

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1128

By: Stephens

AS INTRODUCED

An Act relating to conditions of employment; amending 40 O.S. 2021, Section 191, which relates to restrictions on examinations; prohibiting vaccinations as a condition of employment by a business entity prior to certain date; providing for noncodification; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known as the "Employee Liberty and Freedom Act".

SECTION 2. AMENDATORY 40 O.S. 2021, Section 191, is amended to read as follows:

Section 191. A. It shall be unlawful for any person, partnership, association, or corporation, either for himself, herself, or itself, or in a representative or fiduciary capacity, to require any employee or applicant for employment, as a condition of employment or continued employment, to submit to, or take, a physical or medical examination, without providing such examination at no cost therefor to such employee or applicant for employment, or

1 without furnishing, upon the request of the employee or applicant  
2 for employment within thirty (30) days after such examination, free  
3 of charge, to such employee or applicant for employment, a true and  
4 correct copy, either original or duplicate original, of the  
5 examiner's report of such examination. It shall further be unlawful  
6 for any such person, partnership, association or corporation to  
7 require any employee or applicant for employment to pay, either  
8 directly or indirectly, any part of the cost of any such  
9 examination, report, or copy of report. Provided that the report of  
10 any physical examination furnished in accordance with this section  
11 shall not be made the basis or predicate for any action in damages  
12 against the physician and surgeon making and furnishing such report.

13 B. It shall be unlawful for any person, partnership,  
14 association, or corporation, either for himself, herself, or itself,  
15 or in a representative or fiduciary capacity, to mandate any  
16 employee as a condition of continued employment to submit to or take  
17 any vaccination, injection, shot or medication for any virus,  
18 disease or condition.

19 SECTION 3. It being immediately necessary for the preservation  
20 of the public peace, health or safety, an emergency is hereby  
21 declared to exist, by reason whereof this act shall take effect and  
22 be in full force from and after its passage and approval.