

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2460

By: Dunnington

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5  
6 AS INTRODUCED

7 An Act relating to labor; amending 40 O.S. 2011,  
8 Section 500, as amended by Section 2, Chapter 103,  
9 O.S.L. 2013 (40 O.S. Supp. 2018, Section 500), which  
10 relates to nonsmoking as condition for employment;  
11 removing certain condition for employment; and  
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 40 O.S. 2011, Section 500, as  
15 amended by Section 2, Chapter 103, O.S.L. 2013 (40 O.S. Supp. 2018,  
16 Section 500), is amended to read as follows:

17 Section 500. A. It shall be unlawful for an employer to:  
18 ~~1. Discharge~~ discharge any individual, or otherwise  
19 disadvantage any individual, with respect to compensation, terms,  
20 conditions or privileges of employment because the individual is a  
21 nonsmoker or smokes or uses tobacco products during nonworking  
22 hours; ~~or~~

1       ~~2. Require as a condition of employment that any employee or~~  
2 ~~applicant for employment abstain from smoking or using tobacco~~  
3 ~~products during nonworking hours.~~

4       B. Nothing in this section shall prohibit an employer from  
5 offering incentives to an employee to participate in wellness  
6 programs, including, but not limited to, smoking cessation programs,  
7 in conjunction with the employer providing the employee health  
8 insurance coverage.

9       SECTION 2. This act shall become effective November 1, 2019.

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11       57-1-5473       LRB       12/18/18