

1 ENGROSSED HOUSE  
2 BILL NO. 1478

By: Young and Goodwin of the  
House

3 and

4 Matthews of the Senate  
5  
6

7 An Act relating to discrimination; amending 22 O.S.  
8 2011, Section 34.5, as amended by Section 2, Chapter  
214, O.S.L. 2013 (22 O.S. Supp. 2016, Section 34.5),  
9 which relates to the Office of Civil Rights  
Enforcement; prohibiting forwarding of names on  
10 complaint; amending 25 O.S. 2011, Section 1502, as  
amended by Section 10, Chapter 214, O.S.L. 2013 (25  
11 O.S. Supp. 2016, Section 1502), which relates to the  
Office of Civil Rights Enforcement; requiring  
12 Attorney General perform certain actions for  
complaints; and providing an effective date.  
13  
14

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

16 SECTION 1. AMENDATORY 22 O.S. 2011, Section 34.5, as  
17 amended by Section 2, Chapter 214, O.S.L. 2013 (22 O.S. Supp. 2016,  
18 Section 34.5), is amended to read as follows:

19 Section 34.5 A. The Attorney General's Office of Civil Rights  
20 Enforcement shall promulgate rules establishing procedures for  
21 filing a racial profiling complaint with the Attorney General's  
22 Office of Civil Rights Enforcement and the district attorney and the  
23 process for delivering a copy of the complaint by the Attorney  
24 General to the employing agency. The Attorney General's Office of

1 Civil Rights Enforcement, in consultation with the Governor's  
2 Cabinet Secretary for Safety and Security, shall promulgate forms  
3 for complaints of racial profiling.

4 B. The Attorney General shall compile an annual report of all  
5 complaints received for racial profiling and submit the report on or  
6 before January 31 of each year to the Governor, the President Pro  
7 Tempore of the Senate, and the Speaker of the House of  
8 Representatives; provided the names of the complainants shall be  
9 redacted and shall not be forwarded with the report.

10 SECTION 2. AMENDATORY 25 O.S. 2011, Section 1502, as  
11 amended by Section 10, Chapter 214, O.S.L. 2013 (25 O.S. Supp. 2016,  
12 Section 1502), is amended to read as follows:

13 Section 1502. A. A person claiming to be aggrieved by a  
14 discriminatory practice, his or her attorney, or a nonprofit  
15 organization chartered for the purpose of combatting discrimination  
16 may file with the Attorney General's Office of Civil Rights  
17 Enforcement a written sworn complaint stating that a discriminatory  
18 practice has been committed, and setting forth the facts upon which  
19 the complaint is based, and setting forth facts sufficient to enable  
20 the Attorney General to identify the person charged, hereinafter  
21 called the respondent. The Attorney General shall promptly furnish  
22 the respondent with a copy of the complaint and shall promptly  
23 investigate the allegations of discriminatory practice set forth in  
24

1 the complaint. The complaint must be filed within one hundred  
2 eighty (180) days after the alleged discriminatory practice occurs.

3 B. If within sixty (60) days after the complaint is filed it is  
4 determined by the Attorney General that there is no reasonable cause  
5 to believe that the respondent has engaged in a discriminatory  
6 practice, the Attorney General shall issue an order dismissing the  
7 complaint and shall furnish a copy of the order to the complainant,  
8 the respondent and such other public officers and persons as the  
9 Attorney General deems proper.

10 C. The complainant, within thirty (30) days after receiving a  
11 copy of an order dismissing the complaint, may file with the  
12 Attorney General an application for reconsideration of the order.  
13 Upon such application, the Attorney General shall make a new  
14 determination whether there is a reasonable cause to believe that  
15 the respondent has engaged in a discriminatory practice. If it is  
16 determined within thirty (30) days after the application is filed  
17 that there is no reasonable cause to believe that the respondent has  
18 engaged in a discriminatory practice, the Attorney General shall  
19 issue an order dismissing the complaint and furnish a copy of the  
20 order to the complainant, the respondent and such other public  
21 officers as the Attorney General deems proper.

22 D. The Attorney General shall:

23 1. Allow for electronic submission of the complaint form;  
24

2. Make a good-faith effort to contact the complainant if the  
complaint form is deemed insufficient or incomplete;

3. Provide the complaint form in Spanish as well as English;

and

4. Provide the two access numbers to the Office of Civil Rights Enforcement for persons who need assistance in completing or filing the complaint form.

E. This section ~~does~~ shall not apply to persons claiming to be aggrieved by a discriminatory housing practice to the extent that it is inconsistent with specific provisions of Section 1101 et seq. of this title relating to a discriminatory housing complaint.

SECTION 3. This act shall become effective November 1, 2017.

Passed the House of Representatives the 14th day of March, 2017.

Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

---

---

Presiding Officer of the Senate