

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1937

By: Bergstrom

6 AS INTRODUCED

7 An Act relating to labor organizations; defining
8 terms; prohibiting employers who engage in certain
9 practices from receiving economic development
10 incentives; authorizing report of certain violation
11 to the Attorney General; establishing certain
12 penalty; clarifying applicability of provisions;
13 providing for codification; and providing an
14 effective date.

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

19 A. As used in this act:

20 1. "Contracts" include:

21 a. agreements between an employer and the state, and
22 b. agreements between an employer and a labor
23 organization;

24 2. "Economic development incentive" means any grant, loan, or
25 tax credit provided by the state or local government to an employer;

1 3. "Employee" means any individual who performs services for an
2 employer for wages that are subject to withholding under 26 U.S.C.,
3 Section 3402;

4 4. "Employer" means a business entity that voluntarily pursues
5 economic development incentives and enters into an agreement with
6 the state for the purpose of receiving such incentives;

7 5. "Labor organization" has the same meaning as defined in 29
8 U.S.C., Section 152;

9 6. "Neutrality agreement" means an agreement signed with a
10 union in which the employer agrees to conditions including, but not
11 limited to, committing not to communicate with employees about union
12 issues;

13 7. "Personal contact information" means an employee's home
14 address, home or personal cell phone number, or personal electronic
15 mail address;

16 8. "Project" means the activity or enterprise for which an
17 employer receives an economic development incentive;

18 9. "Secret ballot election" means a process conducted by an
19 agent of the National Labor Relations Board (NLRB) in which an
20 employee casts a secret ballot for or against labor organization
21 representation; and

22 10. "Subcontractor" means an individual or entity that has
23 contracted with an employer to perform work or provide services.

1 B. 1. No employer shall be eligible to receive an economic
2 development incentive for a project if the employer:

3 a. voluntarily grants recognition rights for its
4 employees solely and exclusively on the basis of
5 signed union authorization cards if the selection of a
6 bargaining representative may instead be conducted
7 through a secret ballot election conducted by the
8 National Labor Relations Board (NLRB),
9 b. voluntarily discloses an employee's personal contact
10 information to a labor organization, or third party
11 acting on behalf of a labor organization, without the
12 employee's prior written consent, unless otherwise
13 required by state or federal law,
14 c. signs a neutrality agreement with a labor
15 organization, or
16 d. requires a subcontractor to engage in activities
17 prohibited in this paragraph.

18 2. The prohibitions set out in paragraph 1 of this subsection
19 shall apply to any work or service for the employer on the project
20 for which the economic incentive is provided.

21 C. A person or entity may report, based upon a reasonable
22 belief, a suspected violation of paragraph 1 of subsection B of this
23 section to the Attorney General. Upon receiving a report pursuant
24

1 to this subsection, the Attorney General shall determine whether a
2 violation has occurred.

3 D. An employer found to have engaged in any activity prohibited
4 by paragraph 1 of subsection B of this section, and which has
5 received an economic development incentive for any project, shall be
6 required to repay all economic development incentives received over
7 the life of the project to the administering agency of the
8 incentive.

9 E. Subsection B of this section shall not apply to any employer
10 or subcontractor that does not directly receive an economic
11 development incentive.

12 F. This section shall not apply to any:

13 1. Agreement between the state and an employer, or between a
14 county or municipality and an employer, executed prior to the
15 effective date of this act; and

16 2. Employer with a collective bargaining unit where an
17 employer, as of the effective date of this act, has entered into a
18 collective bargaining agreement for that collective bargaining unit
19 with a labor organization or to which a secret ballot election has
20 already occurred under applicable federal law.

21 SECTION 2. This act shall become effective November 1, 2026.

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