

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 SENATE BILL 1211

By: Dossett

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5  
6 AS INTRODUCED

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

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

23 SECTION 1. NEW LAW A new section of law to be codified  
24 in the Oklahoma Statutes as Section 810 of Title 40, unless there is  
25 created a duplication in numbering, reads as follows:

26 A. As used in this section:

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