

SB 883

Senate Bill No. 883  
As Amended

SENATE BILL NO. 883 - By: Laster of the Senate and Jett of the House.

[ contracts - Telemarketer Restriction Act - effective date ]

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

SECTION 1. AMENDATORY Section 6, Chapter 72, O.S.L.

2002, as amended by Section 3, Chapter 357, O.S.L. 2003 (15 O.S. Supp. 2008, Section 775B.6), is amended to read as follows:

Section 775B.6 A. No telemarketer shall make or cause to be made any unsolicited telemarketing sales call to any consumer more than thirty (30) days after the consumer's telephone number or numbers first appear on the registry made available by the Attorney General pursuant to the Telemarketer Restriction Act.

B. No telemarketer shall make or cause to be made any telemarketing sales call to any consumer on the registry on Sunday, including any call to such a consumer with whom the caller has an established business relationship.

C. No telemarketer shall use any equipment or techniques the purpose of which is to intentionally block or avoid detection of the

1 telemarketer's identity or telephone number by caller identification  
2 devices.

3 D. Willful violation of ~~subsection~~ subsections A, B and C of  
4 this section shall be ~~an~~ unlawful telemarketing ~~practice~~ practices  
5 and a violation of the Oklahoma Consumer Protection Act; except as  
6 provided in subsection C of this section, a call to a consumer with  
7 whom the caller has an established business relationship or a call  
8 to a consumer whose number has been removed from the registry shall  
9 not be a violation of the Telemarketer Restriction Act.

10 ~~E.~~ E. In lieu of bringing an action under the Oklahoma Consumer  
11 Protection Act, the Attorney General may, in cases where the  
12 telemarketer is able to demonstrate that the violation occurred  
13 notwithstanding policies of the telemarketer that were an integral  
14 part of the training of the individual or individuals responsible  
15 for the violation, assess an administrative fine. The Attorney  
16 General shall, pursuant to the Administrative Procedures Act, adopt  
17 and promulgate rules establishing a schedule of increasing fines to  
18 be assessed pursuant to this subsection for multiple and repeated  
19 violations.

20 SECTION 2. This act shall become effective November 1, 2009.

21 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS & LABOR, dated 2-16-09 -  
22 DO PASS, As Amended and Coauthored.