

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 2192

By: Lowe (Jason)

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6 AS INTRODUCED

7 An Act relating to public health; creating the COVID-  
8 19 Save Lives Response Act; providing for effective  
9 period and termination conditions; defining terms;  
10 requiring certain people to wear masks or face  
11 coverings under certain circumstances; requiring  
12 businesses to provide face coverings; requiring  
13 certain entities to compel compliance or removal;  
14 prohibiting certain nonessential gatherings;  
15 requiring compliance with certain guidelines;  
16 requiring the reduction of in-person workforce of  
17 certain entities; providing exceptions; providing for  
18 penalties; providing for codification; and declaring  
19 an emergency.

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1 given day for at least thirty (30) consecutive days, at which point  
2 it shall cease to have the force and effect of law.

3 SECTION 2. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 7321 of Title 63, unless there  
5 is created a duplication in numbering, reads as follows:

6 For purposes of this act:

7 A. "Essential businesses" shall include, but not be limited to,  
8 the following:

- 9 1. Health care operations, including research or laboratory  
10 services;
  - 11 2. Infrastructure entities, including utilities,  
12 telecommunications, airports and transportation;
  - 13 3. Hotels and places of accommodation;
  - 14 4. Manufacturing, including food processing and  
15 pharmaceuticals;
  - 16 5. Grocery stores and pharmacies;
  - 17 6. Services, including trash collection, mail and shipping;
  - 18 7. News media;
  - 19 8. Banks and financial institutions;
  - 20 9. Providers of basic necessities to economically disadvantaged  
21 populations;
  - 22 10. Construction;
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1 11. Vendors of essential services necessary to maintain the  
2 safety, sanitation and essential operations of residences or other  
3 essential businesses;

4 12. Vendors that provide essential services or products,  
5 including logistics and technology support;

6 13. Child care providers;

7 14. Support services needed to ensure the continuing operation  
8 of government agencies and to provide for the health, safety and  
9 welfare of the public; and

10 15. Places of worship that are eligible for the religious  
11 exemption found in Section 501(c)(3) of Title 26 of the United  
12 States Code.

13 B. "Face-coverings" shall include, but not be limited to, cloth  
14 masks, whether homemade, sewn or quick-cut, bandanas, surgical masks  
15 and N95 respirators.

16 C. "Social distance" shall mean a distance of at least six (6)  
17 feet between any persons not of the same household.

18 SECTION 3. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 7322 of Title 63, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. Any person who is five (5) years of age or older and who is  
22 medically able to tolerate a face covering shall be required to  
23 cover his or her nose and mouth with a mask or face covering when in  
24

1 a public place and unable to maintain, or when not maintaining,  
2 social distance.

3 B. Any passenger of a public or private transportation carrier  
4 or other for-hire vehicle who is five (5) years of age or older and  
5 who is medically able to tolerate a face-covering shall wear a mask  
6 or face-covering over the nose and mouth during any such trip. Any  
7 employee of such public or private transportation carrier who is  
8 operating such public or private transport shall likewise wear a  
9 mask or face-covering which covers the nose and mouth while there  
10 are any passengers in the vehicle.

11 C. Any employee who is present in the workplace shall be  
12 provided and shall wear a mask or face-covering when in direct  
13 contact with customers or members of the public or when unable to  
14 maintain social distance. Employees of food service establishments  
15 must wear a mask or face-covering at all times while at their places  
16 of work. Businesses must provide, at their expense, such face  
17 coverings for their employees.

18 D. Business operators, building owners, and those authorized on  
19 their behalf or otherwise authorized to use the building shall deny  
20 admittance to any person who fails to comply with this section and  
21 shall require or compel such persons' removal. Provided, however,  
22 this subsection shall be applied in a manner consistent the  
23 Americans with Disabilities Act.

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1 SECTION 4. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 7323 of Title 63, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. There shall be no nonessential gatherings of greater than  
5 ten individuals for any reason at any location in the state,  
6 including, but not limited to, parties, celebrations or other social  
7 events.

8 B. No person, business or other entity shall encourage or  
9 promote any nonessential gathering, including those on public  
10 property such as streets, sidewalks, parking lots, parks or  
11 playgrounds, that would violate subsection A of this section.

12 C. There shall be no nonessential gatherings on sidewalks,  
13 streets or other public property within one hundred (100) feet of  
14 any food service establishment or any business holding a liquor  
15 license from the Alcoholic Beverage Laws Enforcement (ABLE)  
16 Commission.

17 D. All nonessential gatherings that are permitted pursuant to  
18 this section shall comply with social distancing, cleaning and  
19 safety guidelines issued by the State Department of Health.

20 SECTION 5. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 7324 of Title 63, unless there  
22 is created a duplication in numbering, reads as follows:

23 All business and not-for-profit entities in the state shall  
24 utilize, to the maximum extent safely possible, any telecommuting or

1 work-from-home procedures. Each employer shall attempt to reduce  
2 the in-person workforce at any work location by one hundred percent  
3 (100%), provided that essential businesses shall not be subject to  
4 such in-person restrictions. An entity providing essential services  
5 or functions to an essential business or nonessential business shall  
6 not be subject to the in-person work restriction but may operate at  
7 the level necessary to provide such services or functions.

8 SECTION 6. NEW LAW A new section of law to be codified  
9 in the Oklahoma Statutes as Section 7325 of Title 63, unless there  
10 is created a duplication in numbering, reads as follows:

11 Individuals or entities that violate this act shall be subject  
12 to a fine not to exceed One Thousand Dollars (\$1,000.00) for each  
13 violation; provided that individuals or entities who violate  
14 subsection A or B of Section 4 of this act shall be subject to a  
15 maximum fine of Fifteen Thousand Dollars (\$15,000.00) for each  
16 violation. Each day that there is a nonessential gathering or that  
17 an entity operates in a manner inconsistent with this act shall  
18 constitute a separate violation.

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

23

24 58-1-6286 AB 01/20/21