

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

HOUSE BILL 2460

By: Dunnington

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 2011, Section 500, as amended by Section 2, Chapter 103, O.S.L. 2013 (40 O.S. Supp. 2018, Section 500), which relates to nonsmoking as condition for employment; removing certain condition for employment; and providing an effective date.

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

SECTION 1. AMENDATORY 40 O.S. 2011, Section 500, as amended by Section 2, Chapter 103, O.S.L. 2013 (40 O.S. Supp. 2018, Section 500), is amended to read as follows:

Section 500. A. It shall be unlawful for an employer to:
~~1. Discharge~~ discharge any individual, or otherwise disadvantage any individual, with respect to compensation, terms, conditions or privileges of employment because the individual is a nonsmoker or smokes or uses tobacco products during nonworking hours; ~~or~~

1 ~~2. Require as a condition of employment that any employee or~~
2 ~~applicant for employment abstain from smoking or using tobacco~~
3 ~~products during nonworking hours.~~

4 B. Nothing in this section shall prohibit an employer from
5 offering incentives to an employee to participate in wellness
6 programs, including, but not limited to, smoking cessation programs,
7 in conjunction with the employer providing the employee health
8 insurance coverage.

9 SECTION 2. This act shall become effective November 1, 2019.

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