

**EHB 2643**

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**THE STATE SENATE**  
**Wednesday, April 5, 2006**

**ENGROSSED**

**House Bill No. 2643**

ENGROSSED HOUSE BILL NO. 2643 - By: BROWN, DUNCAN, BLACKWELL,  
TURNER, ROAN, ASKINS, INGMIRE, KIESEL, NANCE, DePUE, HILLIARD,  
HYMAN, MORGAN (Danny), SHOEMAKE, TERRILL, WALKER and WESSELHOFT of  
the House and WILSON of the Senate.

An Act relating to crimes and punishments; prohibiting  
certain uses of the names or pictures of service members of  
the United States Armed Forces; providing penalty; providing  
for codification; and providing an 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 839.1A of Title 21, unless there  
is created a duplication in numbering, reads as follows:

Any person, firm, or corporation that uses for the purpose of  
advertising for the sale of any goods, wares, or merchandise, or for  
the solicitation of patronage by any business enterprise, the name,  
portrait, or picture of any service member of the United States  
Armed Forces, without having obtained, prior or subsequent to such  
use, the consent of the person, or, if the person is deceased,  
without the consent of the surviving spouse, personal  
representatives, or that of a majority of the adult heirs of the  
deceased, is guilty of a misdemeanor. This section applies to the  
name, portrait, or picture of both active duty members as well as

1 former members of the Armed Forces of the United States. Every  
2 person convicted of a violation of this section shall be punished by  
3 a fine of not to exceed One Thousand Dollars (\$1,000.00), or by  
4 imprisonment in the county jail for not to exceed one (1) year, or  
5 by both said fine and imprisonment.

6 SECTION 2. This act shall become effective November 1, 2006.

7 COMMITTEE REPORT BY: COMMITTEE ON VETERANS & MILITARY AFFAIRS, dated  
8 4-3-06 - DO PASS.