

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

HOUSE BILL HB2215:

Hastings

AS INTRODUCED

An Act relating to technology; amending Section 2, Chapter 129, O.S.L. 2003, as amended by Section 2, Chapter 310, O.S.L. 2003 (15 O.S. Supp. 2003, Section 776.6), which relates to commercial mail messages; requiring senders of unsolicited commercial electronic mail messages to provide an automatic return electronic mail mechanism; and providing an effective date.

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

SECTION 1. AMENDATORY Section 2, Chapter 129, O.S.L. 2003, as amended by Section 2, Chapter 310, O.S.L. 2003 (15 O.S. Supp. 2003, Section 776.6), is amended to read as follows:

Section 776.6. A. It shall be a violation of this act for any person to transmit a commercial electronic mail message that:

1. Falsifies electronic mail transmission information or other routing information for the unsolicited commercial electronic message; or

2. Contains false or misleading information in the subject line.

B. It shall be a violation of this act for any person that sends a commercial electronic mail message to use a third party's internet address or domain name without the third party's consent for the purpose of transmitting electronic mail in a way that makes it appear that the third party was the sender of such mail.

C. It shall be a violation of this act for any person that sends an unsolicited commercial electronic mail message to fail to

use the exact characters "ADV:" as the first four characters in the subject line of an unsolicited commercial electronic mail message.

D. It shall be a violation of this act for any person that sends an unsolicited commercial electronic mail message containing sexually explicit material, or advertising sexually explicit goods or services, to fail to use the exact characters "ADV-ADULT:" as the first ten characters in the subject line of such an unsolicited commercial electronic mail message.

E. It shall be a violation of this act for any person that sends an unsolicited commercial electronic mail message to fail to provide ~~a~~ an automatic return electronic mail mechanism allowing recipients to easily and at no cost remove themselves from the sender's electronic mail address lists so they are not included in future mailings. The automatic return electronic mail mechanism shall allow the recipient to send a return electronic mail message to the sender without retyping the sender-operated return electronic mail address. A sender of an unsolicited commercial electronic mail message shall remove the recipient from their electronic mail message list if the sender receives an electronic mail message from the recipient to the sender-operated return electronic mail address that indicates anywhere in the subject line or text that the recipient wants their name removed from the list of the sender.

SECTION 2. This act shall become effective November 1, 2004.

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