

An Act

ENROLLED SENATE
BILL NO. 429

By: Montgomery and Boren of the
Senate

and

Caldwell (Trey), Archer,
Pae, Rosecrants, Dollens,
Provenzano, Luttrell,
Ranson, Alonso-Sandoval,
Fugate, Swope, Waldron,
Deck, Bashore, Hefner,
Menz, Manger, Munson, and
Turner of the House

An Act relating to students; allowing students enrolled in certain schools to wear tribal regalia during graduation ceremonies; clarifying authority of certain personnel to regulate student behavior pursuant to certain act; allowing a student enrolled in certain institutions to wear tribal regalia during graduation ceremonies; allowing adoption of certain policy; defining term; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Graduation ceremonies

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 24-160 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. 1. A student enrolled in a public school district, a public charter school, or a technology center school may wear tribal

regalia during the school's official graduation ceremonies, whether held at a public or private location.

2. Nothing in this subsection shall limit or alter the authority of school personnel to regulate student behavior pursuant to the School Safety and Bullying Prevention Act.

B. A student enrolled in an institution within The Oklahoma State System of Higher Education may wear tribal regalia during the institution's official graduation ceremonies, whether held at a public or private location.

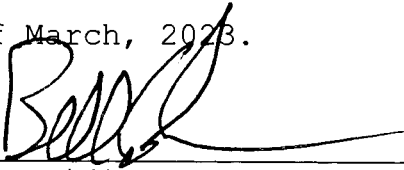
C. A school district board of education, a governing board of a charter school, a governing board of a technology center school, or the board of regents of an institution within The Oklahoma State System of Higher Education may adopt a policy pursuant to the provisions of this section, which may specify the characteristics of any garment, jewelry, other adornment, or object that the school or institution finds will endanger the safety of a student or others or interfere with graduation ceremonies if worn by a student.

D. For the purposes of this section, "tribal regalia" means traditional garments, jewelry, other adornments such as an eagle feather, an eagle plume, a beaded cap, a stole, or similar objects of cultural and religious significance worn by members of a federally recognized Indian tribe or the tribe of another country. Tribal regalia does not include any firearm or other weapon. Tribal regalia does not include any object that is otherwise prohibited by federal law, except in compliance with an appropriate federal permit.

SECTION 2. This act shall become effective July 1, 2023.

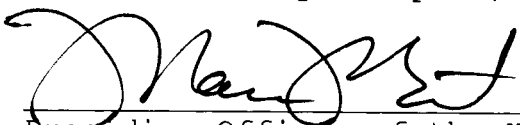
SECTION 3. It being immediately necessary for the preservation of the public peace, health, or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 22nd day of March, 2023.



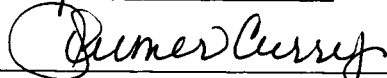
Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2023.



Presiding Officer of the House
of Representatives

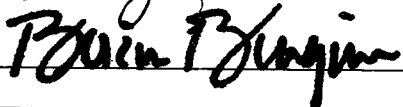
OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 25th
day of April, 20 23, at 11:11 o'clock a. 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 26th
day of May, 20 23, at 10:52 o'clock A.M.
By: 

**MESSAGE FROM THE
OKLAHOMA STATE SENATE**

5/25/2023

TO THE SECRETARY OF STATE

I am directed to inform you that the Senate has adopted the following and ordered same transmitted to you herewith:

Transmitting enrolled **SB 429**, and advising that under the provisions of Article V, Section 58 and Article VI, Section 11 of the Constitution of State of Oklahoma, the Senate and House of Representatives has reconsidered and passed said bill over the Governor's veto by a three-fourths vote of each House.

By order of the Senate of the State of Oklahoma, this message is sent:

Respectfully,

PAUL ZIRIAX

Secretary, Oklahoma State Senate

7

15:44:00

Received by the Secretary of State

Date _____

By _____

RECEIVED
MAY 25 2023
OKLAHOMA SECRETARY
OF STATE

J. K. [Signature]

RECEIVED

MAY 26 2023

OKLAHOMA SECRETARY
OF STATE

@10:52 AM



OFFICE OF

No. SB 429

THE GOVERNOR
STATE OF OKLAHOMA

OKLAHOMA CITY, OKLA.,

May 1, 2023

TIME SIGNED: 6:15 pm

TO THE HONORABLE PRESIDENT PRO TEMPORE
AND MEMBERS OF THE OKLAHOMA SENATE
FIRST REGULAR SESSION OF THE
FIFTY-NINTH OKLAHOMA LEGISLATURE

ENROLLED SENATE BILL NO. 429:

Pursuant to the authority vested in me by Section 11 of Article VI of the Oklahoma Constitution, I have vetoed Enrolled Senate Bill 429.

Enrolled Senate Bill 429 would require public school districts, public charter schools, technology center schools, and institutions within the Oklahoma State System of Higher Education to allow enrolled students to wear tribal regalia during the school's official graduation ceremonies.

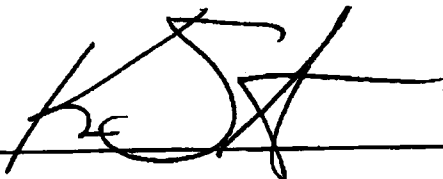
School districts or institutions should be able to set the dress code at their institutions' official graduation ceremonies. In other words, if schools want to allow their students to wear tribal regalia at graduation, good on them; but if schools prefer for their students to wear only traditional cap and gown, the Legislature shouldn't stand in their way.

Moreover, pursuant to Article V, Section 46 of the Oklahoma Constitution, the Legislature cannot pass special laws regulating school districts applicable to one person or class of persons. Should this bill become law, the proverbial Pandora's box will be opened for other groups to go over the heads of local superintendents and demand special favor to wear whatever they please at a formal ceremony. Simply put, this decision rests with local school districts, not state government.

Lastly, as a point of clarification, nothing in current state law prevents a school from allowing students to wear tribal regalia at their graduation ceremonies.

For these reasons, I have vetoed Enrolled Senate Bill 429.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA



Delivered to SENATE by:

Summer Curry

Date/Time:

5/1/23, 7:33 pm

SENATE:

By

Becky Welch

Date/Time

5-1-23 7:35 pm

7:40 PM
RECEIVED

MAY 1 2023

OKLAHOMA SECRETARY
OF STATE