

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

HOUSE BILL NO. 2088

BY: LEIST

AS INTRODUCED

AN ACT RELATING TO THE CONSUMER PROTECTION ACT;

CREATING THE PAY-PER-CALL INFORMATION SERVICES CALL
BLOCKING ACT; PROVIDING DEFINITIONS; PROVIDING FOR
BLOCKING OF PAY-PER-CALL INFORMATION SERVICES UPON
REQUEST; PROVIDING FOR NOTICE TO ALL TELEPHONE
SERVICE USERS OF BLOCKING AVAILABILITY; PROVIDING
FOR ELECTION OF BLOCKING; PROVIDING FOR MANDATORY
BLOCKING IN CERTAIN AREAS; PROVIDING FOR
CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 790 of Title 15, unless there is
created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Pay-per-call
Information Services Call Blocking Act."

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 790.1 of Title 15, unless there
is created a duplication in numbering, reads as follows:

As used in the Pay-per-call Information Services Call Blocking
Act, unless the context otherwise requires:

1. "Local exchange telephone company" means any company providing exchange telephone services to any service user in this state;

2. "Pay-per-call Information Services" means services that allow a caller to dial a specified 1-900-XXX-XXXX or 1-976-XXX-XXXX number and such service delivers, for a predetermined and sometimes time-sensitive fee, a prerecorded or live message or interactive program. The service is usually transported and billed by the local exchange telephone company;

3. "Person" means any service user, including but not limited to, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, private corporation, whether organized for profit or not, fraternal organization, nonprofit organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, the United States of America, the state, any political subdivision of the state, or any federal or state agency, department, commission, board or bureau; and

4. "Service user" means any person who is provided exchange telephone service in this state.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 790.2 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. Beginning September 1, 1992, all local exchange telephone companies, upon request of a service user, shall block access to all Pay-per-call Information Services. There shall be no charge to the service user or person for the blocking request.

B. The request of the service user shall be determined as follows:

1. Service users not currently receiving blocking must order blocking either orally or by means of written ballot in order to restrict access to Pay-per-call Information Services. By November

1, 1992, each local exchange telephone company must notify its service users of the upcoming free blocking and send a post-paid ballot to all existing service users allowing them to choose whether they want to restrict access to Pay-per-call Information Services;

2. Service users currently receiving blocking shall not be affected and do not need to make an additional request;

3. New service users shall be polled at the time of their service order as to whether they want access to Pay-per-call Information Services; and

4. Service users electing not to restrict access to Pay-per-call Information Services will have access to all Pay-per-call Information Services available in their service area.

C. Service users may have the blocking removed upon their request, however, service users shall be charged a fee for subsequent blocking requests.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 790.3 of Title 15, unless there is created a duplication in numbering, reads as follows:

In areas where restricting access to Pay-per-call Information Services is not technically possible, all access to the Pay-per-call Information Services shall be blocked. Service users whose access to the Pay-per-call Information Services is blocked pursuant to this section shall be notified prior to the time of the blocking that such blocking will take place, the fact that such blocking is being done pursuant to the Pay-per-call Information Services Call Blocking Act, and that such blocking is required due to the fact that restriction of access to such services is not technically possible at that time. Once an area that has been mandatorily blocked attains the capability to provide blocking, the local exchange telephone company shall provide the notice and balloting procedures set out in Section 3 of this act.

SECTION 5. This act shall become effective September 1, 1992.

43-2-6976

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