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February 12, 2019

By: Thompson

An Act relating to the Oklahoma Consumer Protection Act; amending 15 O.S. 2011, Section 754, as amended by Section 1, Chapter 382, O.S.L. 2017 (15 O.S. Supp. 2018, Section 754), which relates to exemptions; modifying certain enforcement authority; and providing an effective date.

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

SECTION 1. AMENDATORY 15 O.S. 2011, Section 754, as amended by Section 1, Chapter 382, O.S.L. 2017 (15 O.S. Supp. 2018, Section 754), is amended to read as follows:

Section 754. Nothing in the Oklahoma Consumer Protection Act shall apply to:

1. Publishers, broadcasters, printers or other persons insofar as an unlawful practice as defined in Section 753 of this title involves information that has been disseminated or reproduced on behalf of others without knowledge that it is an unlawful practice;

~~2. Actions or transactions regulated under laws administered by the Corporation Commission or any other regulatory body or officer acting under statutory authority of this state or the United States, or to acts done by retailers or other persons acting in good faith~~

1 on the basis of information or matter supplied by others and without
2 knowledge of the deceptive character of such information or matter;
3 provided, however, nothing in this section shall prohibit any other
4 regulatory body or officer acting under statutory authority of this
5 state or the United States to enforce the laws and regulations under
6 such statutory authority; and

7 3. The collection of monies denominated as gross receipts tax
8 on mixed beverages, sales tax or use tax, or asserted injuries or
9 damages that are monies that have been collected as, or denominated
10 as, gross receipts tax on mixed beverages, sales tax or use tax, and
11 which have been remitted to the Oklahoma Tax Commission or other
12 governmental taxing authority.

13 SECTION 2. This act shall become effective November 1, 2019.

14 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
15 February 12, 2019 - DO PASS
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