

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1211

By: Dossett

AS INTRODUCED

An Act relating to business and commerce; defining terms; applying provisions of act to certain call centers; requiring call centers to notify Insurance Department of plans to terminate or relocate; establishing civil penalty for violation of act; authorizing Attorney General to bring suit to enforce penalty; requiring Insurance Department to maintain list of certain businesses for certain length of time; requiring Department to distribute list to certain entities; establishing terms for removal of entity from list; requiring certain call center employees to disclose certain information; requiring all state agency call center services to be in state; providing for codification; and providing an effective date.

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 810 of Title 40, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Call center" means a business entity or a division of a business entity with a primary purpose involving initiating or receiving telephone communications on behalf of a person for the

1 purpose of initiating sales including making a telephone
2 solicitation, providing services or providing or receiving
3 information in connection with the provision of services;

4 2. "Call center employee" means a person employed by or working
5 on behalf of a call center;

6 3. "Customer" means a resident of this state who receives a
7 call from or places a call to a call center;

8 4. "Department" means the Insurance Department;

9 5. "Public agency" means this state or an agency,
10 instrumentality or political subdivision of this state including a
11 county, municipality, public school district or special-purpose
12 district or authority; and

13 6. "Public subsidy" means a program, benefit or assistance of
14 any type offered by a public agency that is designed to stimulate
15 the economic development of a corporation, industry or sector of the
16 economy of this state or to create or retain jobs in this state.
17 The term includes grants, loans, loan guarantees, benefits relating
18 to an enterprise or empowerment zone, fee waivers, land price
19 subsidies, infrastructure development and improvements designed to
20 principally benefit a single business or defined group of
21 businesses, matching funds, tax refunds, tax rebates or tax
22 abatements offered by a public agency.

23 B. This section shall apply to a business that is a call center
24 or operates a call center that has:

1 1. At least fifty call center employees located in this state
2 excluding call center employees who work less than twenty (20) hours
3 per week; or

4 2. At least fifty call center employees located in this state
5 who, in the aggregate, work a total of at least one thousand five
6 hundred (1,500) hours per week.

7 C. 1. A business shall notify the Department if the business
8 plans to:

- 9 a. terminate call center employee positions in this state
10 that handle at least fifty percent (50%) of total
11 customer service call volume for the business, as
12 measured against the previous twelve-month-average
13 customer service call volume of the business, and
14 b. relocate the duties of those positions to persons in
15 one or more call centers located outside of the United
16 States.

17 2. The business shall notify the Department of its intent to
18 terminate and relocate the positions at least one hundred twenty
19 (120) days before the termination or relocation of the positions.

20 3. A business that violates this section is liable to this
21 state for a civil penalty in an amount not to exceed Ten Thousand
22 Dollars (\$10,000.00) for each day that the business is in violation.

23 4. The Attorney General may bring suit to recover the civil
24 penalty imposed under paragraph 3 of this subsection.

1 D. 1. The Department shall maintain a list of businesses that
2 have terminated and relocated call center employee positions as
3 described in subsection C of this section.

4 2. The Department shall make the list available to the public
5 and shall semiannually distribute the list to all state agencies and
6 the Better Business Bureau.

7 3. Except as provided by paragraph 4 of this subsection, a
8 business that is added to the list may not be removed from the list
9 for five (5) years after the business was added to the list.

10 4. If a business has been placed on the list after terminating
11 and relocating call center employee positions and returns to the
12 state, the Department shall remove the business from the list if the
13 business employs as many of the positions as it originally
14 terminated and relocated.

15 SECTION 2. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 811 of Title 40, unless there is
17 created a duplication in numbering, reads as follows:

18 On the request of a customer, a business shall ensure that each
19 call center employee who communicates with a customer on behalf of
20 the business discloses to the customer:

21 1. The city, state, and country where the call center employee
22 is located;

23 2. The name or registered alias of the call center employee;
24 and

1 3. The name of the employer of the call center employee.

2 SECTION 3. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 812 of Title 40, unless there is
4 created a duplication in numbering, reads as follows:

5 All call center services performed on behalf of a state agency
6 must be performed in this state.

7 SECTION 4. This act shall become effective November 1, 2020.

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