

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1947

By: Cruz

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6 AS INTRODUCED

7 An Act relating to public buildings and public works;  
8 creating the Safety Training for Employees Performing  
9 Construction Work with Governmental Entities;  
10 defining terms; requiring certain contracts to  
11 provide for construction safety training; providing  
12 for notice and penalty; providing for administration  
13 of act; providing for codification; and providing an  
14 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 401 of Title 61, unless there is  
18 created a duplication in numbering, reads as follows:

19 A. This act shall be known and may be cited as the "Safety  
20 Training for Employees Performing Construction Work with  
21 Governmental Entities".

22 B. In this section:

23 1. "Construction contract" means a contract or agreement for  
24 the performance of general construction for a governmental entity;

2. "Construction safety training" means a construction and  
general industry safety training class approved by the federal

1 Occupational Safety and Health Administration that is at least ten  
2 (10) hours in duration;

3 3. "Contractor" means a person, firm or corporation contracting  
4 with a governmental entity for general construction;

5 4. "Employee" means an individual paid by a contractor or  
6 subcontractor to perform general construction work or services;

7 5. "General construction" means:

8 a. erecting or preparing to erect a structure, including  
9 a building, bridge, roadway, public utility facility,  
10 or related structure,

11 b. remodeling, extending, repairing or demolishing a  
12 structure, or

13 c. otherwise improving real property or a structure  
14 related to real property;

15 6. "Governmental entity" means this state, a political  
16 subdivision of this state, including a municipality, county, public  
17 school district, or authority; and

18 7. "Subcontractor" means a person, firm or corporation  
19 contracting with a contractor for general construction.

20 C. To the extent consistent with federal law, a governmental  
21 entity that enters into a construction contract shall require that  
22 the contractor ensure that all employees working on the general  
23 construction site that is the subject of the construction contract  
24 have completed construction safety training. Before an employee

1 works on the general construction site, the contractor shall receive  
2 and provide to the governmental entity a certificate of training  
3 completion for the employee.

4 D. A governmental entity that enters into a construction  
5 contract shall include in the contract notice and penalty provisions  
6 that:

7 1. Require the governmental entity to provide the contractor  
8 with written notice, hand delivered or by certified mail, of a  
9 violation of subsection C of this section by the contractor;

10 2. Require the contractor to comply with subsection C of this  
11 section by the twentieth day after the date the contractor receives  
12 any notice of noncompliance with that subsection;

13 3. Inform a contractor that the governmental entity may impose  
14 an administrative penalty if the contractor fails to comply with  
15 subsection C of this section after the twentieth day after the date  
16 the contractor receives any notice of noncompliance with that  
17 subsection; and

18 4. Explain that a penalty amount may be withheld from a payment  
19 otherwise owed to the contractor under the construction contract.

20 E. The amount of a penalty imposed under paragraph 3 of  
21 subsection D of this section is One Hundred Dollars (\$100.00) per  
22 day for each employee working in noncompliance.

23 F. Each governmental entity shall develop procedures for the  
24 administration of this section.

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

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