

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 767

By: Stewart

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5
6 AS INTRODUCED

7 An Act relating to hiring practices; creating the
8 Fair Chance Hiring Practices by Public Employers Act;
9 providing short title; defining terms; prohibiting
10 certain employment positions from the provisions of
11 this act; preventing public employers from certain
12 practices before making a conditional offer to an
13 applicant; allowing public employers to employ
14 certain policies during the hiring process;
15 authorizing the public employer to consider certain
16 information during employment process; preventing
17 certain applications from the provisions of this act;
18 providing for codification; and providing an
19 effective date.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 1000 of Title 40, unless there
23 is created a duplication in numbering, reads as follows:

24 This act shall be known and may be cited as "Fair Chance Hiring
Practices by Public Employers Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 1000.1 of Title 40, unless there
is created a duplication in numbering, reads as follows:

1 As used in this act:

2 1. "Public employer" means the State of Oklahoma or any
3 political subdivision thereof, including any department, agency,
4 board, commission, institution, authority, public trust,
5 municipality, county, district, or instrumentality thereof;

6 2. "Criminal record history information" means records related
7 to a past criminal conviction, arrest, deferred adjudication, or
8 juvenile adjudication; and

9 3. "Sensitive positions" means any position:

10 a. at a school district as defined in Section 1-108 of
11 Title 70 of the Oklahoma Statutes,

12 b. at a state educational institution as defined in
13 Section 3102 of Title 70 of the Oklahoma Statutes,

14 c. with a law enforcement agency requiring Council on Law
15 Enforcement Education and Training (CLEET)
16 certification,

17 d. as a jailer or correctional officer,

18 e. that works with or includes access to children or
19 vulnerable adults, and

20 f. with a public employer whose primary purpose is to
21 perform financial or fiduciary functions.

22 SECTION 3. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 1000.2 of Title 40, unless there
24 is created a duplication in numbering, reads as follows:

1 This act shall not apply to:

2 1. Sensitive positions as defined in Section 2 of this act;

3 2. Private contractors or vendors conducting business with a
4 public employer; or

5 3. Positions under which federal, state, or local law requires
6 the consideration of an applicant's criminal record history
7 information.

8 SECTION 4. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 1000.3 of Title 40, unless there
10 is created a duplication in numbering, reads as follows:

11 A. Except as provided in subsection B of this section, before
12 making a conditional offer of employment to an applicant, a public
13 employer may not:

14 1. Obtain criminal history record information relating to the
15 applicant; or

16 2. Ask an applicant for employment to disclose, orally or in
17 writing, information concerning the applicant's criminal history.

18 B. However, before making a conditional offer of employment to
19 an applicant, a public employer may:

20 1. Notify an applicant that under federal, state, or local law,
21 certain criminal convictions disqualify the applicant from
22 consideration for the position; and

23 2. Include a question in an initial employment application form
24 regarding whether the applicant has a prior criminal conviction that

1 would disqualify the applicant from employment under federal, state,
2 or local law. Such questions shall be limited to offenses that
3 result in disqualification under federal, state, or local law.

4 C. This section does not prohibit a public employer from:

5 1. Asking an applicant for information about an applicant's
6 criminal record history information after the public employer has
7 made a conditional offer of employment;

8 2. Obtaining criminal record history information after a
9 conditional offer of employment; or

10 3. Considering the criminal record history information when
11 making final hiring decisions.

12 D. The provisions of this act shall only apply to employment
13 applications submitted on or after the effective date of this act.

14 SECTION 5. This act shall become effective November 1, 2025.

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