

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE JOINT
4 RESOLUTION 1006

By: Humphrey

5
6 AS INTRODUCED

7 A Joint Resolution directing the Secretary of State
8 to refer to the people for their approval or
9 rejection a proposed amendment to the Constitution of
10 the State of Oklahoma by adding new Sections 28A, 32A
11 and 34 to Article II and Section 8A to Article XXIII;
12 requiring enactment of laws related to Skinner Box
13 algorithms; prohibiting censorship; removing certain
14 immunity; providing ballot title; and directing
15 filing.

16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
17 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

18 SECTION 1. The Secretary of State shall refer to the people for
19 their approval or rejection, as and in the manner provided by law,
20 the following proposed amendment to the Constitution of the State of
21 Oklahoma by adding new Sections 28A, 32A and 34A to Article II
22 thereof, to read as follows:

23 Section 28A. A. The Legislature shall enact laws providing for
24 the strict regulation, control, licensing and taxation of the
manufacture, sale, distribution, and consumption of Skinner Box
algorithms made available for public consumption.

1 B. Any digital entity in operation on the date of adoption of
2 this section may not expand its digital algorithm that was in effect
3 on the date of adoption of this section.

4 C. Until the date this section becomes effective as law,
5 digital entities may continue to operate with current algorithms.
6 Provided that all data is preserved and made readily available for
7 users coupled with a process form for legal recourse against
8 entities who censor any information from their platform or digital
9 presence. In accordance with 18 U.S.C. Section 242 any actions to
10 censor free speech shall result in an annual revenue fine of ninety
11 percent (90%) of all revenue-generating transactions transpiring
12 within the geographical boundaries of the State of Oklahoma to be
13 paid by the offending entity to the State of Oklahoma.

14 D. The Legislature shall enact laws providing direction for the
15 funding towards reducing the detrimental effects on citizens caused
16 by Skinner Box algorithms.

17 Section 32A. A. The Legislature shall enact laws providing for
18 strict regulation, control, of the distribution of digital cloud
19 computing. Artificial intelligence software, related hardware, and
20 access to independent expansion capabilities shall be regulated to
21 ensure proper adherence to Section 32 of Article II of the Oklahoma
22 Constitution within the geographical boundaries of the State of
23 Oklahoma.

1 B. The Legislature shall enact laws providing avenues of
2 financial compensation for entities shut out of free market
3 competition resulting from digital monopolies within the
4 geographical boundaries of the State of Oklahoma.

5 Section 34A. The Legislature shall enact laws providing
6 protection of citizens from any form of digital harm occurring in
7 real life to any person within the geographical boundaries of the
8 State of Oklahoma in accordance with Section 34 of Article II of the
9 Oklahoma Constitution.

10 SECTION 2. The Secretary of State shall refer to the people for
11 their approval or rejection, as and in the manner provided by law,
12 the following proposed amendment to the Constitution of the State of
13 Oklahoma by adding a new Section 8A to Article XXIII thereof, to
14 read as follows:

15 Section 8A. End User License Agreements (EULA) shall be deemed
16 invalid if the providing entity censors any content related to free
17 speech for any person within the geographical boundaries of the
18 State of Oklahoma.

19 Any actions taken by the program issuing or publishing entity to
20 remove legal expression of free speech shall result in the surrender
21 of all legal protections for the issuing entity under any and all
22 direct-to-consumer agreements within the geographical boundaries of
23 the State of Oklahoma in accordance with Section 8 of Article XXIII
24 of the Oklahoma Constitution. Entities that censor posts, tweets,

1 | videos, pages, or other forms of digital expression of the First
2 | Amendment Rights afforded to all citizens shall immediately
3 | surrender all immunities afforded in 47 U.S. Code Section 230 within
4 | the geographical boundaries of the State of Oklahoma.

5 | SECTION 3. The Ballot Title for the proposed Constitutional
6 | amendments as set forth in SECTIONS 1 and 2 of this resolution shall
7 | be in the following form:

8 | BALLOT TITLE

9 | Legislative Referendum No. _____ State Question No. _____

10 | THE GIST OF THE PROPOSITION IS AS FOLLOWS:

11 | This measure amends the Oklahoma Constitution. It would add new
12 | Sections 28A, 32A and 34A to Article II. It would add a new
13 | Section 8A to Article 23. It would require laws to be enacted
14 | related to Skinner Box algorithms. It would allow certain
15 | digital entities to modify digital algorithms in effect before
16 | this amendment is approved. It would impose a penalty of ninety
17 | percent (90%) of the revenues earned by any entity that engaged
18 | in censorship as defined by provisions of federal law. It would
19 | require laws to be written so that the monies from the penalty
20 | would be used to protect people from the harmful effects of
21 | Skinner Box algorithms. It would require laws to be written
22 | about digital cloud computing. It would require some type of
23 | remedy for monopoly activity resulting from digital business.
24 | It would require laws to be written to protect people from harm

1 caused by digital technology. It would invalidate certain End
2 User License Agreements (EULAs). It would end immunity for
3 entities that engage in censorship such as electronic posting,
4 Twitter messages, videos, webpages or other forms of digital
5 communication or expression.

6 SHALL THE PROPOSAL BE APPROVED?

7 FOR THE PROPOSAL - YES _____

8 AGAINST THE PROPOSAL - NO _____

9 SECTION 4. The Chief Clerk of the House of Representatives,
10 immediately after the passage of this resolution, shall prepare and
11 file one copy thereof, including the Ballot Title set forth in
12 SECTION 3 hereof, with the Secretary of State and one copy with the
13 Attorney General.

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