

1 STATE OF OKLAHOMA

2 1st Session of the 47th Legislature (1999)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1410

By: Perry

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to telecommunications; making it
9 unlawful to transmit electronic mail messages with a
10 third party, a false or with no Internet domain name;
11 making it unlawful to transmit electronic mail
12 messages containing certain misleading or false
13 information; providing for a civil remedy; making the
14 unlawful activity a violation of the Oklahoma
15 Consumer Protection Act; providing a definition;
16 providing for codification; providing an effective
17 date; and declaring an emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 776.1 of Title 15, unless there
21 is created a duplication in numbering, reads as follows:

22 A. It shall be unlawful for a person to initiate an electronic
23 mail message that the sender knows, or has reason to know:

24 1. Uses an internet domain name of a third party without
25 permission of the third party;

26 2. Misrepresents any information in identifying the point of
27 origin or the transmission path of the electronic mail message;

28 3. Does not contain information identifying the point of origin
29 or the transmission path of the electronic mail message; or

30 4. Contains false, malicious, or misleading information which
31 purposely or negligently injures a person.

32 B. Any person violating the provisions of this section shall be
subject to a civil penalty of up to Five Hundred Dollars (\$500.00).

1 C. All acts and practices declared to be unlawful by this
2 section shall, in addition, be violations of the Oklahoma Consumer
3 Protection Act.

4 SECTION 2. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 776.2 of Title 15, unless there
6 is created a duplication in numbering, reads as follows:

7 For purposes of Section 1 of this act:

8 1. "Electronic mail messages" means a message, file, or other
9 information that is transmitted through a local, regional, or global
10 network regardless of whether the message, file, or other
11 information is viewed, stored for retrieval at a later time, printed
12 on to paper or other similar material, or is filtered or screened by
13 a computer program that is designed or intended to filter or screen
14 items of electronic mail;

15 2. "Internet domain name" means a globally unique, hierarchical
16 reference to an Internet host or service, assigned through a
17 centralized Internet naming authority, comprising a series of
18 character strings separated by periods, with the right-most string
19 specifying the top of the hierarchy; and

20 3. "Initiate the transmission" means the action of the original
21 sender of an electronic mail message, not to the action by any
22 intervening computer service that may handle or retransmit the
23 message.

24 SECTION 3. This act shall become effective July 1, 1999.

25 SECTION 4. It being immediately necessary for the preservation
26 of the public peace, health and safety, an emergency is hereby
27 declared to exist, by reason whereof this act shall take effect and
28 be in full force from and after its passage and approval.

29
30 47-1-6142 KB 6/11/15
31
32