

1 ENGROSSED HOUSE  
2 BILL NO. 2117

By: Kannady of the House

and

Howard of the Senate

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5  
6 An Act relating to civil procedure; enacting the  
7 Uniform Collaborative Law Act; defining terms;  
8 providing for applicability of act; specifying  
9 requirements of collaborative law participation  
10 agreements; providing for beginning and ending of  
11 collaborative law process; requiring notice;  
12 providing for termination with or without cause;  
13 providing for continuation of collaborative law  
14 process under certain conditions; providing for  
15 procedures before certain tribunals; prescribing  
16 procedures; providing for status report; providing  
17 for issuance of emergency orders; authorizing  
18 approval of certain agreements; providing procedures  
19 related to disqualification of attorneys; providing  
20 for representation without fees; providing standard  
21 for income qualifications; providing for  
22 disqualification of attorneys representing  
23 governmental entities; providing for disclosure of  
24 information related to collaborative matters;  
providing for inapplicability of act to certain  
professional standards; imposing duties on attorney  
with respect to collaborative law participation  
agreements; requiring certain inquiry related to  
coercive or violent relationships; prescribing  
procedures; providing for confidentiality; providing  
for privilege with respect to collaborative law  
communications; providing for waiver of privilege;  
limiting scope of privilege; providing for authority  
of tribunal in case of noncompliance; providing for  
uniform application; providing for effect of act with  
respect to other laws; providing for codification;  
and providing an effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 3301 of Title 12, unless there  
3 is created a duplication in numbering, reads as follows:

4 SHORT TITLE. This act may be cited as the Uniform Collaborative  
5 Law Act.

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 3302 of Title 12, unless there  
8 is created a duplication in numbering, reads as follows:

9 DEFINITIONS.

10 As used in this act:

11 1. "Collaborative law communication" means a statement, whether  
12 oral or in a record, or verbal or nonverbal, that:

13 a. is made to conduct, participate in, continue, or  
14 reconvene a collaborative law process, and

15 b. occurs after the parties sign a collaborative law  
16 participation agreement and before the collaborative  
17 law process is concluded;

18 2. "Collaborative law participation agreement" means an  
19 agreement by persons to participate in a collaborative law process;

20 3. "Collaborative law process" means a procedure intended to  
21 resolve a collaborative matter without intervention by a tribunal in  
22 which persons:

23 a. sign a collaborative law participation agreement, and

24 b. are represented by collaborative lawyers;

1 4. "Collaborative lawyer" means a lawyer who represents a party  
2 in a collaborative law process;

3 5. "Collaborative matter" means a dispute, transaction, claim,  
4 problem, or issue for resolution, including a dispute, claim, or  
5 issue in a proceeding, which is described in a collaborative law  
6 participation agreement;

7 6. "Law firm" means:

8 a. lawyers who practice law together in a partnership,  
9 professional corporation, sole proprietorship, limited  
10 liability company, or association, and

11 b. lawyers employed in a legal services organization, or  
12 the legal department of a corporation or other  
13 organization, or the legal department of a government  
14 or governmental subdivision, agency, or  
15 instrumentality;

16 7. "Nonparty participant" means a person, other than a party  
17 and the party's collaborative lawyer, that participates in a  
18 collaborative law process;

19 8. "Party" means a person that signs a collaborative law  
20 participation agreement and whose consent is necessary to resolve a  
21 collaborative matter;

22 9. "Person" means an individual, corporation, business trust,  
23 estate, trust, partnership, limited liability company, association,  
24 joint venture, public corporation, government or governmental

1 subdivision, agency, or instrumentality, or any other legal or  
2 commercial entity;

3 10. "Proceeding" means:

4 a. a judicial, administrative, arbitral, or other  
5 adjudicative process before a tribunal, including  
6 related prehearing and post-hearing motions,  
7 conferences, and discovery, or

8 b. a legislative hearing or similar process;

9 11. "Prospective party" means a person that discusses with a  
10 prospective collaborative lawyer the possibility of signing a  
11 collaborative law participation agreement;

12 12. "Record" means information that is inscribed on a tangible  
13 medium or that is stored in an electronic or other medium and is  
14 retrievable in perceivable form;

15 13. "Related to a collaborative matter" means involving the  
16 same parties, transaction or occurrence, nucleus of operative fact,  
17 dispute, claim, or issue as the collaborative matter;

18 14. "Sign" means, with present intent to authenticate or adopt  
19 a record:

20 a. to execute or adopt a tangible symbol, or

21 b. to attach to or logically associate with the record an  
22 electronic symbol, sound, or process; and

23 15. "Tribunal" means:  
24

- 1           a. a court, arbitrator, administrative agency, or other  
2           body acting in an adjudicative capacity which, after  
3           presentation of evidence or legal argument, has  
4           jurisdiction to render a decision affecting a party's  
5           interests in a matter, or  
6           b. a legislative body conducting a hearing or similar  
7           process.

8           SECTION 3.       NEW LAW       A new section of law to be codified  
9 in the Oklahoma Statutes as Section 3303 of Title 12, unless there  
10 is created a duplication in numbering, reads as follows:

11           APPLICABILITY.

12           This act applies to a collaborative law participation agreement  
13 that meets the requirements of Section 4 of this act signed on or  
14 after the effective date of this act.

15           SECTION 4.       NEW LAW       A new section of law to be codified  
16 in the Oklahoma Statutes as Section 3304 of Title 12, unless there  
17 is created a duplication in numbering, reads as follows:

18           COLLABORATIVE LAW PARTICIPATION AGREEMENT; REQUIREMENTS.

19           A. A collaborative law participation agreement must:

- 20           1. Be in a record;  
21           2. Be signed by the parties;  
22           3. State the parties' intention to resolve a collaborative  
23 matter through a collaborative law process under this act;  
24           4. Describe the nature and scope of the matter;

1           5. Identify the collaborative lawyer who represents each party  
2 in the process; and

3           6. Contain a statement by each collaborative lawyer confirming  
4 the lawyer's representation of a party in the collaborative law  
5 process.

6           B. Parties may agree to include in a collaborative law  
7 participation agreement additional provisions not inconsistent with  
8 this act.

9           SECTION 5.           NEW LAW           A new section of law to be codified  
10 in the Oklahoma Statutes as Section 3305 of Title 12, unless there  
11 is created a duplication in numbering, reads as follows:

12           BEGINNING AND CONCLUDING COLLABORATIVE LAW PROCESS.

13           A. A collaborative law process begins when the parties sign a  
14 collaborative law participation agreement.

15           B. A tribunal may not order a party to participate in a  
16 collaborative law process over that party's objection.

17           C. A collaborative law process is concluded by a:

18           1. Resolution of a collaborative matter as evidenced by a  
19 signed record;

20           2. Resolution of a part of the collaborative matter, evidenced  
21 by a signed record, in which the parties agree that the remaining  
22 parts of the matter will not be resolved in the process; or

23           3. Termination of the process.

24           D. A collaborative law process terminates:

1        1. When a party gives notice to other parties in a record that  
2 the process is ended;

3        2. When a party:

4            a. begins a proceeding related to a collaborative matter  
5                without the agreement of all parties, or

6            b. in a pending proceeding related to the matter:

7                (1) initiates a pleading, motion, order to show  
8                        cause, or request for a conference with the  
9                        tribunal,

10                (2) requests that the proceeding be put on the  
11                        tribunal's active calendar, or

12                (3) takes similar action requiring notice to be sent  
13                        to the parties; or

14        3. Except as otherwise provided by subsection G of this  
15 section, when a party discharges a collaborative lawyer or a  
16 collaborative lawyer withdraws from further representation of a  
17 party.

18        E. A party's collaborative lawyer shall give prompt notice to  
19 all other parties in a record of a discharge or withdrawal.

20        F. A party may terminate a collaborative law process with or  
21 without cause.

22        G. Notwithstanding the discharge or withdrawal of a  
23 collaborative lawyer, a collaborative law process continues, if not  
24 later than thirty (30) days after the date that the notice of the

1 discharge or withdrawal of a collaborative lawyer required by  
2 subsection E of this section is sent to the parties:

3 1. The unrepresented party engages a successor collaborative  
4 lawyer; and

5 2. In a signed record:

6 a. the parties consent to continue the process by  
7 reaffirming the collaborative law participation  
8 agreement,

9 b. the agreement is amended to identify the successor  
10 collaborative lawyer, and

11 c. the successor collaborative lawyer confirms the  
12 lawyer's representation of a party in the  
13 collaborative process.

14 H. A collaborative law process does not conclude if, with the  
15 consent of the parties, a party requests a tribunal to approve a  
16 resolution of the collaborative matter or any part thereof as  
17 evidenced by a signed record.

18 I. A collaborative law participation agreement may provide  
19 additional methods of concluding a collaborative law process.

20 SECTION 6. NEW LAW A new section of law to be codified  
21 in the Oklahoma Statutes as Section 3306 of Title 12, unless there  
22 is created a duplication in numbering, reads as follows:

23 PROCEEDINGS PENDING BEFORE TRIBUNAL; STATUS REPORT.  
24



1       A. Persons in a proceeding pending before a tribunal may sign a  
2 collaborative law participation agreement to seek to resolve a  
3 collaborative matter related to the proceeding. The parties shall  
4 file promptly with the tribunal a notice of the agreement after it  
5 is signed. Subject to subsection C of this section and Sections 7  
6 and 8 of this act, the filing operates as an application for a stay  
7 of the proceeding.

8       B. The parties shall file promptly with the tribunal notice in  
9 a record when a collaborative law process concludes. The stay of  
10 the proceeding under subsection A of this section is lifted when the  
11 notice is filed. The notice may not specify any reason for  
12 termination of the process.

13       C. A tribunal in which a proceeding is stayed under subsection  
14 A of this section may require the parties and collaborative lawyers  
15 to provide a status report on the collaborative law process and the  
16 proceeding. A status report may include only information on whether  
17 the process is ongoing or concluded. It may not include a report,  
18 assessment, evaluation, recommendation, finding, or other  
19 communication regarding a collaborative law process or collaborative  
20 law matter.

21       D. A tribunal may not consider a communication made in  
22 violation of subsection C of this section.

23       E. A tribunal shall provide parties notice and an opportunity  
24 to be heard before dismissing a proceeding in which a notice of

1 collaborative process is filed based on delay or failure to  
2 prosecute.

3 SECTION 7. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3307 of Title 12, unless there  
5 is created a duplication in numbering, reads as follows:

6 EMERGENCY ORDER. During a collaborative law process, a tribunal  
7 may issue emergency orders to protect the health, safety, welfare,  
8 or interest of a party or family or household member authorized to  
9 seek a protective order pursuant to the Protection from Domestic  
10 Abuse Act.

11 SECTION 8. NEW LAW A new section of law to be codified  
12 in the Oklahoma Statutes as Section 3308 of Title 12, unless there  
13 is created a duplication in numbering, reads as follows:

14 APPROVAL OF AGREEMENT BY TRIBUNAL. A tribunal may approve an  
15 agreement resulting from a collaborative law process.

16 SECTION 9. NEW LAW A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3309 of Title 12, unless there  
18 is created a duplication in numbering, reads as follows:

19 DISQUALIFICATION OF COLLABORATIVE LAWYER AND LAWYERS IN  
20 ASSOCIATED LAW FIRM.

21 A. Except as otherwise provided in subsection C of this  
22 section, a collaborative lawyer is disqualified from appearing  
23 before a tribunal to represent a party in a proceeding related to  
24 the collaborative matter.

1 B. Except as otherwise provided in subsection C of this section  
2 and Sections 10 and 11 of this act, a lawyer in a law firm with  
3 which the collaborative lawyer is associated is disqualified from  
4 appearing before a tribunal to represent a party in a proceeding  
5 related to the collaborative matter if the collaborative lawyer is  
6 disqualified from doing so under subsection A of this section.

7 C. A collaborative lawyer or a lawyer in a law firm with which  
8 the collaborative lawyer is associated may represent a party:

9 1. To ask a tribunal to approve an agreement resulting from the  
10 collaborative law process; or

11 2. To seek or defend an emergency order to protect the health,  
12 safety, welfare, or interest of a party, or a family or household  
13 member authorized to seek a protective order pursuant to the  
14 Protection from Domestic Abuse Act, if a successor lawyer is not  
15 immediately available to represent that person.

16 D. If paragraph 2 of subsection C of this section applies, a  
17 collaborative lawyer, or lawyer in a law firm with which the  
18 collaborative lawyer is associated, may represent a party or family  
19 or household member only until the person is represented by a  
20 successor lawyer or reasonable measures are taken to protect the  
21 health, safety, welfare, or interest of the person.

22 SECTION 10. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3310 of Title 12, unless there  
24 is created a duplication in numbering, reads as follows:

1       LOW INCOME PARTIES.

2       A. The disqualification of subsection A of Section 9 of this  
3 act applies to a collaborative lawyer representing a party with or  
4 without fee.

5       B. After a collaborative law process concludes, another lawyer  
6 in a law firm with which a collaborative lawyer disqualified under  
7 subsection A of Section 9 of this act is associated may represent a  
8 party without fee in the collaborative matter or a matter related to  
9 the collaborative matter if:

10       1. The party has an annual income that qualifies the party for  
11 free legal representation under the criteria established by the law  
12 firm for free legal representation;

13       2. The collaborative law participation agreement so provides;  
14 and

15       3. The collaborative lawyer is isolated from any participation  
16 in the collaborative matter or a matter related to the collaborative  
17 matter through procedures within the law firm which are reasonably  
18 calculated to isolate the collaborative lawyer from such  
19 participation.

20       SECTION 11.       NEW LAW       A new section of law to be codified  
21 in the Oklahoma Statutes as Section 3311 of Title 12, unless there  
22 is created a duplication in numbering, reads as follows:

23       GOVERNMENTAL ENTITY AS PARTY.  
24

1       A. The disqualification of subsection A of Section 9 of this  
2 act applies to a collaborative lawyer representing a party that is a  
3 government or governmental subdivision, agency, or instrumentality.

4       B. After a collaborative law process concludes, another lawyer  
5 in a law firm with which the collaborative lawyer is associated may  
6 represent a government or governmental subdivision, agency, or  
7 instrumentality in the collaborative matter or a matter related to  
8 the collaborative matter if:

9       1. The collaborative law participation agreement so provides;  
10 and

11       2. The collaborative lawyer is isolated from any participation  
12 in the collaborative matter or a matter related to the collaborative  
13 matter through procedures within the law firm which are reasonably  
14 calculated to isolate the collaborative lawyer from such  
15 participation.

16       SECTION 12.       NEW LAW       A new section of law to be codified  
17 in the Oklahoma Statutes as Section 3312 of Title 12, unless there  
18 is created a duplication in numbering, reads as follows:

19       DISCLOSURE OF INFORMATION. Except as provided by law other than  
20 this act, during the collaborative law process, on the request of  
21 another party, a party shall make timely, full, candid, and informal  
22 disclosure of information related to the collaborative matter  
23 without formal discovery. A party also shall update promptly  
24 previously disclosed information that has materially changed. The

1 parties may define the scope of disclosure during the collaborative  
2 law process.

3 SECTION 13. NEW LAW A new section of law to be codified  
4 in the Oklahoma Statutes as Section 3313 of Title 12, unless there  
5 is created a duplication in numbering, reads as follows:

6 STANDARDS OF PROFESSIONAL RESPONSIBILITY AND MANDATORY REPORTING  
7 NOT AFFECTED. This act does not affect:

8 1. The professional responsibility obligations and standards  
9 applicable to a lawyer or other licensed professional; or

10 2. The obligation of a person to report abuse or neglect,  
11 abandonment, or exploitation of a child or adult under the law of  
12 this state.

13 SECTION 14. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 3314 of Title 12, unless there  
15 is created a duplication in numbering, reads as follows:

16 APPROPRIATENESS OF COLLABORATIVE LAW PROCESS. Before a  
17 prospective party signs a collaborative law participation agreement,  
18 a prospective collaborative lawyer shall:

19 1. Assess with the prospective party factors the lawyer  
20 reasonably believes relate to whether a collaborative law process is  
21 appropriate for the prospective party's matter;

22 2. Provide the prospective party with information that the  
23 lawyer reasonably believes is sufficient for the party to make an  
24 informed decision about the material benefits and risks of a

1 collaborative law process as compared to the material benefits and  
2 risks of other reasonably available alternatives for resolving the  
3 proposed collaborative matter, such as litigation, mediation,  
4 arbitration, or expert evaluation; and

5 3. Advise the prospective party that:

6 a. after signing an agreement if a party initiates a  
7 proceeding or seeks tribunal intervention in a pending  
8 proceeding related to the collaborative matter, the  
9 collaborative law process terminates,

10 b. participation in a collaborative law process is  
11 voluntary and any party has the right to terminate  
12 unilaterally a collaborative law process with or  
13 without cause, and

14 c. the collaborative lawyer and any lawyer in a law firm  
15 with which the collaborative lawyer is associated may  
16 not appear before a tribunal to represent a party in a  
17 proceeding related to the collaborative matter, except  
18 as authorized by subsection C of Section 9 of this  
19 act, subsection B of Section 10 of this act, or  
20 subsection B of Section 11 of this act.

21 SECTION 15. NEW LAW A new section of law to be codified  
22 in the Oklahoma Statutes as Section 3315 of Title 12, unless there  
23 is created a duplication in numbering, reads as follows:

24 COERCIVE OR VIOLENT RELATIONSHIP.

1           A. Before a prospective party signs a collaborative law  
2 participation agreement, a prospective collaborative lawyer shall  
3 make reasonable inquiry whether the prospective party has a history  
4 of a coercive or violent relationship with another prospective  
5 party.

6           B. Throughout a collaborative law process, a collaborative  
7 lawyer reasonably and continuously shall assess whether the party  
8 the collaborative lawyer represents has a history of a coercive or  
9 violent relationship with another party.

10          C. If a collaborative lawyer reasonably believes that the party  
11 the lawyer represents or the prospective party who consults the  
12 lawyer has a history of a coercive or violent relationship with  
13 another party or prospective party, the lawyer may not begin or  
14 continue a collaborative law process unless:

15           1. The party or the prospective party requests beginning or  
16 continuing a process; and

17           2. The collaborative lawyer reasonably believes that the safety  
18 of the party or prospective party can be protected adequately during  
19 a process.

20          SECTION 16.        NEW LAW        A new section of law to be codified  
21 in the Oklahoma Statutes as Section 3316 of Title 12, unless there  
22 is created a duplication in numbering, reads as follows:

23           CONFIDENTIALITY OF COLLABORATIVE LAW COMMUNICATION.  
24



1 A collaborative law communication is confidential to the extent  
2 agreed by the parties in a signed record or as provided by law of  
3 this state other than this act.

4 SECTION 17. NEW LAW A new section of law to be codified  
5 in the Oklahoma Statutes as Section 3317 of Title 12, unless there  
6 is created a duplication in numbering, reads as follows:

7 PRIVILEGE AGAINST DISCLOSURE FOR COLLABORATIVE LAW  
8 COMMUNICATION; ADMISSIBILITY; DISCOVERY.

9 A. Subject to Sections 18 and 19 of this act, a collaborative  
10 law communication is privileged under subsection B of this section,  
11 is not subject to discovery, and is not admissible in evidence.

12 B. In a proceeding, the following privileges apply:

13 1. A party may refuse to disclose, and may prevent any other  
14 person from disclosing, a collaborative law communication; and

15 2. A nonparty participant may refuse to disclose, and may  
16 prevent any other person from disclosing, a collaborative law  
17 communication of the nonparty participant.

18 C. Evidence or information that is otherwise admissible or  
19 subject to discovery does not become inadmissible or protected from  
20 discovery solely because of its disclosure or use in a collaborative  
21 law process.

22 SECTION 18. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3318 of Title 12, unless there  
24 is created a duplication in numbering, reads as follows:

1 WAIVER AND PRECLUSION OF PRIVILEGE.

2 A. A privilege under Section 17 of this act may be waived in a  
3 record or orally during a proceeding if it is expressly waived by  
4 all parties and, in the case of the privilege of a nonparty  
5 participant, it is also expressly waived by the nonparty  
6 participant.

7 B. A person that makes a disclosure or representation about a  
8 collaborative law communication which prejudices another person in a  
9 proceeding may not assert a privilege under Section 17 of this act,  
10 but this preclusion applies only to the extent necessary for the  
11 person prejudiced to respond to the disclosure or representation.

12 SECTION 19. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 3319 of Title 12, unless there  
14 is created a duplication in numbering, reads as follows:

15 LIMITS OF PRIVILEGE.

16 A. There is no privilege under Section 17 of this act for a  
17 collaborative law communication that is:

18 1. Available to the public under the Oklahoma Open Records Act  
19 or made during a session of a collaborative law process that is  
20 open, or is required by law to be open, to the public;

21 2. A threat or statement of a plan to inflict bodily injury or  
22 commit a crime of violence;

1 3. Intentionally used to plan a crime, commit or attempt to  
2 commit a crime, or conceal an ongoing crime or ongoing criminal  
3 activity; or

4 4. In an agreement resulting from the collaborative law  
5 process, evidenced by a record signed by all parties to the  
6 agreement.

7 B. The privileges under Section 17 of this act for a  
8 collaborative law communication do not apply to the extent that a  
9 communication is:

10 1. Sought or offered to prove or disprove a claim or complaint  
11 of professional misconduct or malpractice arising from or related to  
12 a collaborative law process; or

13 2. Sought or offered to prove or disprove abuse, neglect,  
14 abandonment, or exploitation of a child or adult, unless the  
15 Department of Human Services is a party to or otherwise participates  
16 in the process.

17 C. There is no privilege under Section 17 of this act if a  
18 tribunal finds, after a hearing in camera, that the party seeking  
19 discovery or the proponent of the evidence has shown the evidence is  
20 not otherwise available, the need for the evidence substantially  
21 outweighs the interest in protecting confidentiality, and the  
22 collaborative law communication is sought or offered in:

23 1. A court proceeding involving a felony or misdemeanor; or  
24

1 2. A proceeding seeking rescission or reformation of a contract  
2 arising out of the collaborative law process or in which a defense  
3 to avoid liability on the contract is asserted.

4 D. If a collaborative law communication is subject to an  
5 exception under subsection B or C of this section, only the part of  
6 the communication necessary for the application of the exception may  
7 be disclosed or admitted.

8 E. Disclosure or admission of evidence excepted from the  
9 privilege under subsection B or C of this section does not make the  
10 evidence or any other collaborative law communication discoverable  
11 or admissible for any other purpose.

12 F. The privileges under Section 17 of this act do not apply if  
13 the parties agree in advance in a signed record, or if a record of a  
14 proceeding reflects agreement by the parties, that all or part of a  
15 collaborative law process is not privileged. This subsection does  
16 not apply to a collaborative law communication made by a person that  
17 did not receive actual notice of the agreement before the  
18 communication was made.

19 SECTION 20. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 3320 of Title 12, unless there  
21 is created a duplication in numbering, reads as follows:

22 AUTHORITY OF TRIBUNAL IN CASE OF NONCOMPLIANCE.

23 A. If an agreement fails to meet the requirements of Section 4  
24 of this act, or a lawyer fails to comply with Section 14 or 15 of

1 this act, a tribunal may nonetheless find that the parties intended  
2 to enter into a collaborative law participation agreement if they:

3 1. Signed a record indicating an intention to enter into a  
4 collaborative law participation agreement; and

5 2. Reasonably believed they were participating in a  
6 collaborative law process.

7 B. If a tribunal makes the findings specified in subsection A  
8 of this section, and the interests of justice require, the tribunal  
9 may:

10 1. Enforce an agreement evidenced by a record resulting from  
11 the process in which the parties participated;

12 2. Apply the disqualification provisions of Sections 5, 6, 9,  
13 10, and 11 of this act; and

14 3. Apply a privilege under Section 17 of this act.

15 SECTION 21. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 3321 of Title 12, unless there  
17 is created a duplication in numbering, reads as follows:

18 UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and  
19 construing this uniform act, consideration must be given to the need  
20 to promote uniformity of the law with respect to its subject matter  
21 among states that enact it.

22 SECTION 22. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 3322 of Title 12, unless there  
24 is created a duplication in numbering, reads as follows:

1 RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL  
2 COMMERCE ACT. This act modifies, limits, and supersedes the federal  
3 Electronic Signatures in Global and National Commerce Act, 15  
4 U.S.C., Section 7001, et seq., but does not modify, limit, or  
5 supersede Section 101(c) of that act, 15 U.S.C., Section 7001(c), or  
6 authorize electronic delivery of any of the notices described in  
7 Section 103(b) of that act, 15 U.S.C., Section 7003(b).

8 SECTION 23. This act shall become effective January 1, 2026.

9 Passed the House of Representatives the 3rd day of March, 2025.

10  
11 \_\_\_\_\_  
12 Presiding Officer of the House  
of Representatives

13 Passed the Senate the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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16 \_\_\_\_\_  
17 Presiding Officer of the Senate  
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