

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1850

By: Deever

AS INTRODUCED

An Act relating to labor; creating the Oklahoma Taxpayer and Citizen Protection Act; providing short title; stating legislative findings; defining terms; requiring employers to verify employees upon hiring; preventing certain employers from hiring employees upon failure of verification; requiring records to be kept; authorizing the Office of the Attorney General to conduct investigations; requiring certain reporting system to be created; providing penalties for violation; allowing for appeal of penalties; requiring database to be maintained; preventing employers in violation from certain business; authorizing Attorney General right to entry; requiring certain conditions for entry; 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 521 of Title 40, unless there is created a duplication in numbering, reads as follows:

A. This act shall be known and may be cited as the "Oklahoma Taxpayer and Citizen Protection Act".

B. The Legislature finds and declares that:

1        1. The state has a legitimate and compelling interest in  
2 protecting the economic opportunity, wages, and job availability of  
3 its citizens and lawful residents by ensuring that employment within  
4 the state complies with existing federal work authorization laws;

5        2. Employment verification promotes lawful commerce and fair  
6 competition by discouraging unlawful employment practices and  
7 protecting employers who comply with the law from being  
8 disadvantaged by those who do not;

9        3. The E-Verify system does not create or maintain a standalone  
10 database of employee information, but instead temporarily compares  
11 information already required for employment eligibility verification  
12 against existing federal records maintained by the Social Security  
13 Administration and, when applicable, the Department of Homeland  
14 Security;

15        4. E-Verify does not require the collection of new personal  
16 data from employees. The system relies solely on information that  
17 the federal government already possesses by law, including name,  
18 date of birth, Social Security number, and, when applicable, work  
19 authorization documentation, and does not expand the scope of  
20 information required from workers;

21        5. Information submitted through E-Verify is not retained as  
22 part of a permanent employee profile or database. The system  
23 operates as a real-time verification mechanism and does not increase  
24 federal data retention or surveillance of employees; and

1       6. E-Verify does not disclose additional personal information  
2 to employers. Employers receive only a confirmation or  
3 disconfirmation indicating whether the information provided matches  
4 existing government records and are not given access to underlying  
5 federal databases or any additional employee data.

6       SECTION 2.       NEW LAW       A new section of law to be codified  
7 in the Oklahoma Statutes as Section 522 of Title 40, unless there is  
8 created a duplication in numbering, reads as follows:

9       As used in this act:

10       1. "Employee" means any person who supplies labor for  
11 remuneration to his or her employer in this state;

12       2. "Employer" means any person, firm, corporation, partnership,  
13 association, nonprofit organization, or public employer, which has  
14 one or more employees within this state, or which has offered or may  
15 offer employment to one or more individuals in this state;

16       3. "Employment verification" or "E-Verify" means the electronic  
17 verification system operated by the United States Citizenship and  
18 Immigration Services, or its successor program, as authorized by the  
19 Illegal Immigration Reform and Immigrant Responsibility Act of 1996,  
20 P.L. No. 104-208, 8 U.S.C., Section 1324a; and

21       4. "Unauthorized worker" means the same as the term  
22 unauthorized alien as defined in 8 U.S.C., Section 1324a(h)(3).  
23  
24  
25

1           SECTION 3.           NEW LAW

2           A new section of law to be codified  
3 in the Oklahoma Statutes as Section 523 of Title 40, unless there is  
4 created a duplication in numbering, reads as follows:

5           A. Except as otherwise provided in subsection B of this  
6 section, all employers shall:

7           1. Register and create an E-Verify employer account;

8           2. After hiring an employee, employ the new employee  
9 provisionally until the new employee's work authorization has been  
10 verified. An employer shall submit a new employee's name and  
11 information for verification even if the new employee's employment  
12 is terminated less than three (3) business days after becoming  
13 employed;

14           3. Not employ an employee upon notice of failure of  
15 verification from E-Verify; and

16           4. Keep a record of the verification for the duration of the  
17 employee's employment with the employer or for a minimum of three  
18 (3) years, whichever is longer.

19           B. An employer shall not be required to comply with the  
20 provisions of subsection A of this section, if:

21           1. An employee was hired by the employer before the effective  
22 date of this act; or

23           2. The employer is not required to verify the employee's status  
24 to work pursuant to federal law.  
25

1 C. An employer shall not employ any employee who is an  
2 unauthorized worker as defined in Section 2 of this act. An  
3 employer shall be in violation of this section upon failure to  
4 follow the provisions of this section.

5 D. Nothing in this act shall absolve an employer's obligation  
6 to comply with federal immigration laws, including the completion  
7 and maintenance of federal employment verification forms or  
8 documents.

9 E. An employer who terminates an employee in order to comply  
10 with the provisions of this act shall not be subject to a civil  
11 action for wrongful termination of the employee as otherwise  
12 provided by law.

13 SECTION 4. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 524 of Title 40, unless there is  
15 created a duplication in numbering, reads as follows:

16 A. The Office of the Attorney General shall establish a system  
17 for accepting complaints for individuals in violation of Section 3  
18 of this act. The Attorney General shall not require personal  
19 identifying information to be presented on the complaint by the  
20 complainant. A complainant shall submit the complaint to the  
21 Attorney General. The Attorney General shall investigate any  
22 violation alleged in the complaint submitted to the Office of the  
23 Attorney General.  
24  
25

1        1. At his or her discretion, the Attorney General may  
2 investigate a complaint submitted by an anonymous complainant.

3        2. The Office of the Attorney General shall not investigate any  
4 complaint filed based on race, color, national origin, or any other  
5 discriminatory factors as may be prescribed in Section 1301 et seq.  
6 of Title 25 of the Oklahoma Statutes.

7        B. If the Office of the Attorney General conducts an  
8 investigation pursuant to this section and determines that  
9 reasonable evidence exists that an employer violated the provisions  
10 of this act, the Attorney General shall:

11        1. Provide notice of the alleged violation to the employer and  
12 provide the employer with an opportunity to comment;

13        2. For a first violation or a violation involving a single  
14 unauthorized worker, issue a formal warning letter to the employer  
15 and cease the investigation upon determination by the Attorney  
16 General that the employer presented proof of correction;

17        3. For a second violation or a violation involving two or more  
18 unauthorized workers, order the employer to pay a fine of Two  
19 Thousand Five Hundred Dollars (\$2,500.00) per violation; and

20        4. For a third or subsequent violation, order the employer to  
21 pay a fine of Five Thousand Dollars (\$5,000.00) per violation and  
22 institute proceedings before a court to suspend or revoke any  
23 licenses issued by the state to the employer.  
24  
25

1 C. An employer assessed a fine pursuant to this section may  
2 appeal the determination in court but shall pay an appeal bond equal  
3 to the amount of the fine being appealed. If the employer is found  
4 successful in his or her appeal by the court, the bond shall be  
5 released, and the violation shall not be recorded.

6 D. The Attorney General shall bring proper action against an  
7 employer who fails to pay the fine or fails to appeal the assessment  
8 pursuant to this act. If a court determines that the employer is  
9 liable, the court may assess a fine greater than previously assessed  
10 by the Office of the Attorney General.

11 E. The Office of the Attorney General shall coordinate with any  
12 applicable agency to maintain a database of employers licensed in  
13 this state that were assessed a fine pursuant to this section. An  
14 employer shall remain in the database for a minimum of one (1) year,  
15 and during that period, the employer shall not be eligible to bid  
16 for or participate in any state contract. After the one-year  
17 period, the employer shall be eligible to bid for and participate in  
18 state contracts following submission by the employer to the Office  
19 of the Attorney General of a sworn affidavit that one (1) year or  
20 more has elapsed since the violation occurred and that the employer  
21 has not violated any provisions of this act during that period.

22 F. The Attorney General, or his or her inspectors, agents, or  
23 designees, upon proper presentation of credentials to the owner,  
24 manager, or agent of the employer, may enter at reasonable times and  
25

1 have the right to question either publicly or privately any  
2 employer, owner, manager, agent of the employer, or employees of the  
3 employer and inspect, investigate, reproduce, or photograph any  
4 records relevant to determining compliance with the provisions of  
5 this act. The Attorney General, or his or her inspectors, agents,  
6 or designees, shall be required to obtain a warrant or subpoena and  
7 provide proper notice to the owner, manager, or agent of the  
8 employer prior to entry to the premises or access to records  
9 relevant to the areas under investigation pursuant to this  
10 subsection. Access to the premises and documentation shall be  
11 limited to the records and areas under investigation pursuant to  
12 violations of this act.

13 SECTION 5. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 525 of Title 40, unless there is  
15 created a duplication in numbering, reads as follows:

16 No city, town, or municipality shall enact an ordinance or  
17 policy, whether written or oral, that limits or otherwise impedes  
18 the efforts of the Office of the Attorney General to enforce the  
19 provisions of this act.

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

21  
22 60-2-3507 TEK 1/15/2026 12:06:54 AM  
23  
24  
25