

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1793

By: Jett

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6 AS INTRODUCED

7 An Act relating to contracts; prohibiting advertisers  
8 from inhibiting publication or distribution of  
9 certain content; deeming certain acts as injurious to  
10 competition; establishing exceptions to content  
11 required to be published or distributed; defining  
12 terms; providing for codification; and providing an  
13 effective date.

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 731 of Title 15, unless there is  
17 created a duplication in numbering, reads as follows:

18 A. Except as provided in subsection B of this section, an  
19 advertiser shall not inhibit the publication or distribution of any  
20 content on the medium operated by the advertiser when the person or  
21 entity seeking to distribute such content compensates the advertiser  
22 for the publication or distribution of such content at a rate equal  
23 or greater than the rate charged by the advertiser for the  
24 publication or distribution of other content. Any attempt by the

1 advertiser to inhibit publication or distribution of such content  
2 shall be deemed injurious to competition.

3 B. Notwithstanding subsection A of this section, an advertiser  
4 shall not be required to publish or distribute any content which:

5 1. Constitutes a crime;

6 2. Would cause a reasonable person to presume that the content  
7 recommends the commission of a crime;

8 3. Is defamatory pursuant to state law;

9 4. Constitutes an invasion of privacy pursuant to state law; or

10 5. Constitutes a violation of state or federal copyright,  
11 trademark, or other intellectual property law.

12 C. For purposes of this section:

13 1. "Advertiser" means a person, entity, or facility which  
14 accepts funds for advertising or promoting a product, service, or  
15 content in a medium operated by such person, entity, or facility;  
16 and

17 2. "Crime" means a violation of federal or state law including  
18 but not limited to pornography, except where enforcement of such  
19 federal or state law has been enjoined by a federal or state court.

20 SECTION 2. This act shall become effective November 1, 2022.

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