

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 HOUSE BILL 4068

By: Alonso-Sandoval

6 AS INTRODUCED

7 An Act relating to environmental consumer
8 protections; creating the Oklahoma Truth in
9 Environmental Marketing Act; defining terms;
10 prohibiting certain practices; requiring
recordkeeping and disclosure; providing for
enforcement; establishing penalties; directing for
promulgation of rules; providing for codification;
and providing for an effective date.

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

15 SECTION 1. NEW LAW A new section of law not to be
16 codified in the Oklahoma Statutes reads as follows:

17 This act shall be known and may be cited as the "Oklahoma Truth
18 in Environmental Marketing Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 2-11-510 of Title 27A, unless
21 there is created a duplication in numbering, reads as follows:

22 As used in this act:

1 1. "Compostable" means capable of breaking down into usable
2 compost under specified conditions within a defined timeframe and in
3 facilities that are reasonably accessible to consumers in Oklahoma;

4 2. "Environmental marketing claim" means any express or implied
5 representation, symbol, label, word, or statement that a product,
6 service, or packaging has an environmental benefit or reduced
7 environmental impact including, but not limited to, claims that a
8 product or packaging is:

- 9 a. recyclable,
- 10 b. compostable,
- 11 c. biodegradable,
- 12 d. carbon neutral,
- 13 e. net zero,
- 14 f. environmentally friendly,
- 15 g. eco-friendly,
- 16 h. sustainable,
- 17 i. non-toxic, or
- 18 j. zero-waste;

19 3. "Person" means any individual, corporation, partnership,
20 association, manufacturer, distributor, importer, or retailer;

21 4. "Recyclable" means that a product or packaging material:

- 22 a. is accepted for collection by recycling programs
23 serving at least sixty percent (60%) of Oklahoma's
24 population,

- b. is sorted, processed, and recycled into feedstock used in the manufacture of new products or packaging, and
- c. is supported by data demonstrating compatibility with recycling infrastructure operating within the state or region; and

"Substantiation" means competent and reliable evidence that establishes the truthfulness of an environmental marketing claim, including but not limited to:

- a. scientific studies,
- b. lifecycle assessments,
- c. third-party certifications, and
- d. industry-accepted testing methods.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 2-11-511 of Title 27A, unless
15 there is created a duplication in numbering, reads as follows:

16 A. No person shall sell, offer for sale, distribute, or market
17 any product or packaging in this state using an environmental
18 marketing claim unless the claim is truthful, not misleading, and
19 substantiated in accordance with this act.

20 B. A person shall not use any symbol, logo, or statement that
21 reasonably conveys an environmental benefit, including recycling
22 symbols, unless the product or packaging meets the applicable
23 requirements established under this act.

1 C. Any claim that a product, service, or business is carbon
2 neutral, net zero, or similar shall include:

3 1. A clear description of how emissions were calculated;

4 2. Disclosure of whether carbon offsets were used;

5 3. Identification of any third-party verification of such

6 offsets; and

7 4. Access to supporting documentation through a publicly
8 available website or digital link.

9 SECTION 4. NEW LAW A new section of law to be codified

10 in the Oklahoma Statutes as Section 2-11-512 of Title 27A, unless

11 there is created a duplication in numbering, reads as follows:

12 A. Any person making an environmental marketing claim shall
13 maintain substantiation documentation for not less than five (5)
14 years after the claim is last used.

15 B. Such documentation shall be made available upon request to
16 the Oklahoma Attorney General.

17 SECTION 5. NEW LAW A new section of law to be codified

18 in the Oklahoma Statutes as Section 2-11-513 of Title 27A, unless

19 there is created a duplication in numbering, reads as follows:

20 A. The Attorney General shall have authority to:

21 1. Enforce this act under the Oklahoma Consumer Protection Act
22 and any other applicable state law;

1 2. Investigate alleged violations of this act, including the
2 authority to issue subpoenas, civil investigative demands, and
3 requests for substantiation documentation; and

4 3. Evaluate the accuracy and substantiation of environmental
5 marketing claims.

6 SECTION 6. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 2-11-514 of Title 27A, unless
8 there is created a duplication in numbering, reads as follows:

9 A. A person who violates this act shall be subject to a civil
10 penalty of not more than Two Thousand Five Hundred Dollars
11 (\$2,500.00) per violation per day.

12 B. In determining the penalty amount, consideration may be
13 given to:

14 1. The number of products affected;
15 2. Whether the violation was willful or repeated;
16 3. The size of the business entity; and
17 4. The degree of consumer harm.

18 C. Penalties may include:

19 1. Injunctive relief;
20 2. Mandatory corrective disclosures;
21 3. Removal or modification of misleading labels; and
22 4. Restitution to affected consumers.

23 D. Monies collected shall be used exclusively by the Attorney
24 General for the purposes of:

1 1. Implementing and enforcing this act;

2 2. Investigating alleged violations of environmental marketing
3 and labeling requirements;

4 3. Retaining technical, scientific, or economic experts

5 necessary to evaluate substantiation of environmental marketing
6 claims;

7 4. Covering litigation, administrative, and compliance costs
8 associated with enforcement actions; and

9 5. Consumer education related to deceptive environmental
10 marketing practices.

11 SECTION 7. This act shall become effective November 1, 2026.

13 60-2-15412 TJ 01/08/26

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