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THE STATE SENATE  
Thursday, February 11, 1999

Senate Bill No. 69  
As Amended

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.

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

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-9-99 - DO  
17 PASS, As Amended and Coauthored.