

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3960

By: Munson

6 AS INTRODUCED

7 An Act relating to technology; creating the Safe
8 Stores are Staffed Stores Act; providing definitions;
9 directing drug retail and food retail establishments
10 to provide one employee for every four self-service
11 checkouts; directing establishments to establish and
12 implement fifteen item limit at self-service
13 checkouts; directing establishments to have policy
14 that prohibits customers from using a self-service
15 checkout for items that require identification and
16 items subject to special theft-deterrent measures;
17 requiring posting of signage; requiring self-service
18 checkouts to be located to enable observation by
19 employees and local law enforcement; requiring
20 establishments to have at least one employee assigned
21 to monitor self-service checkout operation during
22 business hours; creating a private right of action;
23 establishing a civil penalty; permitting awarding
24 attorney fees and court costs; establishing
protections for employees; 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 200 of Title 75A, unless there
is created a duplication in numbering, reads as follows:

1 This act shall be known and may be cited as the "Safe Stores are
2 Staffed Stores Act".

3 SECTION 2. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 201 of Title 75A, unless there
5 is created a duplication in numbering, reads as follows:

6 As used in this act:

7 1. "Customer" means an individual who buys consumer goods from
8 a drug retail establishment or food retail establishment;

9 2. "Drug retail establishment" means a retail store that sells
10 a variety of prescription and nonprescription medicines and
11 miscellaneous items, including drugs, pharmaceuticals, sundries,
12 fresh produce, meats, poultry, fish, deli products, dairy products,
13 canned foods, dry foods, beverages, prepared foods, and other
14 merchandise;

15 3. "Employee" means an individual employed by and on the direct
16 payroll of a drug retail establishment or food retail establishment,
17 but does not include independent contractors, workers hired through
18 a third-party agency, managers, supervisors, or confidential
19 employees;

20 4. "Food retail establishment" means a retail store that is
21 either:

22 a. over fifteen thousand (15,000) square feet in size and
23 sells primarily household foodstuff for offsite
24 including fresh produce, meats, poultry, fish, deli

products, dairy products, canned foods, dry foods, beverages, baked foods or prepared foods (other household supplies or products are secondary to the primary purpose of food sales), or

b. over eighty-five thousand (85,000) square feet and with ten percent (10%) of their sales floor area dedicated to the sale of nontaxable merchandise including the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods or prepared foods;

11 5. "Staffed checkout station" means a station that is not a
12 self-service checkout and at which an employee provides human
13 assistance to a customer for scanning, bagging, or accepting payment
14 for the customer's purchases;

15 6. "Self-service checkout" means the automated processes that
16 enable customers to scan, bag, and pay for their purchases without
17 human assistance, including, but not limited to, fixed self-
18 checkout, scan-and-go self-checkout, or mobile self-checkout; and

19 7. "Self-service checkout station" means a station at a fixed
20 location within a drug retail establishment or food retail
21 establishment at which a customer can engage in a self-service
22 checkout for the customer's purchases.

1 SECTION 3. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 202 of Title 75A, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Drug retail establishments and food retail establishments
5 that provide self-service checkout options shall provide at least
6 one employee for every four (4) self-service checkout station kiosks
7 staffed by an employee that is available during the times that a
8 self-service checkout option is available to customers, and drug
9 retail establishments and food retail establishments shall
10 establish, implement, and advertise limits to self-service checkout
11 to purchases of no more than fifteen (15) items.

12 B. Drug retail establishments and food retail establishments
13 shall have an established workforce policy that prohibits customers
14 from using a self-service checkout station to purchase either of the
15 following:

16 1. Items that require customers to provide a form of
17 identification, including, but not limited to alcohol and tobacco
18 products; or

19 2. Items subject to special theft-deterrent measures that are
20 affixed to the item, including, but not limited to electronic
21 article surveillance, ink or other tags, or items placed in locked
22 cabinets, that require the intervention of an employee to remove
23 them before purchase.

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1 C. Drug retail establishments and food retail establishments
2 shall notify the public of this act by prominently posting signage
3 in a location accessible to customers, which includes either a link
4 or Quick Response (QR) code to a summary of the public's rights
5 under this act and enforcement options available to the public.

6 D. Self-service checkout stations shall be located to enable
7 observation and surveillance from both employees of drug retail
8 establishments and food retail establishments and local law
9 enforcement.

10 E. Drug retail establishments and food retail establishments
11 that provide self-service checkout options shall assign at least one
12 employee to monitor the self-service checkout operation at all times
13 that self-service checkout is in operation during business hours.
14 The assigned employee shall have no other work responsibilities that
15 would interfere with their ability to maintain direct visual
16 inspection and surveillance of the self-service checkout operations.

17 SECTION 4. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 203 of Title 75A, unless there
19 is created a duplication in numbering, reads as follows:

20 Any customer or employee of a drug retail establishment or food
21 retail establishment may bring a private right of action in the
22 county court of proper jurisdiction against a drug retail
23 establishment or food retail establishment for violating this act
24 and, upon prevailing, may be awarded:

1 1. A civil penalty for each violation of this act of One
2 Hundred Dollars (\$100.00) for each employee of the drug retail
3 establishment or food retail establishment. Each day the violation
4 is not cured, the penalty shall increase an additional One Hundred
5 Dollars (\$100.00) per employee per day up to a limit of One Thousand
6 Dollars (\$1,000.00) per employee per day for each day in which the
7 violation remains uncured; and

8 2. Attorney fees and court costs.

9 SECTION 5. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 204 of Title 75A, unless there
11 is created a duplication in numbering, reads as follows:

12 No drug retail establishment or food retail establishment shall
13 terminate, reduce in compensation, or otherwise discriminate against
14 any employee in conditions of employment for seeking to enforce
15 their rights under this act by any lawful means, for participating
16 in proceedings related to this act, for opposing any practice
17 proscribed by this act, or for otherwise asserting rights under this
18 act.

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