

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No.1897, Page 11, Line 1,

as follows:

By deleting Section 2;

By inserting new SECTIONS 2, 3 and 4 to read as per attached;

By renumbering subsequent sections; and

By amending the title to conform.

Submitted by:

Senator Jeff Rabon

Rabon-CD-FA-1897
4/23/2008 4:09 PM

1 SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes
2 as Section 188 of Title 21, unless there is created a duplication in numbering, reads as follows:

3 A. It shall be unlawful for any person to intentionally participate in the preparation,
4 dissemination, or broadcast of paid political advertising, campaign material, or a letter to a
5 newspaper editor that is false and that such person knows is false or communicates to others with
6 reckless disregard of whether it is false if such advertising or material:

7 1. Relates to the personal or political character, voting record or acts of a candidate, or relates
8 to the effect of a ballot measure; and

9 2. Is designed or intended to elect, injure, promote, or defeat a candidate or to promote or
10 defeat a ballot measure.

11 The provisions of this subsection shall not apply to any person or organization whose sole act
12 is, in the normal course of business, the printing, manufacturing, or dissemination of the false
13 advertising or material.

14 B. It shall be unlawful for any person to knowingly make, directly or indirectly, a false claim
15 stating or implying that a candidate or ballot measure has the support or endorsement of a party
16 committee, or to state in written campaign material that a candidate or ballot measure has the
17 support or endorsement of an individual or committee without first getting written permission from
18 the individual or committee to do so.

19 C. As used in this section:

20 1. The terms “ballot measure”, “candidate”, “committee”, “party committee”, and “person”
21 shall have the same meaning as such terms are assigned pursuant to the provisions of Section 187 of
22 Title 21 of the Oklahoma Statutes; and

23 2. “Campaign material” means any literature, publication, or material tending to influence
24 voting at an election, except for news items or editorial comments by the news media.

1 D. Any person who knowingly and willfully violates any provision of this section, upon
2 conviction, shall be guilty of a misdemeanor punishable by a fine of Five Thousand Dollars
3 (\$5,000.00), or by imprisonment in the county jail for up to one (1) year, or by both such fine and
4 imprisonment.

5 SECTION 3. It being immediately necessary for the preservation of the public peace, health
6 and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

8 SECTION 4. Section 1 of this act shall become effective November 1, 2008.