

ENGROSSED SENATE  
BILL NO. 69

By: Fisher of the Senate  
and  
Tyler of the House

[ commercial telephone solicitation - restricting  
procedures - penalty - codification -  
emergency ]

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 775A.5 of Title 15, unless there is created a duplication in numbering, reads as follows:

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

B. Notwithstanding the provisions of subsection A of this section, a commercial telephone seller may, without engaging in an unlawful telemarketing practice, provide a number or numbers which the person called may use to make a separate return call for the purpose of making a purchase, responding to an offer, acknowledging winnings, or providing personal or financial information for commercial purposes.

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

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

Passed the Senate the 17th day of February, 1999.

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President of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_ ,  
1999.

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Speaker of the House of  
Representatives