

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2806

6 By: Moore

7 COMMITTEE SUBSTITUTE

8 An Act relating to homeland security; creating the  
9 Oklahoma Cyber Spying Prevention Act; defining term;  
10 directing the Oklahoma Office of Homeland Security to  
11 prevent certain activity and to provide for privacy  
12 rights; making certain actions a violation of state  
13 law; providing penalty for violation; providing for  
14 codification; and providing an effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 51.4 of Title 74, unless there  
18 is created a duplication in numbering, reads as follows:

19 A. This section shall be known and may be cited as the  
20 "Oklahoma Cyber Spying Prevention Act".

21 B. As used in this section, "cyber spying" means the act or  
22 practice of obtaining secrets without the permission of the holder  
23 or the information, regardless of whether the information is  
24 personal, sensitive, proprietary, or of a classified nature, from  
individuals, competitors, rivals, groups, governments, and enemies

1 for personal economic, political, or military advantage using  
2 methods on the Internet, networks or individual computers through  
3 the use of cracking techniques and malicious software, including but  
4 not limited to, Trojan horses and spyware. It may be wholly  
5 perpetrated online or may involve infiltration by computer.

6 C. The Oklahoma Office of Homeland Security is hereby directed  
7 to prevent cyber spying by any international, federal and state  
8 government agency, educational institution, corporate entity or  
9 individual, regardless of any source of funding or resources, and  
10 shall provide for individual privacy rights of all Oklahoma  
11 citizens.

12 D. It shall be unlawful for any international, federal and  
13 state government agency, educational institution, corporate entity  
14 or individual to commit the act of cyber spying on any Oklahoma  
15 citizen. Any violation of this section shall be punishable by a  
16 fine of not less than Five Thousand Dollars (\$5,000.00) per  
17 incident. In addition, a written explanation of the violation shall  
18 be posted on the primary state website of the violator.

19 SECTION 2. This act shall become effective November 1, 2014.  
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21 54-2-10408 SD 02/26/14  
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