



1 title, that person may file a complaint with the Attorney General's  
2 Office of Civil Rights Enforcement and may also file a complaint  
3 with the district attorney for the county in which the stop or  
4 arrest occurred. A copy of the complaint shall be forwarded to the  
5 arresting officer's employer by the Attorney General's Office of  
6 Civil Rights Enforcement; provided the name of the complainant shall  
7 be redacted and shall not be forwarded with the complaint. The  
8 employer shall investigate the complaint for purposes of  
9 disciplinary action ~~and~~/or criminal prosecution.

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

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

22 B. The Attorney General shall compile an annual report of all  
23 complaints received for racial profiling and submit the report on or  
24 before January 31 of each year to the Governor, the President Pro

1 Tempore of the Senate, and the Speaker of the House of  
2 Representatives; provided the names of the complainants shall be  
3 redacted and shall not be forwarded with the report.

4 SECTION 3. AMENDATORY 25 O.S. 2011, Section 1502, as  
5 amended by Section 10, Chapter 214, O.S.L. 2013 (25 O.S. Supp. 2016,  
6 Section 1502), is amended to read as follows:

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

20 B. If within sixty (60) days after the complaint is filed it is  
21 determined by the Attorney General that there is no reasonable cause  
22 to believe that the respondent has engaged in a discriminatory  
23 practice, the Attorney General shall issue an order dismissing the  
24 complaint and shall furnish a copy of the order to the complainant,

1 the respondent and such other public officers and persons as the  
2 Attorney General deems proper.

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

15 D. The Attorney General shall:

16 1. Allow for electronic submission of the complaint form;

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

19 3. Provide the complaint form in Spanish as well as English;

20 and

21 4. Create a toll-free number to the Office of Civil Rights  
22 Enforcement for persons who need assistance in completing or filing  
23 the complaint form.

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

5        SECTION 4. This act shall become effective November 1, 2017.

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7 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CIVIL AND  
8 ENVIRONMENTAL, dated 02/28/2017 - DO PASS, As Coauthored.

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