

1 **SENATE FLOOR VERSION**

2 February 27, 2023

3 **AS AMENDED**

4 SENATE BILL NO. 641

5 By: Garvin

6 [ labor - wages - administrative proceedings -  
7 penalties - effective date ]  
8

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

10 SECTION 1. AMENDATORY 40 O.S. 2021, Section 198.1, is  
11 amended to read as follows:

12 Section 198.1. It shall be unlawful for any employer within the  
13 State of Oklahoma to willfully pay wages to women employees at a  
14 rate less than the rate at which ~~he~~ the employer pays any employee  
15 of the opposite sex for comparable work on jobs which have  
16 comparable requirements relating to skill, effort and  
17 responsibility, except where such payment is made pursuant to a  
18 seniority system~~+~~, a merit system~~+~~, a system which measures earnings  
19 by quantity or quality of production~~+~~, or a differential based on  
20 any factor other than sex. In any instance in which the  
21 Commissioner has received a complaint violating this section, the  
22 Commissioner of Labor may seek collection of unpaid or underpaid  
23 wages or benefits through administrative proceedings in the same  
24 manner as provided in Section 165.7 of this title.

1 SECTION 2. AMENDATORY 40 O.S. 2021, Section 198.2, is  
2 amended to read as follows:

3 Section 198.2. It shall be the duty of the Commissioner of  
4 Labor to enforce the provisions of this act. Whenever the  
5 Commissioner is informed of any violations thereof, it shall be ~~his~~  
6 the Commissioner's duty to investigate same and, in ~~his~~ the  
7 Commissioner's discretion, ~~said~~ the Commissioner is hereby  
8 authorized to institute proceedings for the enforcement of penalties  
9 herein provided before any court of competent jurisdiction or  
10 administrative proceeding. Any employer who violates the provisions  
11 of this act shall be ~~deemed guilty of a misdemeanor and shall upon~~  
12 ~~conviction thereof, be punished by~~ assessed a fine of not less than  
13 ~~Twenty-five Dollars (\$25.00)~~ Two Hundred Fifty Dollars (\$250.00) nor  
14 more than ~~One Hundred Dollars (\$100.00)~~ One Thousand Dollars  
15 (\$1,000.00) per employee violation. This fine shall be in addition  
16 to any other legal protections provided in Section 165.1 et seq. of  
17 this title.

18 SECTION 3. This act shall become effective November 1, 2023.

19 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE  
20 February 27, 2023 - DO PASS AS AMENDED

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