

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 SENATE BILL NO. 69

By: Fisher of the Senate

and

6 Tyler of the House

7
8
9 COMMITTEE SUBSTITUTE

10 An Act relating to commercial telephone solicitation;
11 making solicitation of certain response by caller an
12 unlawful telemarketing practice; authorizing certain
13 allowable practice; making certain solicitation a
14 misdemeanor; providing minimum fine for each such
15 engagement; providing for codification; and declaring
16 an emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 775A.5 of Title 15, unless there
20 is created a duplication in numbering, reads as follows:

21 A. A commercial telephone seller engages in an unlawful
22 telemarketing practice when, in the course of any commercial
23 telephone solicitation, the seller, during any telephone call
24 initiated by the seller in which the seller solicits the person
25 called to make a specific purchase or to otherwise respond to an
26 offer of goods, services, or property or to acknowledge that the
27 person has won a contest, sweepstakes, or drawing, requests of the
28 person called a bank card number, bank account number, social
29 security number, or any dialed or touch tone or other response by
30 which the caller or any third party can obtain financial or other
31 personal information from the person called.

32 B. Notwithstanding the provisions of subsection A of this
section, a commercial telephone seller may, without engaging in an

1 unlawful telemarketing practice, provide a number or numbers which
2 the person called may use to make a separate return call for the
3 purpose of making a purchase, responding to an offer, acknowledging
4 winnings, or providing personal or financial information for
5 commercial purposes.

6 C. For the purposes of this section, each telephone call which
7 constitutes engagement in an unlawful telemarketing practice shall
8 be a misdemeanor punishable by a fine of not less than One Hundred
9 Dollars (\$100.00).

10 SECTION 2. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

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