

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2481 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Brian Hill

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2481

By: Hill

7 PROPOSED COMMITTEE SUBSTITUTE

8 An Act relating to labor; creating the Oklahoma
9 Employers Protection Act; prohibiting causes of
10 actions against certain entities; providing
11 exceptions; prohibiting implications of liability in
12 situations not covered by legislation; providing for
13 codification; and providing an effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 901 of Title 40, unless there is
17 created a duplication in numbering, reads as follows:

18 A. This act shall be known and may be cited as the "Oklahoma
19 Employers Protection Act".

20 B. A cause of action shall not be brought against an employer,
21 general contractor, premises owner, or other third party solely for
22 hiring an employee or independent contractor who has been convicted
23 of a criminal offense.

1 C. This section shall not preclude any existing cause of action
2 for failure of an employer or other person to provide adequate
3 supervision of an employee or independent contractor, if the
4 employer, general contractor, premises owner, or other third party:

5 1. Knew of the conviction or was grossly negligent in not
6 knowing of the conviction; and

7 2. The conviction was directly related to the nature of the
8 employee's or independent contractor's work or the conduct that gave
9 rise to the alleged injury that is the basis of the suit.

10 D. The protections provided to an employer, general contractor,
11 premises owner, or other third party under this section shall not
12 apply in a suit concerning:

13 1. The misuse of funds or property of a person other than the
14 employer, general contractor, premises owner, or other third party,
15 by an employee or independent contractor, if, on the date the
16 employee or independent contractor was hired, the employee or
17 independent contractor had been convicted of a crime that included
18 fraud or the misuse of funds or property as an element of the
19 offense, and it was foreseeable that the position for which the
20 employee or independent contractor was hired would involve
21 discharging a fiduciary responsibility in the management of funds or
22 property;

23 2. The misappropriation of funds by an employee or independent
24 contractor, if the employee or independent contractor was hired as

1 an attorney and, on the date the employee or independent contractor
2 was hired, the employee or independent contractor had been convicted
3 of a crime that included fraud or the misuse of funds or property as
4 an element of the offense; or

5 3. An offense under Section 13.1 or subsection C, D, E, F, G,
6 or J of Section 644 of Title 21 of the Oklahoma Statutes, or an
7 improper use of excessive force by an employee or independent
8 contractor if the employee or independent contractor was hired to
9 serve as a law enforcement officer or security guard.

10 E. This section shall not be interpreted as implying a cause of
11 action exists for negligent hiring of an ex-offender in factual
12 situations not covered by this section. In deciding whether
13 liability exists in such cases, courts shall not presume that,
14 because they are not covered in the protection herein, there is
15 legislative intent expressed through the passage of this enactment
16 to extend liability in such cases where it is not already
17 established.

18 SECTION 2. This act shall become effective November 1, 2023.

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20 59-1-7188 LRB 01/26/23

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