

# An Act

ENROLLED HOUSE  
BILL NO. 1478

By: Young and Goodwin of the  
House

and

Matthews and Pittman of the  
Senate

An Act relating to discrimination; amending 22 O.S. 2011, Section 34.5, as amended by Section 2, Chapter 214, O.S.L. 2013 (22 O.S. Supp. 2016, Section 34.5), which relates to the Office of Civil Rights Enforcement; prohibiting forwarding of names on complaint; amending 25 O.S. 2011, Section 1502, as amended by Section 10, Chapter 214, O.S.L. 2013 (25 O.S. Supp. 2016, Section 1502), which relates to the Office of Civil Rights Enforcement; requiring Attorney General perform certain actions for complaints; and providing an effective date.

SUBJECT: Discrimination

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

SECTION 1. AMENDATORY 22 O.S. 2011, Section 34.5, as amended by Section 2, Chapter 214, O.S.L. 2013 (22 O.S. Supp. 2016, Section 34.5), is amended to read as follows:

Section 34.5 A. The Attorney General's Office of Civil Rights Enforcement shall promulgate rules establishing procedures for filing a racial profiling complaint with the Attorney General's Office of Civil Rights Enforcement and the district attorney and the process for delivering a copy of the complaint by the Attorney General to the employing agency. The Attorney General's Office of Civil Rights Enforcement, in consultation with the Governor's Cabinet Secretary for Safety and Security, shall promulgate forms for complaints of racial profiling.

B. The Attorney General shall compile an annual report of all complaints received for racial profiling and submit the report on or before January 31 of each year to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives; provided, the names of the complainants shall be redacted and shall not be forwarded with the report.

SECTION 2. AMENDATORY 25 O.S. 2011, Section 1502, as amended by Section 10, Chapter 214, O.S.L. 2013 (25 O.S. Supp. 2016, Section 1502), is amended to read as follows:

Section 1502. A. A person claiming to be aggrieved by a discriminatory practice, his or her attorney, or a nonprofit organization chartered for the purpose of combatting discrimination may file with the Attorney General's Office of Civil Rights Enforcement a written sworn complaint stating that a discriminatory practice has been committed, and setting forth the facts upon which the complaint is based, and setting forth facts sufficient to enable the Attorney General to identify the person charged, hereinafter called the respondent. The Attorney General shall promptly furnish the respondent with a copy of the complaint and shall promptly investigate the allegations of discriminatory practice set forth in the complaint. The complaint must be filed within one hundred eighty (180) days after the alleged discriminatory practice occurs.

B. If within sixty (60) days after the complaint is filed it is determined by the Attorney General that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Attorney General shall issue an order dismissing the complaint and shall furnish a copy of the order to the complainant, the respondent and such other public officers and persons as the Attorney General deems proper.

C. The complainant, within thirty (30) days after receiving a copy of an order dismissing the complaint, may file with the Attorney General an application for reconsideration of the order. Upon such application, the Attorney General shall make a new determination whether there is a reasonable cause to believe that the respondent has engaged in a discriminatory practice. If it is determined within thirty (30) days after the application is filed that there is no reasonable cause to believe that the respondent has engaged in a discriminatory practice, the Attorney General shall issue an order dismissing the complaint and furnish a copy of the order to the complainant, the respondent and such other public officers as the Attorney General deems proper.

D. The Attorney General shall:

1. Allow for electronic submission of the complaint form;

2. Make a good-faith effort to contact the complainant if the complaint form is deemed insufficient or incomplete; and

3. Provide the two access numbers to the Office of Civil Rights Enforcement for persons who need assistance in completing or filing the complaint form.

E. This section ~~does~~ shall not apply to persons claiming to be aggrieved by a discriminatory housing practice to the extent that it is inconsistent with specific provisions of Section 1101 et seq. of this title relating to a discriminatory housing complaint.

SECTION 3. This act shall become effective November 1, 2017.

Passed the House of Representatives the 11th day of May, 2017.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 24th day of April, 2017.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_