

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1692

By: Perry

AS INTRODUCED

An Act relating to crimes and punishments; amending
21 O.S. 1991, Section 1040.12, which relates to
definitions regarding obscenity; clarifying
language; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1040.12, is
amended to read as follows:

Section 1040.12 The following words, terms and phrases used in
this act shall, for the purpose of this act, have the meanings
~~respectively~~ ascribed to them in this section:

"Article" means any picture, drawing, photograph, article or
instrument. It does not include any of these articles used in or by
any recognized religious, scientific or educational institution.

"Filthy" means morally foul, polluted, nasty, dirty, vulgar,
debasing, having tendency to corrupt or debauch.

"Indecent" means morally offensive or depraving.

"Lascivious" means wanton or lustful.

"Lewd" means licentious, lecherous, dissolute, debauched,
impure, salacious or pornographic.

"Mailable matter" means (a) printed matter or material having
second class mailing privileges under the laws of the United States;

or (b) any other printed or written matter or material which has not been adjudicated by a court of competent jurisdiction to be nonmailable under the laws of the United States.

"Obscene" means that to the average person, applying contemporary community standards, the dominant theme of the material taken as a whole appeals to prurient interest.

"Person" means any individual, partnership, firm, association, corporation or other legal entity.

"Printed or written matter or material" means any book, pamphlet, magazine, periodical, newspaper, comic book, story, paper or other printed or written matter. It does not include written or printed matter or material used by or in any recognized religious, scientific or educational institution.

"Unfit" means obscene, lewd, lascivious, filthy or indecent.

SECTION 2. This act shall become effective November 1, 1997.

46-1-5693

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