

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1758

By: Hefner

COMMITTEE SUBSTITUTE

An Act relating to contracts; amending 15 O.S. 2001, Section 598.6, which relates to the Unfair Sales Act; adding certain exception; and providing an effective date.

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

SECTION 1. AMENDATORY 15 O.S. 2001, Section 598.6, is amended to read as follows:

Section 598.6 The provisions of this act shall not apply to sales at retail or sales at wholesale;

~~(a)~~ 1. Where seasonable merchandise is sold in bona fide clearance sales, if advertised marked, and sold as such;

~~(b)~~ 2. Where perishable merchandise must be sold promptly in order to forestall loss;

~~(c)~~ 3. Where merchandise is imperfect or damaged or is being discontinued and is advertised, marked and sold as such;

~~(d)~~ 4. Where merchandise is sold upon the final liquidation of any business;

~~(e)~~ 5. Where merchandise is sold for charitable purposes or to relief agencies;

~~(f)~~ 6. Where merchandise is sold on contract to departments of the government or governmental institutions;

~~(g)~~ 7. Where merchandise is sold by any officer acting under the order or direction of any court;

~~(h)~~ 8. Where merchandise is sold at any bona fide auction sale;

or

9. Where merchandise is sold by a private organization solely to its membership who have paid a membership fee to the organization and the sale does not tend to deceive any purchaser or prospective purchaser, nor to substantially lessen competition, nor to unreasonably restrain trade, nor tend to create a monopoly.

SECTION 2. This act shall become effective November 1, 2003.

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