

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1279

By: Bullard

AS INTRODUCED

An Act relating to conditions of employment; amending 40 O.S. 2021, Section 191, which relates to restrictions on examinations; prohibiting vaccinations as a condition of employment by a governmental entity; defining term; and declaring an emergency.

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

SECTION 1. AMENDATORY 40 O.S. 2021, Section 191, is amended to read as follows:

Section 191. A. It shall be unlawful for any person, partnership, association, or corporation, either for himself, herself, or itself, or in a representative or fiduciary capacity, to require any employee or applicant for employment, as a condition of employment or continued employment, to submit to, or take, a physical or medical examination, without providing such examination at no cost therefor to such employee or applicant for employment, or without furnishing, upon the request of the employee or applicant for employment within thirty (30) days after such examination, free of charge, to such employee or applicant for employment, a true and

1 correct copy, either original or duplicate original, of the
2 examiner's report of such examination. It shall further be unlawful
3 for any such person, partnership, association or corporation to
4 require any employee or applicant for employment to pay, either
5 directly or indirectly, any part of the cost of any such
6 examination, report, or copy of report. Provided that the report of
7 any physical examination furnished in accordance with this section
8 shall not be made the basis or predicate for any action in damages
9 against the physician and surgeon making and furnishing such report.

10 B. It shall be unlawful for any federal or state agency,
11 political subdivision, or any business under contract with the state
12 to require any resident of Oklahoma to submit to or receive a COVID-
13 19 vaccination or any variant thereof. Additionally, no federal or
14 state agency or political subdivision shall discriminate against the
15 resident of Oklahoma due to vaccination status. As used in this
16 section, "political subdivision" means a county, city, town, school
17 district, or other governmental or public entity located within this
18 state.

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

24 58-2-2233

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