

**COMMITTEE AMENDMENT**

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3725 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Amendment submitted by: Jim Shaw

Adopted: \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

PROPOSED POLICY  
COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 3725

By: Shaw

PROPOSED POLICY COMMITTEE SUBSTITUTE

An Act relating to labor; requiring employers to use e-verification; defining terms; defining requirements; directing Department of Labor to implement online portal system; directing Department to publish annual reports; implementing penalties; 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 201 of Title 40, unless there is created a duplication in numbering, reads as follows:

Section 201 through Section 201.4 of this title shall be known and may be cited as the "Oklahoma Workforce Protection Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 201.1 of Title 40, unless there is created a duplication in numbering, reads as follows:

1       A. As used in this section, "status verification system" or "e-  
2 verification" means an electronic system operated by the federal  
3 government, through which an authorized official of an agency of the  
4 State of Oklahoma or of a political subdivision therein may make an  
5 inquiry, by exercise of authority delegated pursuant to 8 U.S.C.,  
6 Section 1373, to verify or ascertain the citizenship or immigration  
7 status of any individual within the jurisdiction of the agency for  
8 any purpose authorized by subsection B of this section. The status  
9 verification system shall be deemed to include:

10       1. The E-Verify Program of the Illegal Immigration Reform and  
11 Immigration Responsibility Act of 1996, P.L. 104-208, Division C,  
12 Section 403(a), 8 U.S.C., Section 1324a, and operated by the United  
13 States Department of Homeland Security, known as the E-Verify  
14 Program;

15       2. Any equivalent federal program designated by the United  
16 States Department of Homeland Security or any other federal agency  
17 authorized to verify the work eligibility status of newly hired  
18 employees, pursuant to the Immigration Reform and Control Act of  
19 1986 (IRCA), D.L. 99-603; or

20       3. Any other independent, third-party system with an equal or  
21 higher degree of reliability as the programs, systems, or processes  
22 described in this subsection.  
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1 B. Every employer registered to do business in the State of  
2 Oklahoma shall utilize a status verification system for new hires,  
3 including full-time, part-time, and seasonal new hires.

4 C. This section does not apply to the following:

5 1. Independent contractors;

6 2. Returning seasonal employees if rehired within twelve (12)  
7 months if the employee was already authorized under the status  
8 verification system. This provision is void if the employer falsely  
9 classifies an employee as a seasonal employee for purposes of this  
10 act or fails to complete the original certification; and

11 3. Individuals not classified as employees.

12 D. Agricultural employers may designate qualified third  
13 parties, including cooperatives, farm bureaus, payroll service  
14 providers, or licensed employer agents to submit e-verification  
15 checks on their behalf.

16 E. An employer that utilizes the E-Verify Program, or utilizes  
17 a qualified third party as described in paragraph D of this  
18 subsection, operated by the United States Department of Homeland  
19 Security, or any successor program formally designated by the  
20 federal government for employment eligibility verification under the  
21 Immigration Reform and Control Act of 1986, shall be presumed to be  
22 in compliance with the requirements of this section, absent evidence  
23 of intentional or knowing violation. Use of any alternative  
24 verification system, or a qualified third party as described in

1 paragraph D of this subsection, shall not diminish an employer's  
2 obligations under federal law nor negate the procedural protections  
3 afforded under federal employment eligibility verification  
4 requirements.

5 SECTION 3. NEW LAW A new section of law to be codified  
6 in the Oklahoma Statutes as Section 201.2 of Title 40, unless there  
7 is created a duplication in numbering, reads as follows:

8 A. The Department of Labor shall create a centralized online  
9 portal maintaining all forms, instructions, multilingual guidance,  
10 and training modules relevant to the status verification system and  
11 requirements. Employers with fifty or more employees shall begin  
12 using the status verification system within ninety (90) days and all  
13 other employers shall begin using the status verification system  
14 within one hundred eighty (180) days after the Department finalizes  
15 and providing access to the online portal. All new businesses  
16 organized in this state after the effective date of this act shall  
17 utilize the status verification system at the time of organization.

18 B. The Department shall create and publish an annual statewide  
19 report identifying compliance rates, enforcement actions, high-risk  
20 industries, and recommended refinements.

21 C. Any report published pursuant to this section shall present  
22 data in aggregate form and shall not disclose the identity of any  
23 specific employer unless an enforcement action has become final at  
24 the Department level.

1       SECTION 4.       NEW LAW       A new section of law to be codified

2 in the Oklahoma Statutes as Section 201.3 of Title 40, unless there  
3 is created a duplication in numbering, reads as follows:

4       A. A fine of not less than One Hundred Dollars (\$100.00) nor  
5 more than Five Hundred Dollars (\$500.00) for each offense shall be  
6 incurred for any employer who knowingly violates the requirements  
7 under the Oklahoma Workforce Protection Act. Clerical errors,  
8 isolated data-entry mistakes, and system-caused inconsistency shall  
9 not be considered violations.

10       1. An employer with fifty (50) or more employees shall begin  
11 incurring fines under this subsection beginning after the ninety-day  
12 grace period described in subsection A of Section 3 of this act. If  
13 the employer implements the status verification system within ninety  
14 (90) days after the first ninety (90) days expires, then fees shall  
15 be waived.

16       2. An employer with fewer than fifty (50) employees shall begin  
17 incurring fines under this subsection beginning after the one-  
18 hundred-eighty-day grace period described in subsection A of Section  
19 3 of this act to implement the status verification system. If the  
20 employer implements the status verification system within one  
21 hundred eighty (180) days after the first one hundred eighty (180)  
22 days expire, then fees shall be waived.

23       B. An employer who repeatedly violates Section 2 of this act  
24 shall be fined based on the following occurrences:

1        1. A fine of Five Thousand Dollars (\$5,000.00) for every month  
2 an employer continues employing an individual after receiving  
3 nonconfirmation; and

4        2. A fine of not less than One Thousand Dollars (\$1,000) for  
5 every repeat offense of subsection A of this section.

6        C. An employer shall not be considered in violation of the  
7 Oklahoma Workforce Protection Act for continuing to employ an  
8 individual during the period in which the individual is lawfully  
9 contesting or resolving a tentative nonconfirmation through the  
10 status verification system, provided the employer complies with all  
11 federal notice and procedural requirements. Enforcement actions and  
12 penalties under this section shall apply only after a final  
13 nonconfirmation has been issued and all applicable appeal or  
14 correction procedures have been exhausted.

15        SECTION 5.        NEW LAW        A new section of law to be codified  
16 in the Oklahoma Statutes as Section 201.4 of Title 40, unless there  
17 is created a duplication in numbering, reads as follows:

18        A. If the data points being verified within the verification  
19 system extend beyond their scope on the effective date of this act  
20 or the purpose of the system extends beyond the United States  
21 Customs and Immigrations Enforcement and workforce authorization,  
22 then the following shall occur:  
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1        1. The Department of Labor shall suspend enforcement for no  
2 less than six (6) months and up to twelve (12) months from the date  
3 the verification system is updated to reevaluate the impact;

4        2. The Department of Labor shall inform all members of the  
5 Oklahoma House of Representatives, Oklahoma State Senate, and the  
6 Office of the Governor that the program is suspended;

7        3. The Legislature shall consider and pass statutory amendments  
8 required to update the scope of requirements before sine die  
9 adjournment of the first regular session occurring after the  
10 triggering event of this section.

11        B. The Oklahoma Workforce Protection Act shall cease to have  
12 the force and effect of law if the Legislature does not take actions  
13 pursuant to paragraph 3 of subsection A of this section.

14        SECTION 6. This act shall become effective November 1, 2026.

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16        60-2-16036        TKR        02/02/26  
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