

ENGROSSED SENATE
BILL NO. 110

By: Easley of the Senate
and
Glover of the House

[electric utility restructuring - unauthorized
switching - unauthorized charges - written consent -
fines - codification -
effective date]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 190.10 of Title 17, unless there is created a duplication in numbering, reads as follows:

A. To protect the residential electric consumers of this state and prevent unauthorized switching of electric service providers, commonly known as "slamming" and unauthorized charges for electric or other services, commonly known as "cramming", no person, firm or corporation shall change or switch a residential electric consumer's electricity supplier without the informed written consent of such consumer or place unauthorized charges on a residential, commercial or industrial consumer's electric bill for services or products that were never received or ordered by such consumer, or were sold through or obtained by deceptive marketing practices.

B. At no time shall any person, firm or corporation contact any residential electric consumer by telephone for the purpose of marketing or offering any electric service, telephone service or other related services. Marketing or offering any electric service or related services by telephone may be allowed if the telephone conversation is initiated by a call from the consumer; provided,

however any change in electric service or related services shall only be completed with the informed written consent of the consumer.

C. The signing of any type of contest entry form shall not constitute informed written consent as required by this section.

D. Residential electric consumers shall have three (3) business days to rescind their written acceptance of any offer for electric service or other related services.

E. The Corporation Commission shall promulgate rules to determine the minimum terms and provisions which shall be included in all residential electric service contracts.

F. Any person, firm or corporation who intentionally violates the provisions of this act shall be subject to a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) per violation to be determined by the Corporation Commission.

SECTION 2. This act shall become effective November 1, 1999.

Passed the Senate the 22nd day of February, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____ ,
1999.

Speaker of the House of
Representatives