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;

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

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

5. “Sex” means the physical condition of being male or female based on genetics and physiology, as identified on an individual’s original birth certificate;

6. “State institution of higher learning” means an institution of higher education within The Oklahoma State System of Higher Education; and

7. “Student” means an individual who is enrolled in a public school or a state institution of higher learning.

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

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

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

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

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

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

2. Identify his or her pronouns.

E. An employee or student who suffers any direct or indirect harm as a result of a violation of this act shall have a cause of action for injunctive relief, monetary damages, reasonable attorney fees and costs, and any other appropriate relief against a public school or a state institution of higher learning. A cause of action

brought pursuant to this subsection shall be initiated within two (2) years of the violation.

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

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

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