

ENGROSSED HOUSE
BILL NO. 1938

By: Matlock of the House
and
Bell of the Senate

An Act relating to public health; regulating the sale of earrings for pierced ears; prohibiting certain acts; requiring certain warning notice; specifying such notice; providing penalty; making certain persons responsible for illegal acts; 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 1-508.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. No person shall try on earrings for pierced ears on the premises of the retail seller of the earrings prior to purchasing the earrings. Each retail seller of earrings for pierced ears shall post a conspicuous notice on the premises in areas most likely to be viewed by the public intending to purchase such earrings. This notice shall read as follows:

WARNING: IT IS AGAINST STATE LAW AND AN OFFENSE FOR ANY PERSON TO TRY ON EARRINGS FOR PIERCED EARS PRIOR TO PURCHASE. IT IS ALSO A HEALTH HAZARD DUE TO THE LIKELIHOOD OF THE TRANSMISSION OF AIDS, HEPATITIS AND OTHER BLOOD-BORNE COMMUNICABLE DISEASES.

B. If a retail seller of earrings for pierced ears accepts the return of such items after the earrings have been purchased, the seller shall not resell the earrings.

C. Any person violating the provisions of this section, upon conviction, shall purchase the merchandise. For purposes of subsection B of this section, any owner, manager or person having supervisory control over the premises of the retail seller shall be held responsible for violations of that subsection.

SECTION 2. This act shall become effective November 1, 1995.

Passed the House of Representatives the 6th day of March, 1995.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate