, that collects vital statistics for the purpose of gathering accurate public health, crime, economic, or other data shall include, but not be limited to, the identification of any natural person who is part of the collected data as either male or female as defined in Section 16 of Title 25 of the Oklahoma Statutes.

SECTION 6. This act shall become effective November 1, 2024.

Passed the House of Representatives the 29th day of May, 2024.

Presiding Officer of the House
of Representatives

Passed the Senate the 23rd day of April, 2024.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____