

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2096

By: Bennett

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5
6 AS INTRODUCED

7 An Act relating to public buildings and public works;
8 creating the Safety Training for Employees Performing
9 Construction Work with Governmental Entities;
10 defining terms; requiring certain contracts to
11 provide for construction safety training; providing
12 for notice and penalty; providing for administration
13 of act; providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 401 of Title 61, unless there is
18 created a duplication in numbering, reads as follows:

19 A. This act shall be known and may be cited as the "Safety
20 Training for Employees Performing Construction Work with
21 Governmental Entities".

22 B. As used in this section:

23 1. "Construction contract" means a contract or agreement for
24 the performance of general construction for a governmental entity;

1 2. "Construction safety training" means a construction and
2 general industry safety training class approved by the federal
3 Occupational Safety and Health Administration that is at least ten
4 (10) hours in duration;

5 3. "Contractor" means a person, firm or corporation contracting
6 with a governmental entity for general construction;

7 4. "Employee" means an individual paid by a contractor or
8 subcontractor to perform general construction work or services;

9 5. "General construction" means:

10 a. erecting or preparing to erect a structure, including
11 a building, bridge, roadway, public utility facility,
12 or related structure,

13 b. remodeling, extending, repairing or demolishing a
14 structure, or

15 c. otherwise improving real property or a structure
16 related to real property;

17 6. "Governmental entity" means this state, a political
18 subdivision of this state, including a municipality, county, public
19 school district, or authority; and

20 7. "Subcontractor" means a person, firm or corporation
21 contracting with a contractor for general construction.

22 C. To the extent consistent with federal law, a governmental
23 entity that enters into a construction contract shall require that
24 the contractor ensure that all employees working on the general

1 construction site that is the subject of the construction contract
2 have successfully completed construction safety training. Before an
3 employee works on the general construction site, the contractor
4 shall receive and provide to the governmental entity a certificate
5 of training completion for the employee.

6 D. A governmental entity that enters into a construction
7 contract shall include in the contract notice and penalty provisions
8 that:

9 1. Require the governmental entity to provide the contractor
10 with written notice, hand delivered or by certified mail, of a
11 violation of subsection C of this section by the contractor;

12 2. Require the contractor to comply with subsection C of this
13 section by the twentieth day after the date the contractor receives
14 any notice of noncompliance with that subsection;

15 3. Inform a contractor that the governmental entity may impose
16 an administrative penalty if the contractor fails to comply with
17 subsection C of this section after the twentieth day after the date
18 the contractor receives any notice of noncompliance with that
19 subsection; and

20 4. Explain that a penalty amount may be withheld from a payment
21 otherwise owed to the contractor under the construction contract.

22 E. The amount of a penalty imposed under paragraph 3 of
23 subsection D of this section shall be One Hundred Dollars (\$100.00)
24 per day for each employee working in noncompliance.

1 F. Each governmental entity shall develop procedures for the
2 administration of this section.

3 SECTION 2. This act shall become effective November 1, 2023.
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5 59-1-6171 LRB 12/28/22
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