STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 848 By: Bullard

AS INTRODUCED

An Act relating to education funding; creating the Oklahoma Independent Education Act; providing short title; stating legislative intent; providing purpose of act; prohibiting certain school districts and charter schools from using or being forced to use certain funds for certain activities; defining terms; directing the State Department of Education and the State Board of Education to develop certain plan; requiring submission of plan; providing for adoption of plan; providing for creation of certain working group; providing for membership; requiring appointments within certain time period; prohibiting certain members from receiving certain compensation or travel reimbursement; exempting the working group from certain acts; providing for staff support; requiring submission of certain report; 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 18-104.1 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 "Oklahoma Independent Education Act". In accordance with the Tenth Amendment to the United States Constitution, the Legislature finds it necessary to protect the values, funding, and independence of public

schools, students, parents, and taxpayers in this state. The purpose of this act is to ensure that no public school in this state may be compelled by threat of defunding to establish policies that are not in line with the purpose of public schools, which is to prepare students with knowledge which will help them perform well in society and the workplace by having fundamental skills in reading, writing, mathematics, observable science, and primary-sourced history and government.

B. 1. No school district or public charter school in this state shall use, or be forced to use through intimidation or threat by the United States Department of Education, private, state, or federal funds to develop, organize, administer, engage in, promote, or endorse any activity including any event, initiative, official communication, social media post, educational program, or public campaign, that aims to promote or recognize sexual orientation or gender identity.

2. For the purposes of this section:

a. "gender identity" means a person's innate sense of gender, chiefly used in contexts where it is contrasted with the biological sex of the person at birth, and

b. "sexual orientation" means a person's identity in relation to the gender or genders to which the person is sexually attracted.

C. The State Department of Education and the State Board of Education shall develop a plan to phase out the acceptance and use of funds provided by the federal government for the support of pre-kindergarten through twelfth grade education in this state and replace those funds with state funds. The plan shall include but not be limited to a proposed timeline for phasing out acceptance and use of federal funds, the projected need for state or local funds to replace the federal funds, and the reasons for the need to phase out the federal funds. The plan shall be submitted to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The Legislature may adopt the plan through passage of legislation approved by a majority of the Senate and House of Representatives and signed by the Governor.

D. 1. The Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives shall form a working group to monitor implementation of the provisions of this act. The working group shall be comprised of:

a. the chair of the Senate Appropriations Committee and one other member of the Senate, appointed by the President Pro Tempore of the Senate,

b. the chair of the House Appropriations and Budget Committee and one other member of the House of Representatives, appointed by the Speaker of the House of Representatives, and

c. one member appointed by the Governor, who shall serve as chair of the working group.

2. Appointments to the working group shall be made within thirty (30) days after the effective date of this act. Members of the working group shall receive no compensation or travel reimbursement, except legislative members who shall be reimbursed for necessary travel expenses in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes.

3. The working group shall not be subject to the Oklahoma Open Meeting Act or the Oklahoma Open Records Act.

4. The State Department of Education shall provide staff and administrative support for the working group.

5. The working group shall submit a report of its findings and recommendations to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives.

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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