

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4253

By: Kannady

AS INTRODUCED

An Act relating to economic development; enacting the Taxpayer Dollars Protect Workers Act; making findings; defining terms; prohibiting employers from certain conduct related to labor organizations; providing reporting procedures for violations; providing for prospective application; providing for applicability of act to certain transactions; providing for recovery of certain payments; prescribing term of agreement; 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 not to be codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Taxpayer Dollars Protect Workers Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 46B-1 of Title 62, unless there is created a duplication in numbering, reads as follows:

A. The Legislature finds that the State of Oklahoma:

1 1. As part of its economic development policy, has the right to
2 set terms and conditions in connection with the awarding of economic
3 development incentives;

4 2. As part of its economic development policy, seeks to play an
5 integral role in the formulation of economic opportunities,
6 conditions of grants, and general management of compliance with such
7 awards for monies;

8 3. Will often, as part of awarding economic development
9 incentives, oversee compliance with land use regulations, including
10 management of the subdivision of property; offer and provide water
11 and wastewater services; require fire protection systems and
12 mechanical systems for buildings and structures; approve capital
13 grants; and ensure such monies are approved by the applicable state
14 agency;

15 4. Will often, as part of awarding economic development
16 incentives, also require a private business to hire a certain number
17 of new full-time employees, require a specific amount of company
18 investment, and ensure workers obtain certain skills and knowledge;
19 and

20 5. As part of its economic development policy, has a vested
21 interest in seeking to advance and preserve its own interest in
22 projects receiving economic development incentives as a financier of
23 projects contributing to the State's overall economic health.

24 B. It is the intent of the Oklahoma Legislature that:

1 1. As part of its economic development policy, that whenever
2 State funds or benefits are sought by a private business that such
3 benefits are conditioned on the private business agreeing not to
4 waive its employees' right to a secret ballot election when
5 recognizing a labor organization as a bargaining unit or requiring
6 subcontractors to waive their employees' right to a secret ballot
7 election; and

8 2. Whenever State funds or benefits are provided or awarded to
9 a private business, the private business working on a project
10 receiving State funds or benefits, shall not voluntarily disclose
11 employee personal contact information to a labor organization
12 without an employee's prior consent, waive their right to speak to
13 their employees or require subcontractors to voluntarily disclose
14 employee personal contact information to a labor organization
15 without an employee's prior consent or waive the subcontractor's
16 right to speak to the subcontractor's employees.

17 SECTION 3. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 46B-2 of Title 62, unless there
19 is created a duplication in numbering, reads as follows:

20 A. As used in this section:

21 1. "Contracts" includes:

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

1 2. "Economic development incentive" means:

- 2 a. the investment tax credit authorized by Section 2357.4
3 of Title 68 of the Oklahoma Statutes,
4 b. the exemption from ad valorem tax authorized pursuant
5 to Section 2902 of Title 68 of the Oklahoma Statutes,
6 c. incentive payments from the Oklahoma Quality Jobs
7 Program,
8 d. incentive payments from the Small Employer Quality
9 Jobs Program,
10 e. incentive payments from the 21st Century Quality Jobs
11 Incentive Act,
12 f. any credit against state income tax or other state tax
13 authorized for use by a for profit business entity
14 pursuant to the Oklahoma Statutes based upon job
15 creation or capital investment or expenditures,
16 g. any other state incentive program, grant and economic
17 development grant authorized by law for economic
18 development purposes provided to an employer to
19 attract or retain the employer's physical presence in
20 this state;

21 3. "Employee" means an individual who performs services for an
22 employer for wages that are subject to withholding requirements
23 under Section 3402 of Title 26 of the United States Code;
24

1 4. "Employer" means a business entity that voluntarily pursues
2 economic development incentives authorized by law or enters into an
3 agreement with this state for the purpose of receiving those
4 incentives;

5 5. "Labor organization" has the same meaning as defined in
6 Section 152 of Title 29 of the United States Code;

7 6. "Personal contact information" means an employee's home
8 address, home or personal cell phone number, or personal email
9 address;

10 7. "Secret ballot election" means a process conducted by the
11 National Labor Relations Board (NLRB) in which an employee casts a
12 secret ballot for or against labor organization representation;

13 8. "Subcontractor" means an individual or entity that has
14 contracted with the employer to perform work or provide services;
15 and

16 9. "Neutrality agreement" means an agreement signed with a
17 union wherein the employer agrees to conditions including, but not
18 limited to committing not speak to employees about union issues.

19 B. 1. To be eligible for an economic development incentive, an
20 employer must not:

21 a. grant recognition rights for employees solely and
22 exclusively on the basis of signed union authorization
23 cards if the selection of a bargaining representative
24 may instead be conducted through a secret ballot

1 election conducted by the National Labor Relations
2 Board (NLRB),

- 3 b. voluntarily disclose an employee's personal contact
4 information to a labor organization, or third party
5 acting on behalf of a labor organization, without the
6 employee's prior written consent, unless otherwise
7 required by state or federal law,
- 8 c. sign a neutrality agreement with a labor organization,
- 9 d. require a subcontractor performing work for or
10 providing services to the employer to engage in
11 activities prohibited in this subsection B of this
12 section.

13 2. The prohibitions set out in subsection B of this section
14 apply to any work or service for the employer on the project for
15 which the economic incentive is provided.

16 C. A person or entity may report, based upon a reasonable
17 belief, a suspected violation of subsection B of this section to the
18 Attorney General; provided, that such report must be made during the
19 term of the separate agreement entered into by and between the
20 applicable state agency and the employer pursuant to law. Upon
21 receiving a report pursuant to this subsection, the Attorney General
22 shall determine whether a violation has occurred. It is a breach of
23 the separate agreement entered into between the applicable state
24 agency and the employer pursuant to law for the employer to refuse

1 to provide the written statement. If the applicable state agency
2 finds that an employer has violated subsection B of this section,
3 then the applicable state agency shall deliver written notice of the
4 agency's findings to the employer informing the employer and to the
5 Office of the Attorney General to initiate proceedings to recover
6 funds.

7 D. 1. This section applies prospectively and excludes:

8 a. an agreement between this state and an employer
9 executed prior to the effective date of this act,

10 b. an agreement between an employer and a labor
11 organization executed prior to the effective date of
12 this act, or

13 2. As used in subdivision subparagraph a of paragraph 1 of this
14 subsection, "agreement" includes a memorandum of understanding
15 mutually accepted by the applicable state agency and an employer
16 prior to the effective date of this act, including a legally binding
17 agreement subsequent and subject to the memorandum of understanding.

18 3. Notwithstanding paragraph 1 of subsection D of this section
19 shall apply to any agreement, contract, or memorandum of
20 understanding between an employer and a labor organization or the
21 state executed, renewed, or modified on or after the effective date
22 of this act.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 46B-3 of Title 62, unless there
3 is created a duplication in numbering, reads as follows:

4 A. Notwithstanding another law to the contrary, prior to
5 contracting to award an economic development incentive, as defined
6 in paragraph 2 of Section 2 of this act, the applicable state agency
7 must execute a separate agreement with the recipient of the
8 incentive that reserves the right of the applicable state agency to
9 recover the amount of money, grants, funds, or other incentives
10 disbursed by the state agency if the recipient benefitting from such
11 money, grants, funds, or other incentives fails to comply with the
12 requirements of this act.

13 B. The separate agreement required by subsection A of this
14 section must have a term of not less than:

15 1. The term the applicable state agency would require for an
16 agreement executed pursuant to applicable provisions of law, for an
17 economic development incentive of less than Five Million Dollars
18 (\$5,000,000.00); or

19 2. Twenty (20) years, for an economic development incentive of
20 Five Million Dollars (\$5,000,000.00) or more.

21 SECTION 5. This act shall become effective November 1, 2026.

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