ENGROSSED HOUSE
BILL NO. 2508

By: Perry, Mass and Deutschendorf of the House

and

Coffee of the Senate

An Act relating to electronic commerce; amending Sections 3, 4, 5, 6, 7, 9 and 11, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Sections 960, 961, 962, 963, 964, 966 and 968), which relate to the Electronic Records and Signature Act of 1998; changing the name of the Electronic Records and Signature Act to the Uniform Electronic Transaction Act; modifying the purposes of the Act; adding definitions; modifying definitions; modifying application of the Act; modifying certain exemptions; deleting certain exemptions; making the Act applicable to certain electronic records and signatures; prohibiting mandate for electronic records or signature; establishing right to conduct a transaction by electronic means; allowing for variation by parties by agreement; prohibiting denial of an electronic record or signature; providing that an electronic record or signature satisfies certain laws; providing for an electronic transaction to satisfy certain writing requirements; providing for the posting or display of an electronic record or signature; allowing for variation by agreement; making an electronic record or signature attributable to certain persons; providing certain rules if a change or error occurs in the transmission of an electronic record; providing for notarizing or verifying an electronic record or signature; prohibiting the exclusion of an electronic record or signature in a proceeding; providing conditions for retention of an electronic record; providing certain exceptions; providing for retention of certain types of electronic records; establishing rules for automated transactions; establishing criteria for when an electronic record is sent; establishing criteria for when an electronic record is received; providing rules for location of sending and receiving; providing for receipt of an electronic record; providing definition of a transferable record under the Act; providing for control of a transferable record; providing for certain persons rights and defenses for a transferable record; providing for enforcement of a transferable record; requiring governmental agencies to establish a policy on electronic records; directing governmental agencies to specify certain standards for electronic records; allowing governmental agencies to encourage consistency and interoperability; repealing Sections 8 and 10, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Sections 965 and 967), which relate to legal effect, validity, enforceability and retention of

electronic records; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY Section 3, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 960), is amended to read as follows:

Section 960. This act shall be known and may be cited as the "Uniform Electronic ~~Records and Signature~~ Transaction Act ~~of 1998~~".

SECTION 2. AMENDATORY Section 4, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 961), is amended to read as follows:

Section 961. The purposes of the Uniform Electronic ~~Records and Signature~~ Transaction Act ~~of 1998~~ are:

1. To facilitate ~~and promote commerce~~ electronic transactions ~~by validating and authorizing the use of electronic records and electronic signatures~~ consistent with other applicable law;

2. To ~~eliminate barriers to electronic commerce transactions resulting from uncertainties relating to writing and signature requirements;~~

~~3. To simplify, clarify, and modernize the law governing commerce transactions through the use of electronic means;~~

~~4. To promote public confidence in the validity, integrity, and reliability of electronic transactions; and~~

~~5. To promote the development of the legal and business infrastructure necessary to implement electronic commerce transactions~~ be consistent with reasonable practices concerning electronic transactions and with the continued expansion of those practices; and

3. To effectuate its general purpose to make uniform the law with respect to the subject of this act among states enacting it.

SECTION 3. AMENDATORY Section 5, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 962), is amended to read as follows:

Section 962. As used in the Uniform Electronic ~~Records and Signature~~ Transaction Act:

1. "Agreement" means the bargain of the parties in fact, as found in their language or inferred from other circumstances and from rules, regulations, and procedures given the effect of agreements under law otherwise applicable to a particular transaction;

2. "Automated transaction" means a transaction conducted or performed, in whole or in part, by electronic means or electronic records, in which the acts or records of one or both parties are not reviewed by an individual in the ordinary course in forming a contract, performing under an existing contract, or fulfilling an obligation required by the transaction;

3. "Computer program" means a set of statements or instructions to be used directly or indirectly in an information processing system in order to bring about a certain result;

4. "Contract" means the total legal obligation resulting from the parties' agreement as affected by the act and other applicable law;

5. "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or ~~any other form of technology that entails~~ similar capabilities ~~similar to these technologies~~;

~~2.~~ 6. "Electronic agent" means a computer program or other electronic or automated means used~~, selected, or programmed by a person~~ independently to initiate an action or respond to electronic records or performances in whole or in part without review by an individual;

~~3.~~ 7. "Electronic record" means a record created, stored, sent, generated, received, or communicated by electronic means~~, including but not limited to a computer program, electronic data interchange, electronic or voice mail, facsimile, telex, telecopying, scanning and similar technologies~~;

~~4.~~ 8. "Electronic signature" means ~~any signature in~~ an electronic ~~form~~ sound, symbol, or process attached to or logically associated with ~~an electronic~~ a record executed or adopted by a person ~~or its electronic agent~~ with intent to sign the ~~electronic~~ record;

9. "Governmental agency" means an executive, legislative, or judicial agency, department, board, commission, authority, institution, or instrumentality of the state government or of a county, municipality, or other political subdivision of the state;

~~5.~~ 10. "Information" means data, text, images, sounds, codes, computer programs, software, databases, and the like;

11. "Information processing system" means an electronic system for creating, generating, sending, receiving, storing, displaying, or processing information;

~~6.~~ 12. "Person" means an individual, corporation, business trust, government or governmental unit or agency, political subdivision, estate, trust, partnership, limited liability company, association, joint venture, or any other legal or commercial entity;

~~7.~~ 13. "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form;

~~8. "Rule of law" means a statute, regulation, ordinance, common-law rule, or other law relating to a transaction and enacted, established, or promulgated by this state, any agency, commission, department, court, or other authority or political subdivision of this state;~~

~~9. "Sign" means the execution or adoption of a signature by a person or the person's electronic agent;~~

~~10. "Signature" means any symbol, sound, process, or encryption of a record in whole or in part executed or adopted by a person or the person's electronic agent with intent to identify the person and to either:~~

~~a. adopt or accept a term or record, or~~

~~b. establish the informational integrity of a record or term that contains the signature or to which a record containing the signature refers;~~

~~11. "Term" means that portion of an agreement which relates to a particular matter; and~~

~~12. "Writing" includes printing, typewriting, or any other intentional reduction to tangible form. "Written" has a corresponding meaning~~

14. "Security procedure" means a procedure employed for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. The term includes a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures; and

15. "Transaction" means an action or set of actions occurring between two or more persons relating to the conduct of business, commercial, or governmental affairs.

SECTION 4. AMENDATORY Section 6, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 963), is amended to read as follows:

Section 963. A. Except as otherwise provided in subsection B of this section, the Uniform Electronic ~~Records and Signature~~ Transaction Act applies to electronic records and electronic signatures ~~generated, stored, processed, communicated, or used for~~

~~any purpose and in any~~ relating to a transaction. ~~Nothing in this act shall be construed to require any person to use or permit the use of electronic records or electronic signatures.~~

B. This act shall not apply to a transaction to the extent it is governed by:

1. ~~Rules of~~ A law ~~relating to~~ governing the creation or execution of a will, codicil, or testamentary trust;

2. ~~Rules of law relating to the creation, performance, or enforcement of an indenture, declaration of trust, or power of attorney;~~

~~3. Rules of law relating to mortgages, conveyances, surface and mineral leases, rights-of-way, and easements of real property;~~

~~4. Rules of law, as specified by Section 475.1 et seq. of Title 59 of the Oklahoma Statutes relating to persons licensed as professional land surveyors or professional engineers, and Section 46.1 et seq. of Title 59 of the Oklahoma Statutes relating to persons licensed as architects or licensed landscape architects;~~

~~5. Rules of law which expressly require a written record when the application of this act would cause a result which is inconsistent with the intent as expressed by the rule of law. Provided, a requirement by the rule of law that the information be in writing, printed, signed, or the like shall not in and of itself establish an inconsistency~~ The Uniform Commercial Code, other than Sections 1-106 and 1-206 of Title 12A of the Oklahoma Statutes and Article 2 and Article 2A of Title 12A of the Oklahoma Statutes which are provisions of the Uniform Commercial Code; and

3. Other laws, if any, identified by the state.

C. This act applies to an electronic record or electronic signature otherwise excluded from the application of this act under subsection B of this section to the extent it is governed by a law other than those specified in subsection B of this section.

D. A transaction subject to this act shall also be subject to~~:~~

~~1. Any~~ other applicable ~~rules of~~ law ~~relating to consumer transactions or which have the purpose of consumer protection; and~~

~~2. The Uniform Commercial Code as enacted in this state.~~

~~D. In the case of a conflict between this act and a rule of law referenced in subsection C of this section, the rule of law shall govern~~.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 963.1 of Title 15, unless there is created a duplication in numbering, reads as follows:

The Uniform Electronic Transaction Act shall apply to any electronic record or electronic signature created, generated, sent, communicated, received, or stored on or after the effective date of this act.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 963.2 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. The Uniform Electronic Transaction Act shall not require a record or signature to be created, generated, sent, communicated, received, stored, or otherwise processed or used by electronic means or in electronic form.

B. This act applies only to transactions between parties each of which has agreed to conduct transactions by electronic means. Whether the parties agree to conduct a transaction by electronic means is determined from the context and surrounding circumstances, including the parties' conduct.

C. A party that agrees to conduct a transaction by electronic means may refuse to conduct other transactions by electronic means. The right granted by this subsection may not be waived by agreement.

D. Except as otherwise provided in this act, the effect of any of its provisions may be varied by agreement. The presence in certain provisions of this act of the words "unless otherwise

agreed", or words of similar import, does not imply that the effect of other provisions may not be varied by agreement.

E. Whether an electronic record or electronic signature has legal consequences is determined by this act and other applicable law.

SECTION 7. AMENDATORY Section 7, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 964), is amended to read as follows:

Section 964. A. A record or signature shall not be denied legal effect~~, validity,~~ or enforceability solely because it is in ~~the~~ electronic form ~~of an electronic record~~. ~~If a rule of law requires a record to be in writing, or provides consequences if it is not, an electronic record satisfies that rule of law. Persons may agree to their own requirements regarding the method of generating, storing, and communicating electronic records with each other~~

B. A contract shall not be denied legal effect or enforceability solely because an electronic record was used in its formation.

C. If a law requires a record to be in writing, an electronic record satisfies the law.

D. If a law requires a signature, an electronic signature satisfies the law.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 964.1 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. If parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send, or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent, or delivered, as the case may be, in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not

capable of retention by the recipient if the sender or its information processing system inhibits the ability of the recipient to print or store the electronic record.

B. If a law other than the Uniform Electronic Transaction Act requires a record to be posted or displayed in a certain manner, to be sent, communicated, or transmitted by a specified method, or to contain information that is formatted in a certain manner, the following rules apply:

1. The record must be posted or displayed in the manner specified in the other law;

2. Except as otherwise provided in paragraph 2 of subsection D of this section, the record must be sent, communicated, or transmitted by the method specified in the other law; and

3. The record must contain the information formatted in the manner specified in the other law.

C. If a sender inhibits the ability of a recipient to store or print an electronic record, the electronic record is not enforceable against the recipient.

D. The requirements of this section may not be varied by agreement, but:

1. To the extent a law other than this act requires information to be provided, sent, or delivered in writing but permits that requirement to be varied by agreement, the requirement under subsection A of this section that the information be in the form of an electronic record capable of retention may also be varied by agreement; and

2. A requirement under a law other than this act to send, communicate, or transmit a record by first-class mail, postage prepaid and regular United States mail, may be varied by agreement to the extent permitted by the other law.

SECTION 9. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 964.2 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. An electronic record or electronic signature is attributable to a person if it was the act of the person. The act of the person may be shown in any manner, including a showing of the efficacy of any security procedure applied to determine the person to which the electronic record or electronic signature was attributable.

B. The effect of an electronic record or electronic signature attributed to a person under subsection A of this section is determined from the context and surrounding circumstances at the time of its creation, execution, or adoption, including the parties' agreement, if any, and other as provided by law.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 964.3 of Title 15, unless there is created a duplication in numbering, reads as follows:

If a change or error in an electronic record occurs in a transmission between parties to a transaction, the following rules apply:

1. If the parties have agreed to use a security procedure to detect changes or errors and one party has conformed to the procedure, but the other party has not, and the nonconforming party would have detected the change or error had that party also conformed, the conforming party may avoid the effect of the changed or erroneous electronic record;

2. In an automated transaction involving an individual, the individual may avoid the effect of an electronic record that resulted from an error made by the individual in dealing with the electronic agent of another person if the electronic agent did not provide an opportunity for the prevention or correction of the error and, at the time the individual learns of the error, the individual:

a. promptly notifies the other person of the error and that the individual did not intend to be bound by the electronic record received by the other person,

b. takes reasonable steps, including steps that conform to the other person's reasonable instructions, to return to the other person or, if instructed by the other person, to destroy the consideration received, if any, as a result of the erroneous electronic record, and

c. has not used or received any benefit or value from the consideration, if any, received from the other person;

3. If neither paragraph 1 nor paragraph 2 of this section applies, the change or error has the effect provided by other law, including the law of mistake, and the parties' contract, if any; and

4. Paragraphs 2 and 3 of this section may not be varied by agreement.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 964.4 of Title 15, unless there is created a duplication in numbering, reads as follows:

If a law requires a signature or record to be notarized, acknowledged, verified, or made under oath, the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information required to be included by other applicable law, is attached to or logically associated with the signature or record.

SECTION 12. AMENDATORY Section 9, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 966), is amended to read as follows:

Section 966. In ~~any legal~~ a proceeding, ~~the admissibility into~~ evidence of ~~an electronic~~ a record or ~~electronic~~ a signature shall ~~be determined by rules of law relating to evidence and the Oklahoma~~

~~Evidence Code~~ not be excluded solely because it is in electronic form.

SECTION 13. AMENDATORY Section 11, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Section 968), is amended to read as follows:

Section 968. A. If a ~~rule of~~ law requires that ~~certain documents, records, or information~~ a record be retained, that requirement is met by retaining electronic records ~~if~~ of the information ~~contained~~ in the ~~electronic~~ record ~~remains accessible. The electronic record shall be retained in the format in which it was generated, stored, sent or received or in a format that can be demonstrated to reflect accurately the information as originally generated, stored, sent or received. Also, the information, if any, shall be retained in a manner that enables the identification of the source of origin and destination of an electronic record and the date and time it was sent or received. Nothing in this section shall preclude any government or governmental unit, agency, or political subdivision from specifying additional requirements for the retention of records, either written or electronic, that are subject to its jurisdiction~~ which:

1. Accurately reflects the information set forth in the record after it was first generated in its final form as an electronic record or otherwise; and

2. Remains accessible for later reference.

B. A requirement to retain a record in accordance with subsection A of this section shall not apply to any information the sole purpose of which is to enable the record to be sent, communicated, or received.

C. A person may satisfy subsection A of this section by using the services of another person if the requirements of that subsection are satisfied.

D. If a law requires a record to be presented or retained in its original form, or provides consequences if the record is not presented or retained in its original form, that law is satisfied by an electronic record retained in accordance with subsection A of this section.

E. If a law requires retention of a check, that requirement is satisfied by retention of an electronic record of the information on the front and back of the check in accordance with subsection A of this section.

F. A record retained as an electronic record in accordance with subsection A of this section satisfies a law requiring a person to retain a record for evidentiary, audit, or like purposes, unless a law enacted after the effective date of this act specifically prohibits the use of an electronic record for the specified purpose.

G. This section shall not preclude a governmental agency of this state from specifying additional requirements for the retention of a record subject to the jurisdiction of that agency.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 969 of Title 15, unless there is created a duplication in numbering, reads as follows:

In an automated transaction, the following rules apply:

1. A contract may be formed by the interaction of electronic agents of the parties, even if no individual was aware of or reviewed the electronic agents' actions or the resulting terms and agreements;

2. A contract may be formed by the interaction of an electronic agent and an individual, acting on the individual's own behalf or for another person, including an interaction in which the individual performs actions that the individual is free to refuse to perform and which the individual knows or has reason to know will cause the electronic agent to complete the transaction or performance; and

3. The terms of the contract are determined by the substantive law applicable to it.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 970 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. Unless otherwise agreed between the sender and the recipient, an electronic record is sent when it:

1. Is addressed properly or otherwise directed properly to an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record;

2. Is in a form capable of being processed by that system; and

3. Enters an information processing system outside the control of the sender or of a person that sent the electronic record on behalf of the sender or enters a region of the information processing system designated or used by the recipient which is under the control of the recipient.

B. Unless otherwise agreed between a sender and the recipient, an electronic record is received when:

1. It enters an information processing system that the recipient has designated or uses for the purpose of receiving electronic records or information of the type sent and from which the recipient is able to retrieve the electronic record; and

2. It is in a form capable of being processed by that system.

C. Subsection B of this section shall apply even if the place the information processing system is located is different from the place the electronic record is deemed to be received under subsection D of this section.

D. Unless otherwise expressly provided in the electronic record or agreed between the sender and the recipient, an electronic record is deemed to be sent from the sender’s place of business and to be

received at the recipient's place of business. For purposes of this subsection, the following rules apply:

1. If the sender or recipient has more than one place of business, the place of business of that person is the place having the closest relationship to the underlying transaction; and

2. If the sender or the recipient does not have a place of business, the place of business is the sender's or recipient's residence, as the case may be.

E. An electronic record is received under subsection B of this section even if no individual is aware of its receipt.

F. Receipt of an electronic acknowledgment from an information processing system described in subsection B of this section establishes that a record was received but, by itself, does not establish that the content sent corresponds to the content received.

G. If a person is aware that an electronic record purportedly sent under subsection A of this section, or purportedly received under subsection B of this section, was not actually sent or received, the legal effect of the sending or receipt is determined by other applicable law. Except to the extent permitted by the other law, the requirements of this subsection may not be varied by agreement.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 971 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. In this section, "transferable record" means an electronic record that:

1. Would be a note under Article 3 of Title 12A of the Oklahoma Statutes or a document under Article 7 of Title 12A of the Oklahoma Statutes, which are provisions of the Uniform Commercial Code, if the electronic record were in writing; and

2. The issuer of the electronic record expressly has agreed is a transferable record.

B. A person has control of a transferable record if a system employed for evidencing the transfer of interests in the transferable record reliably establishes that person as the person to which the transferable record was issued or transferred.

C. A system satisfies subsection B of this section, and a person is deemed to have control of a transferable record, if the transferable record is created, stored, and assigned in such a manner that:

1. A single authoritative copy of the transferable record exists which is unique, identifiable, and, except as otherwise provided in paragraphs 4, 5 and 6 of this subsection, unalterable;

2. The authoritative copy identifies the person asserting control as:

a. the person to which the transferable record was issued, or

b. if the authoritative copy indicates that the transferable record has been transferred, the person to which the transferable record was most recently transferred;

3. The authoritative copy is communicated to and maintained by the person asserting control or its designated custodian;

4. Copies or revisions that add or change an identified assignee of the authoritative copy can be made only with the consent of the person asserting control;

5. Each copy of the authoritative copy and any copy of a copy that is readily identifiable as a copy which is not the authoritative copy; and

6. Any revision of the authoritative copy is readily identifiable as authorized or unauthorized.

D. Except as otherwise agreed, a person having control of a transferable record is the holder, as defined in the Uniform Commercial Code, Section 1-201 of Title 12A of the Oklahoma

Statutes, of the transferable record and has the same rights and defenses as a holder of an equivalent record or writing under the Uniform Commercial Code, including, if the applicable statutory requirements under Sections 3-302, 7-501, or 9-308 of Title 12A of the Oklahoma Statutes, which are provisions under the Uniform Commercial Code, are satisfied; the rights and defenses of a holder in due course; a holder to which a negotiable document of title has been duly negotiated; or a purchaser, respectively. Delivery, possession, and endorsement are not required to obtain or exercise any of the rights under this subsection.

E. Except as otherwise agreed, an obligor under a transferable record has the same rights and defenses as an equivalent obligor under equivalent records or writings under the Uniform Commercial Code.

F. If requested by a person against which enforcement is sought, the person seeking to enforce the transferable record shall provide reasonable proof that the person is in control of the transferable record. Proof may include access to the authoritative copy of the transferable record and related business records sufficient to review the terms of the transferable record and to establish the identity of the person having control of the transferable record.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 972 of Title 15, unless there is created a duplication in numbering, reads as follows:

Each governmental agency of this state shall determine whether, and the extent to which, it will create and retain electronic records and convert written records to electronic records.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 973 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. Except as otherwise provided in Section 968 of Title 15 of the Oklahoma Statutes, each governmental agency of this state shall determine whether, and the extent to which, it will send and accept electronic records and electronic signatures to and from other persons and otherwise create, generate, communicate, store, process, use, and rely upon electronic records and electronic signatures.

B. To the extent that a governmental agency uses electronic records and electronic signatures under subsection A of this section, the governmental agency giving due consideration to security, may specify:

1. The manner and format in which the electronic records shall be created, generated, sent, communicated, received, and stored and the systems established for those purposes;

2. If electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, any third party used by a person filing a document to facilitate the process;

3. Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records; and

4. Any other required attributes for electronic records which are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

C. Except as otherwise provided in Section 968 of Title 15 of the Oklahoma Statutes, this act does not require a governmental agency of this state to use or permit the use of electronic records or electronic signatures.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 974 of Title 15, unless there is created a duplication in numbering, reads as follows:

The governmental agency of this state which adopts standards pursuant to Section 18 of this act may encourage and promote consistency and interoperability with similar requirements adopted by other governmental agencies of this and other states and the federal government and nongovernmental persons interacting with governmental agencies of this state. If appropriate, those standards may specify differing levels of standards from which governmental agencies of this state may choose in implementing the most appropriate standard for a particular application.

SECTION 20. REPEALER Sections 8 and 10, Chapter 308, O.S.L. 1998 (15 O.S. Supp. 1999, Sections 965 and 967), are hereby repealed.

SECTION 21. This act shall become effective November 1, 2000.

Passed the House of Representatives the 1st day of March, 2000.

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Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 2000.

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President of the Senate