

1 STATE OF OKLAHOMA

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

3 SENATE BILL 859

By: Dahm

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6 AS INTRODUCED

7 An Act relating to crimes and punishments;  
8 prohibiting expenditure of public monies for certain  
9 purposes relating to the Bill of Rights and the  
10 Constitution of the United States; deeming use of  
11 public property, resources, employees, networks or  
time as use of public funds; extending prohibitions  
to certain activity; providing penalty; providing  
certain exceptions; providing for codification; and  
providing 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 to be codified  
16 in the Oklahoma Statutes as Section 593 of Title 21, unless there is  
17 created a duplication in numbering, reads as follows:

18 A. It shall be unlawful for any state entity or political  
19 subdivision of this state, or any branch, division, foundation,  
20 contractor or affiliate of a political subdivision to expend any  
21 monies, funds or resources, directly or indirectly, for:

22 1. Publicity or propaganda purposes opposing rights as stated  
23 in the Bill of Rights and the Constitution of the United States;  
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1           2. Preparation, distribution or use of any kit, pamphlet,  
2 booklet, publication, electronic communication, radio, television or  
3 video presentation or other audiovisual presentation or material  
4 designed to defeat the enactment of:

- 5           a. legislation before any federal or state governmental  
6 entity relating to rights as stated in the Bill of  
7 Rights and the Constitution of the United States, or  
8           b. any proposed or pending rule, regulation,  
9 administrative action or order issued by any federal  
10 or state governmental entity relating to rights as  
11 stated in the Bill of Rights and the Constitution of  
12 the United States; or

13           3. Employment or retention or use of an executive or  
14 legislative lobbyist or legislative liaison, as such terms are  
15 defined in the Rules of the Ethics Commission, to support or defeat  
16 the enactment, repeal or amendment of any legislation, rule,  
17 regulation, administrative action or order by any federal or state  
18 governmental entity in opposition to rights as stated in the Bill of  
19 Rights and the Constitution of the United States.

20           B. No individual, state entity or political subdivision of this  
21 state or any branch, division, foundation, contractor or affiliate  
22 of a political subdivision shall use any monies, funds or resources,  
23 directly or indirectly, to pay the salary or expenses of any public  
24 employee or grant or contract recipient, or agent acting on behalf

1 of such recipient, related to any activity designed to influence the  
2 enactment, repeal or amendment of legislation, an appropriation, a  
3 regulation, an administrative action, rule or an executive order  
4 proposed or pending before any federal or state governmental entity  
5 in opposition to rights as stated in the Bill of Rights and the  
6 Constitution of the United States.

7 C. The use of public property, resources, employees, networks  
8 or time shall be considered to be the use of funds pursuant to the  
9 provisions of this section.

10 D. The prohibitions in subsections A and B of this section  
11 shall include any activity to advocate or promote any proposed,  
12 pending or future:

13 1. Federal or state tax, fine or fee relating to rights as  
14 stated in the Bill of Rights and the Constitution of the United  
15 States; or

16 2. Requirements or restrictions on any legal consumer product  
17 including its sale or marketing, relating to rights as stated in the  
18 Bill of Rights and the Constitution of the United States.

19 E. Any person violating the provisions of this section shall be  
20 guilty of a misdemeanor, and upon conviction, shall be punished by a  
21 fine of One Thousand Dollars (\$1,000.00), by imprisonment in the  
22 county jail for a term of not more than one (1) year, or by both  
23 such fine and imprisonment.

1 F. 1. The provisions of this section shall not apply to any  
2 person elected to a state, county or municipal office or any person  
3 who is appointed to fill a vacancy in a state, county or municipal  
4 office.

5 2. An individual, state entity or political subdivision of this  
6 state or any branch, division, foundation, contractor or affiliate  
7 of a political subdivision of this state who is directly contacted  
8 by an elected official specifically for the purpose of discussing  
9 the merits of any legislation, rule, regulation, administrative  
10 action or order related to the rights stated in the Bill of Rights  
11 and the Constitution of the United States and who engages in such  
12 discussions shall not be deemed to have violated the provisions of  
13 this section.

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

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