

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1464

By: Pittman

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6 AS INTRODUCED

7 An Act relating to public employees; prohibiting
8 certain criminal background checks prior to
9 employment interview; stating application; stating
10 exceptions; authorizing appointing authorities to
inform applicants of potential criminal background
checks; providing for codification; and providing an
effective date.

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

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 840-2.9A of Title 74, unless
16 there is created a duplication in numbering, reads as follows:

17 A. Notwithstanding any other provision of law, except as
18 provided herein, an appointing authority shall not inquire as to the
19 criminal record or criminal history of any applicant for employment
20 until the applicant has been provided an opportunity for an
21 interview.

22 B. This section shall apply to any applicant for employment in
23 any entity within the Executive, Legislative and Judicial branches
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1 of state government and the political subdivisions of this state
2 with the following exceptions:

3 1. A position in the Department of Public Safety and the
4 Department of Corrections;

5 2. A position in the office of the sheriff of any county;

6 3. A position for which an appointing authority has a statutory
7 duty to conduct a criminal history or criminal record check; or

8 4. Any position in which the Administrator of the Office of
9 Personnel Management determines that the specific duties and
10 responsibilities of the position would require the appointing
11 authority to know an applicant's criminal history or criminal
12 record.

13 C. The provisions of this section do not prohibit an appointing
14 authority from notifying applicants for employment that certain
15 prior criminal convictions may prohibit employment in some
16 positions.

17 D. Following the initial interview pursuant to subsection A of
18 this section, criminal history or criminal record checks may be
19 conducted as otherwise allowed or required by law.

20 SECTION 2. This act shall become effective November 1, 2016.

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