

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 655

By: Deever

AS INTRODUCED

An Act relating to labor; creating the Oklahoma Taxpayer and Citizen Protection Act; providing short title; 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 525 of Title 40, unless there is created a duplication in numbering, reads as follows:

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

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 525.1 of Title 40, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in this act:

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

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

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

16 4. "Unauthorized worker" means the same as defined in 8 U.S.C.,
17 Section 1324a(h) (3).

18 SECTION 3. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 525.2 of Title 40, unless there
20 is created a duplication in numbering, reads as follows:

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

23 1. Register and create an E-Verify employer account;
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1 2. After hiring an employee, employ the new employee
2 provisionally until the new employee's work authorization has been
3 verified. An employer shall submit a new employee's name and
4 information for verification even if the new employee's employment
5 is terminated less than three (3) business days after becoming
6 employed;

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

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

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

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

16 2. The employer is not required to verify the employee's status
17 to work pursuant to federal law.

18 C. An employer shall not employ any employee defined as an
19 unauthorized worker as defined in Section 2 of this act. An
20 employer shall be in violation of this section upon failure to
21 follow the provisions of this section.

22 D. Nothing in this act shall absolve an employer's obligation
23 to comply with federal immigration laws, including the completion
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1 and maintenance of federal employment verification forms or
2 documents.

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

7 SECTION 4. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 525.3 of Title 40, unless there
9 is created a duplication in numbering, reads as follows:

10 A. The Office of the Attorney General shall establish a system
11 for accepting complaints for individuals in violation of Section 3
12 of this act. The Attorney General shall not require personal
13 identifying information to be presented on the complaint by the
14 complainant. A complainant shall submit the complaint to the
15 Attorney General. The Attorney General shall investigate any
16 violation alleged in the complaint submitted to the Office of the
17 Attorney General.

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

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

1 B. If the Office of the Attorney General conducts an
2 investigation pursuant to this section and determines that
3 reasonable evidence exists that an employer violated the provisions
4 of this act, the Attorney General shall:

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

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

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

14 4. For a third or subsequent violation, order the employer to
15 pay a fine of Five Thousand Dollars (\$5,000.00) per violation and
16 institute proceedings before a court to suspend or revoke any
17 licenses issued by the state to the employer.

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

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

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

15 F. The Attorney General, or his or her inspectors, agents, or
16 designees, upon proper presentation of credentials to the owner,
17 manager, or agent of the employer, may enter at reasonable times and
18 have the right to question either publicly or privately any
19 employer, owner, manager, agent of the employer, or employees of the
20 employer and inspect, investigate, reproduce, or photograph any
21 records relevant to determining compliance with the provisions of
22 this act. The Attorney General, or his or her inspectors, agents,
23 or designees shall be required to obtain a warrant or subpoena and
24 provide proper notice to the owner, manager, or agent of the

1 employer prior to entry to the premises or access to records
2 relevant to the areas under investigation pursuant to this
3 subsection. Access to the premises and documentation shall be
4 limited to the records and areas under investigation pursuant to
5 violations of this act.

6 SECTION 5. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 525.4 of Title 40, unless there
8 is created a duplication in numbering, reads as follows:

9 No city, town, or municipality shall enact an ordinance or
10 policy, whether written or oral, that limits or otherwise impedes
11 the efforts of the Office of the Attorney General to enforce the
12 provisions of this act.

13 SECTION 6. This act shall become effective November 1, 2025.
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