

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1498

By: Nice

AS INTRODUCED

An Act relating to hiring practices; defining terms; prohibiting employers from certain practices before making a conditional offer of employment to an applicant; allowing employers to employ certain policies during the hiring process; authorizing 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.

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 1001 of Title 40, unless there is created a duplication in numbering, reads as follows:

As used in this act:

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

2. "Private employer" means a business entity in the private 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.

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