

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 SENATE BILL 1308

By: Taylor

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5  
6 AS INTRODUCED

7 An Act relating to contracts; establishing certain  
8 requirements for contracts with automatic renewal  
9provisions; requiring conspicuous notice of right to  
10cancel certain automatic renewal provisions;  
11providing for unenforceability of certain contracts;  
12providing for consideration of certain merchandise or  
13service as unconditional gift; authorizing Attorney  
14General to enforce provisions; authorizing action for  
15restitution or injunctive relief; providing for  
16codification; and providing an 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  
19in the Oklahoma Statutes as Section 223 of Title 15, unless there is  
20created a duplication in numbering, reads as follows:

21 A. A person who sells or offers to sell merchandise or a  
22service for any specified period under a contract containing a  
23provision for automatic renewal shall:

24 1. Present the terms of the automatic renewal offer in  
proximity to the offer in a clear and conspicuous manner before a  
subscription or purchasing contract may be fulfilled;

1           2. Provide an acknowledgement that includes the terms of the  
2 automatic renewal offer and information regarding how to cancel the  
3 automatic renewal in a manner which is capable of being retained by  
4 the buyer; and

5           3. Provide a cost-effective, timely and simple procedure for  
6 cancellation of the automatic renewal which shall be described in  
7 the acknowledgement required pursuant to paragraph 2 of this  
8 subsection.

9           B. A person who sells or offers to sell merchandise or a  
10 service for a specified period under a contract containing a  
11 provision for automatic renewal for a period that exceeds six (6)  
12 months at the end of the time period specified in the contract shall  
13 provide a clear and conspicuous written notice to the purchaser  
14 stating that the purchaser may cancel the contract and avoid  
15 automatic renewal. Any contract for sale of merchandise or a  
16 service in violation of the requirements of this section shall be  
17 void and unenforceable and any merchandise or service provided to  
18 the purchaser shall be considered an unconditional gift. The  
19 Attorney General may enforce the requirements of this section, and a  
20 person aggrieved by a violation of this section may bring an action  
21 for restitution and injunctive relief.

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