

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend House Bill No.2196, Page 6, Line 23 1/2,

as follows:

By inserting a new SECTION 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-HB2196
4/8/2008 2:59 PM

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

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

1. Relates to the personal or political character, voting record or acts of a candidate, or relates to the effect of a ballot measure; and
2. Is designed or intended to elect, injure, promote, or defeat a candidate or to promote or defeat a ballot measure.

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

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

C. As used in this section:

1. The terms “ballot measure”, “candidate”, “committee”, “party committee”, and “person” shall have the same meaning as such terms are assigned pursuant to the provisions of Section 187 of Title 21 of the Oklahoma Statutes; and
2. “Campaign material” means any literature, publication, or material tending to influence voting at an election, except for news items or editorial comments by the news media.

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