

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

HOUSE BILL 3882

By: Crosswhite Hader

AS INTRODUCED

An Act relating to contracts; defining terms;
prohibiting advertisers to restrict certain content;
limiting prohibition under certain circumstances;
providing for codification; and providing an
effective date.

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 799A.1 of Title 15, unless there
is created a duplication in numbering, reads as follows:

A. For purposes of this section:

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

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

B. Except as described in subsection C of this section, it
shall be deemed injurious to competition for an advertiser to

1 inhibit the publication or distribution of any content on the medium
2 operated by the advertiser when one desiring to distribute that
3 content pays for the publication or distribution of that content at
4 a rate equal or greater than the rate charged by that advertiser for
5 the distribution of other content.

6 C. Notwithstanding subsection B of this section, no advertiser
7 shall be required to publish or distribute any content which:

8 1. Itself constitutes a crime;

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

11 3. Itself is defamatory pursuant to state law;

12 4. Itself constitutes an invasion of privacy pursuant to state
13 law; or

14 5. Itself constitutes a violation of state or federal
15 copyright, trademark, or other intellectual property laws.

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

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