

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 744

By: Gillespie

AS INTRODUCED

An Act relating to labor; amending 40 O.S. 2021, Section 199, which relates to prohibited acts against employees; prohibiting employers from taking certain adverse actions against certain employees; making language gender neutral; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 40 O.S. 2021, Section 199, is amended to read as follows:

Section 199. A. It shall be a misdemeanor for any employer, as defined in Section 165.1 of this title, or his or her agent to discharge, penalize, or in any other manner discriminate against any employee because:

1. The employee has filed a complaint with his or her employer, or the Commissioner of Labor or his or her authorized representative, to enforce any provision of Sections 71 through 198.2 of this title;

1        2. The employee has caused to be instituted a proceeding or  
2 investigation related to an alleged violation of any provision of  
3 Sections 71 through 198.2 of this title; ~~or~~

4        3. The employee has testified or is about to testify in an  
5 investigation or proceeding under this title;

6        4. The employee has exercised his or her right to vote as  
7 protected in Section 4 of Article II of the Oklahoma Constitution in  
8 the course of his or her duties as an elected official; or

9        5. The employee has exercised his or her right of free speech  
10 as protected in Section 22 of Article II of the Oklahoma  
11 Constitution in the course of his or her duties as an elected  
12 official.

13        B. Every employer, as defined in Section 165.1 of this title,  
14 or his or her agent shall be guilty of a misdemeanor if:

15        1. The filing of a complaint with the employer, Commissioner of  
16 Labor or his or her authorized representative, or the taking of any  
17 action directly related to the complaint by any employee is a  
18 substantial and material factor in the discharge, penalization of or  
19 any other discrimination against the employee by the employer or his  
20 or her agent; or

21        2. The employer or his or her agent has acted in a manner which  
22 has the effect of discouraging, restraining, coercing, or  
23 interfering with any employee in the exercise of the employee's  
24 rights contained in Sections 71 through 198.2 of this title.

1 C. Every person convicted of violating a prohibition of this  
2 section shall be fined not less than Fifty Dollars (\$50.00) nor more  
3 than Two Hundred Dollars (\$200.00) or imprisoned in the county jail  
4 for not less than five (5) days nor more than thirty (30) days, or  
5 both.

6 SECTION 2. This act shall become effective July 1, 2025.

7 SECTION 3. It being immediately necessary for the preservation  
8 of the public peace, health or safety, an emergency is hereby  
9 declared to exist, by reason whereof this act shall take effect and  
10 be in full force from and after its passage and approval.  
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