

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 1232

By: Sykes

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5
6 AS INTRODUCED

7 An Act relating to discrimination in employment;
8 amending Section 7, Chapter 112, O.S.L. 2007 (25 O.S.
9 Supp. 2008, Section 1313), which relates to Status
10 Verification System; updating statutory references;
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY Section 7, Chapter 112, O.S.L.
14 2007 (25 O.S. Supp. 2008, Section 1313), is amended to read as
15 follows:

16 Section 1313. A. Every public employer shall register with and
17 utilize a Status Verification System as described in subparagraphs a
18 or b of paragraph 1 of ~~Section 6 of this act~~ Section 1323 of this
19 title to verify the federal employment authorization status of all
20 new employees.

21 B. 1. After July 1, 2008, no public employer shall enter into
22 a contract for the physical performance of services within this
23 state unless the contractor registers and participates in the Status
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1 Verification System to verify the work eligibility status of all new
2 employees.

3 2. After July 1, 2008, no contractor or subcontractor who
4 enters into a contract with a public employer shall enter into such
5 a contract or subcontract in connection with the physical
6 performance of services within this state unless the contractor or
7 subcontractor registers and participates in the Status Verification
8 System to verify information of all new employees.

9 3. The provisions of this subsection shall not apply to any
10 contracts entered into prior to ~~the effective date of this section~~
11 November 1, 2007, even though such contracts may involve the
12 physical performance of services within this state after July 1,
13 2008.

14 C. 1. It shall be a discriminatory practice for an employing
15 entity to discharge an employee working in Oklahoma who is a United
16 States citizen or permanent resident alien while retaining an
17 employee who the employing entity knows, or reasonably should have
18 known, is an unauthorized alien hired after July 1, 2008, and who is
19 working in Oklahoma in a job category that requires equal skill,
20 effort, and responsibility, and which is performed under similar
21 working conditions, as defined by 29 U.S.C., Section 206(d)(1), as
22 the job category held by the discharged employee.

23 2. An employing entity which, on the date of the discharge in
24 question, was currently enrolled in and used a Status Verification

1 System to verify the employment eligibility of its employees in
2 Oklahoma hired after July 1, 2008, shall be exempt from liability,
3 investigation, or suit arising from any action under this section.

4 3. No cause of action for a violation of this subsection shall
5 arise anywhere in Oklahoma law but from the provisions of this
6 subsection.

7 SECTION 2. This act shall become effective November 1, 2009.

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