

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 58th Legislature (2021)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 1126

By: Phillips

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to technology; requiring employers  
10                   provide written notice to employees of electronic  
11                   monitoring; requiring certain categories of  
12                   monitoring be disclosed; providing certain exception;  
13                   providing penalties; requiring certain entities adopt  
14                   a written policy on electronic monitoring; providing  
15                   for codification; and providing an effective date.

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

17                   SECTION 1.           NEW LAW           A new section of law to be codified  
18                   in the Oklahoma Statutes as Section 776.7.a of Title 15, unless  
19                   there is created a duplication in numbering, reads as follows:

20                   A.   Employers who engage in any type of electronic monitoring of  
21                   employee accounts shall give written notice to all employees prior  
22                   to any monitoring electronic communication. This notice shall  
23                   disclose to employees the categories of monitoring that may occur.  
24                   However, if an employer has reasonable grounds to believe that  
                 employees are engaged in illegal conduct and electronic monitoring

1 may produce evidence of this misconduct, the employer may conduct  
2 monitoring without giving prior written notice. Employers  
3 monitoring electronics without giving written notice to employees  
4 shall be fined Five Hundred Dollars (\$500.00) for the first offense,  
5 One Thousand Dollars (\$1,000.00) for the second offense and Three  
6 Thousand Dollars (\$3,000.00) for the third and each subsequent  
7 offense.

8 B. All state agencies, institutions or political subdivisions  
9 thereof that operate or maintain an electronic monitoring system  
10 shall adopt a written policy on the monitoring of electronics and  
11 the circumstances under which it shall be conducted.

12 SECTION 2. This act shall become effective November 1, 2021.

13

14 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE, dated  
15 02/10/2021 - DO PASS, As Amended.

16

17

18

19

20

21

22

23

24