

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1075

By: Matthews

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6 AS INTRODUCED

7 An Act relating to labor; making certain practice
8 unlawful; prohibiting certain consideration of
9 criminal conviction for purpose of employment;
10 stating unlawful practices; construing consideration
11 of criminal conviction; allowing certain
12 consideration of past criminal convictions; providing
13 for enforcement by Commissioner of Labor; providing
14 for codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 290 of Title 40, unless there is
18 created a duplication in numbering, reads as follows:

19 A. It is an unlawful practice for an employer to exclude an
20 applicant from an initial interview solely because of a past
21 conviction.

22 B. An employer excludes an applicant from an initial interview
23 if the employer:

24 1. Requires an applicant to disclose on an employment
application a criminal conviction;

1 2. Requires an applicant to disclose, prior to an initial
2 interview, a criminal conviction; or

3 3. If no interview is conducted, requires an applicant to
4 disclose, prior to making a conditional offer of employment, a
5 criminal conviction.

6 C. Subject to subsections A and B of this section nothing in
7 this section prevents an employer from considering an applicant's
8 conviction history when making a hiring decision.

9 D. Subsections A and B of this section do not apply:

10 1. If federal, state or local law, including corresponding
11 rules and regulations, requires the consideration of an applicant's
12 criminal history;

13 2. To an employer that is a law enforcement agency;

14 3. To an employer in the criminal justice system; or

15 4. To an employer seeking a nonemployee volunteer.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 290.1 of Title 40, unless there
18 is created a duplication in numbering, reads as follows:

19 Section 1 of this act is subject to enforcement by the
20 Commissioner of Labor.

21 SECTION 3. This act shall become effective November 1, 2016.

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