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STATE OF OKLAHOMA

2nd Session of the 46th Legislature (1998)

HOUSE BILL NO. 2946

By: Collins

AS INTRODUCED

An Act relating to crimes and punishments; amending  
21 O.S. 1991, Section 1040.14, which relates to  
mailing obscene material; clarifying language.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1040.14, is amended to read as follows:

Section 1040.14 ~~(a)~~ A. Whenever the Attorney General of this state or the district attorney for any district has reasonable cause to believe that any person, with knowledge of its contents, is ~~(1)~~ engaged:

1. Engaged in sending or causing to be sent, bringing or causing to be brought, into this state for sale or commercial distribution, ; or ~~is (2) in~~

2. In this state preparing, selling, exhibiting or commercially distributing or giving away, or offering to give away, or has in his possession with intent to sell, or commercially distribute or to exhibit or give away or offer to give away, any unfit mailable matter, the Attorney General or the district attorney for the county into which such mailable matter is sent or caused to be sent, brought or caused to be brought, or in which it

is prepared, sold, exhibited or commercially distributed or given away or offered to be given away, or possessed, may institute an action in the district court for an adjudication of the obscenity of the mailable matter.

~~(b)~~ B. The procedure to be followed shall be that set forth in this act.

46-2-8825

MCD