

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1106

By: Standridge

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5
6 AS INTRODUCED

7 An Act relating to civil liability; creating the
8 Citizen Health Mandate Protection Act; defining
9 terms; providing method of claim for certain
10 liability; stating finding of punitive damages under
11 certain circumstances; prohibiting limitations of
12 liability or immunity under certain circumstances;
13 providing for noncodification; providing for
14 codification; and declaring an emergency.

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

16 SECTION 1. NEW LAW A new section of law not to be
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known and may be cited as the "Citizen Health
19 Mandate Protection Act".

20 SECTION 2. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 1-502.5 of Title 63, unless
22 there is created a duplication in numbering, reads as follows:

23 A. As used in the Citizen Health Mandate Protection Act:

24 1. "Employee" means any person, whether employed by a private
25 employer or public employer, who performs a service for wages or
26 other remuneration for an employer; and

1 2. "Employer" means any person or entity who has one or more
2 employees. Employer also includes an agent of an employer, the
3 state or any agency or instrumentality of the state, and any
4 municipal corporation, county, township, school district, or other
5 political subdivision or any agency or instrumentality thereof.

6 B. Notwithstanding any provision of law to the contrary, an
7 employee may bring a claim against an employer in a court of
8 competent jurisdiction for actual and punitive damages for injuries
9 or illness caused by a vaccination or medicinal treatment program if
10 the employer required the employee to receive the vaccine or
11 vaccines, or a medicinal treatment program as a condition of their
12 employment. If an employer knowingly requires the vaccination or
13 treatment without confirming its safety based on publicly available
14 medical testing and documentation, upon a finding of liability after
15 a claim, the employer shall automatically be subject to punitive
16 damages. The minimum award for punitive damages shall be One
17 Million Dollars (\$1,000,000.00).

18 C. An employer subject to a claim made pursuant to the Citizen
19 Health Mandate Protection Act shall not have the limitations of
20 liability or immunity provided by the Governmental Tort Claims Act
21 or the Public Readiness and Emergency Preparedness Act.

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health or safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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