

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1874

By: West (Tammy)

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6 AS INTRODUCED

7 An Act relating to organizations; requiring consent  
8 for recording or photographing images of people from  
9 or living in developing countries; prescribing  
10 contents of consent; prohibiting coercion or force of  
11 subjects; banning photography or recording of  
12 unclothed subjects; proscribing photography or  
13 recording in dangerous situations or if health or  
14 physical safety is jeopardized; defining terms;  
15 providing for codification; and providing an  
16 effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified  
19 in the Oklahoma Statutes as Section 1301 of Title 18, unless there  
20 is created a duplication in numbering, reads as follows:

21 A. Any private, nonprofit or for-profit organization which  
22 receives public funds from the state and provides philanthropic or  
23 humanitarian services to adults and children from developing  
24 countries or who are living in developing countries shall obtain  
consent for videography and photography before recording or

1 photographing images of children and adults from or in developing  
2 countries. The consent shall:

3 1. Be written in a language that the subject of the videography  
4 or photography prefers or is most proficient in. If the subject is  
5 illiterate, verbal consent in the preferred language of the subject  
6 may be given and recorded on video. If the subject is a child under  
7 eighteen (18) years of age, consent shall be obtained from the  
8 parent, guardian or person responsible for the child. If the child  
9 is without adult supervision or care, action should be taken by the  
10 organization to address the physical safety and medical needs of the  
11 child prior to recording or photographing images of the child;

12 2. Be revocable at any time;

13 3. Be specific and explain how the recorded or visual images  
14 will be used and disseminated;

15 4. State how the images will be stored and accessed, including  
16 storage in a safe and regulated environment with controlled access;  
17 and

18 5. Not be required as a condition for receiving or obtaining  
19 services or assistance from the organization.

20 B. In addition to the requirements listed in subsection A of  
21 this section, children and adults shall not:

22 1. Be coerced or forced to participate in being recorded or  
23 photographed;

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1           2. Be recorded, photographed or otherwise pictorially  
2 represented if they are unclothed and if their torso or any private  
3 parts are exposed; and

4           3. Be recorded, photographed or otherwise pictorially  
5 represented if they are in a dangerous situation or their health or  
6 physical safety is in jeopardy.

7           C. As used in this section:

8           1. "Developing countries" means countries that are economically  
9 and socially disadvantaged;

10          2. "Humanitarian" means concerned with or seeking to promote  
11 human welfare; and

12          3. "Philanthropic" means seeking to promote the welfare of  
13 others, especially by donating money or goods to charitable causes.

14          SECTION 2. This act shall become effective November 1, 2021.

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16          58-1-5012           EK           01/13/21

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