

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1214

By: Standridge

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6 AS INTRODUCED

7 An Act relating to public health; requiring state
8 agency or political subdivision to make a reasonable
9 attempt to provide certain information under certain
10 condition; making state agency or political
11 subdivision liable for certain violation; exempting
employee from immunity under Governmental Tort Claims
Act under certain circumstances; specifying
applicability of section; providing for codification;
and declaring an emergency.

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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 1-502.5 of Title 63, unless
17 there is created a duplication in numbering, reads as follows:

18 A. If a state agency or political subdivision requires the use
19 or wearing of a medical device including but not limited to a face
20 covering, the state agency or political subdivision shall make a
21 reasonable attempt to provide each person covered under such
22 requirement with clear and concise instructions on proper usage and
23 applicable warnings of any real or potential harms based on
24 applicable guidance from one or more health authorities including

1 but not limited to the State Department of Health, the Centers for
2 Disease Control and Prevention, the Occupational Safety and Health
3 Administration, the Food and Drug Administration, or the World
4 Health Organization.

5 B. A state agency or political subdivision found to be in
6 violation of subsection A of this section shall be liable for actual
7 damages. An employee of the state or political subdivision who
8 implements or is tasked with oversight of such a requirement who
9 knowingly neglects to fully inform those subject to the requirement
10 pursuant to subsection A of this section shall be deemed to be
11 acting outside the scope of his or her employment and shall forfeit
12 any protection from liability pursuant to the Governmental Tort
13 Claims Act.

14 C. The provisions of this section shall apply to a civil action
15 filed on or after the effective date of this act.

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

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