

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 SENATE BILL 1498

By: Nice

6 AS INTRODUCED

7 An Act relating to hiring practices; defining terms;  
8 prohibiting employers from certain practices before  
9 making a conditional offer of employment to an  
10 applicant; allowing employers to employ certain  
11 policies during the hiring process; authorizing  
12 employers to consider certain information during the  
employment process; construing provisions; excluding  
certain applications from the provisions of this act;  
providing exceptions to applicability of provisions;  
providing for codification; and providing an  
effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 1001 of Title 40, unless there  
18 is created a duplication in numbering, reads as follows:

19 As used in this act:

20 1. "Criminal record history information" means records related  
21 to a past criminal conviction, arrest, deferred adjudication, or  
22 juvenile adjudication;

23 2. "Private employer" means a business entity in the private  
24 sector of this state with one or more employees;

1       3. "Public employer" means the State of Oklahoma or any  
2 political subdivision thereof, including any department, agency,  
3 board, commission, institution, authority, public trust,  
4 municipality, county, district, or instrumentality thereof; and

5       4. "Sensitive position" means any position:

- 6           a. at a school district as defined in Section 1-108 of  
7               Title 70 of the Oklahoma Statutes,
- 8           b. at a state educational institution as defined in  
9               Section 3102 of Title 70 of the Oklahoma Statutes,
- 10          c. with a law enforcement agency requiring Council on Law  
11               Enforcement Education and Training (CLEET)  
12               certification,
- 13          d. as a jailer or correctional officer,
- 14          e. that works with or includes access to children or  
15               vulnerable adults, and
- 16          f. with a public employer whose primary purpose is to  
17               perform financial or fiduciary functions.

18       SECTION 2.        NEW LAW        A new section of law to be codified  
19       in the Oklahoma Statutes as Section 1003 of Title 40, unless there  
20       is created a duplication in numbering, reads as follows:

21       A. Except as provided in subsection B of this section, before  
22       making a conditional offer of employment to an applicant, a public  
23       or private employer may not:

1       1. Obtain criminal history record information relating to the  
2 applicant; or

3       2. Ask an applicant for employment to disclose, orally or in  
4 writing, information concerning the applicant's criminal history.

5       B. Before making a conditional offer of employment to an  
6 applicant, a public or private employer may:

7       1. Notify an applicant that under federal, state, or local law,  
8 certain criminal convictions disqualify the applicant from  
9 consideration for the position; and

10       2. Include a question in an initial employment application form  
11 regarding whether the applicant has a prior criminal conviction that  
12 would disqualify the applicant from employment under federal, state,  
13 or local law. Such questions shall be limited to offenses that  
14 result in disqualification under federal, state, or local law.

15       C. This section shall not be construed to prohibit an employer  
16 from:

17       1. Asking an applicant for information about an applicant's  
18 criminal record history information after the public employer has  
19 made a conditional offer of employment;

20       2. Obtaining criminal record history information after a  
21 conditional offer of employment; or

22       3. Considering the criminal record history information when  
23 making final hiring decisions.

1       D. The provisions of this act shall only apply to employment  
2 applications submitted on or after the effective date of this act.

3       E. This act shall not apply to:

4       1. Sensitive positions; or  
5       2. Positions under which federal, state, or local law requires  
6 the consideration of an applicant's criminal record history  
7 information.

8       SECTION 3. This act shall become effective November 1, 2026.

10      60-2-3118

11      BRC

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