

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1126

By: Phillips

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7 COMMITTEE SUBSTITUTE

8 An Act relating to technology; requiring employers
9 provide written notice to employees of electronic
10 monitoring; requiring certain categories of
11 monitoring be disclosed; providing certain exception;
12 providing penalties; requiring certain entities adopt
13 a written policy on electronic monitoring; providing
14 for codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 776.7.a of Title 15, unless
18 there is created a duplication in numbering, reads as follows:

19 A. Employers who engage in any type of electronic monitoring of
20 employee accounts shall give written notice to all employees prior
21 to any monitoring electronic communication. This notice shall
22 disclose to employees the categories of monitoring that may occur.
23 However, if an employer has reasonable grounds to believe that
24 employees are engaged in illegal conduct and electronic monitoring
may produce evidence of this misconduct, the employer may conduct

1 monitoring without giving prior written notice. Employers
2 monitoring electronics without giving written notice to employees
3 shall be fined Five Hundred Dollars (\$500.00) for the first offense,
4 One Thousand Dollars (\$1,000.00) for the second offense and Three
5 Thousand Dollars (\$3,000.00) for the third and each subsequent
6 offense.

7 B. All state agencies, institutions or political subdivisions
8 thereof that operate or maintain an electronic monitoring system
9 shall adopt a written policy on the monitoring of electronics and
10 the circumstances under which it shall be conducted.

11 SECTION 2. This act shall become effective November 1, 2021.

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13 58-1-7471 AB 02/10/21

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