

# SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

## FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 327, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

\_\_\_\_\_  
Senator Shortey

Shortey-LKS-FS-Req#1571  
2/26/2013 4:29 PM

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 FLOOR SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 327

By: Holt of the Senate

and

Ritze of the House

6  
7  
8  
9 FLOOR SUBSTITUTE

10 [ smoking - repealing protection from smoking -  
11 effective date ]

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

14 SECTION 1. AMENDATORY 40 O.S. 2011, Section 500, is  
15 amended to read as follows:

16 Section 500. It shall be unlawful for an employer to:

17 1. Discharge any individual, or otherwise disadvantage any  
18 individual, with respect to compensation, terms, conditions or  
19 privileges of employment because the individual ~~is a nonsmoker or~~  
20 ~~smokes or uses tobacco~~ possesses or uses lawful products during  
21 nonworking hours; or

22 2. Require as a condition of employment that any employee or  
23 applicant for employment abstain from ~~smoking or using tobacco~~  
24 possessing or using lawful products during nonworking hours.

1 SECTION 2. AMENDATORY 40 O.S. 2011, Section 501, is  
2 amended to read as follows:

3 Section 501. The provisions of ~~Sections 11 through 14 of this~~  
4 ~~act~~ Section 500 et seq. of this title shall not be construed to  
5 prevent an employer from prescribing conditions with regard to  
6 ~~smoking~~ possessing or using lawful products while on the job or on  
7 the premises of the employer.

8 SECTION 3. AMENDATORY 40 O.S. 2011, Section 502, is  
9 amended to read as follows:

10 Section 502. The provisions of ~~Sections 11 through 14 of this~~  
11 ~~act~~ Section 500 et seq. of this title shall not apply when the  
12 restriction on ~~smoking~~ possessing or using lawful products relates  
13 to a bona fide occupational requirement or an applicable collective  
14 bargaining agreement which prohibits or allows off-duty possession  
15 or use of ~~tobacco~~ lawful products.

16 SECTION 4. This act shall become effective November 1, 2013.

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18 54-1-1571 LKS 2/26/2013 4:29:25 PM

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