

ENGROSSED SENATE  
BILL NO. 758

BY: BROWN of the SENATE

and

HUDSON of the HOUSE

AN ACT RELATING TO TRUSTS AND POOLS; AMENDING 79 O.S.  
1991, SECTION 21, WHICH RELATES TO CERTAIN  
PROCEEDINGS BY ATTORNEY GENERAL; ALLOWING ATTORNEY  
GENERAL TO PROSECUTE AND RECOVER DAMAGES UNDER  
CERTAIN PROVISIONS OF FEDERAL LAW; AND PROVIDING AN  
EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 79 O.S. 1991, Section 21, is  
amended to read as follows:

Section 21. A. If the Attorney General shall have sufficient  
evidence that the provisions of the Constitution or any law pursuant  
thereto against the establishment or maintenance of any trust,  
monopoly or unreasonable restraint of trade, or any of the  
provisions of this article, are about to be or have been violated by  
any person, firm, corporation or association engaged in any  
quasi-public business or having a virtual monopoly of any commodity  
or business, with the intention or effect of destroying competition  
or restraining trade, contrary to the provisions of this article, he  
may file information in the Supreme Court, and by proceeding as  
against nuisance, enjoin and restrain said combination or  
arrangement or any of its members, or by proceeding analogous to

libel, cause any or all the personal property of said offending person, firm or corporation or association, used or to be used, in whole or in part, in any transaction which in effect or intent hinders competition, or produces unreasonable restriction of trade, to be forfeited to the state in the discretion of the court, together with all the commodities in the possession or control of such offending corporation, person, firm or association, used or intended for such use in violation of the Constitution or laws pursuant thereto, or this article; and he may take both said proceedings.

B. The Attorney General may bring an action on behalf of the state and as parens patriae on behalf of natural persons residing in the state to recover damages and other relief provided for by the federal antitrust laws, Title 15, United States Code.

SECTION 2. This act shall become effective September 1, 1992.

Passed the Senate the 4th day of March, 1992.

President of the Senate

Passed the House of Representatives the \_\_\_\_ day of

\_\_\_\_\_, 1992.

Speaker of the House of Representatives