

BILL SUMMARY
1st Session of the 58th Legislature

Bill No.:	HB2931
Version:	PCS2
Request Number:	10528
Author:	Randleman
Date:	2/18/2022
Impact:	Please see previous summary of this measure

Research Analysis

The proposed committee substitute 2 to HB 2931 creates the "Human Trafficking and Child Exploitation Prevention Act". The measure provides definitions and requires a retailer that manufactures, sells or leases or distributes an Internet-enabled device to equip the product with an active and operating filter that blocks by default websites that are known to facilitate human trafficking or prostitution or display child pornography, revenge pornography, or obscene material harmful to minors. The retailer must make a reasonable and ongoing effort to ensure that the product's filter functions properly and establish a reporting mechanism to allow a consumer to report unblocked websites displaying prohibited content. The retailer must report child pornography to the CyberTipline of the National Center for Missing and Exploited Children. The measure requires a retailer of such products to deactivate the filter upon request and payment of deactivation fee. The Attorney General is to prepare and make available to retailers a form that includes all content that must be contained in a warning regarding the potential danger of deactivating a filter. The Attorney General or a consumer may file a civil action seeking up to \$500 for each website that was reported but not subsequently blocked. A retailer that fails to comply with a duty to equip with a filter is determined to be engaged in an abusive, unfair, and deceptive trade practice. A retailer may not sell a device without an activated filter or disclose to a third party the name or personal identification information of adult consumers who have elected to deactivate a product's filter without a court order. A retailer that commits an offense is subject to a misdemeanor punishable by a fine of up to \$1,000, two days imprisonment in the county jail or both fine and imprisonment. A second violation is punishable by a fine of up to \$2,500, imprisonment in the county jail for up to 10 days, or both fine and imprisonment. A third or subsequent offense is punishable by a fine of up to \$2,500, imprisonment of up to 60 days in the county jail or both fine and imprisonment. Creates the "Oklahoma Human Trafficking and Child Exploitation Prevention Grant Fund". The fund is to consist of filter deactivation fees and a \$5 admission fee to be collected for entry into a live adult entertainment establishment, to be remitted quarterly to the Oklahoma Tax Commission. Money in the grant fund may be used only by the Attorney General for grants to government and nongovernment entities and individuals that are working to uphold community standards of decency to protect children and strengthen families and that are developing or strengthening programs for victims of human trafficking or child exploitation.

Prepared By: Brad Wolgamott

Fiscal Analysis

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

Other Considerations

None.

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