STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 941 By: Deevers

AS INTRODUCED

An Act relating to pharmaceutical products; defining terms; requiring manufacturers of pharmaceutical products to publish certain list of ingredients; specifying certain inclusions; clarifying applicability; requiring certain submission and publication; providing administrative, civil, and criminal penalties and remedies; granting certain protection; requiring establishment of certain reporting system; preempting certain rulemaking; providing certain construction; 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 9002.1 of Title 63, unless there is created a duplication in numbering, reads as follows:

As used in this act:

1. "Pharmaceutical product" means any drug or device as defined in Section 353.1 of Title 59 of the Oklahoma Statutes including prescription drugs, over-the-counter medications, vaccines, and products intended for research purposes;

2. "Ingredient" includes:

a. all active and inactive components,

b. biological materials, such as mRNA, DNA from human or animal sources, and viral vectors,

c. synthetic materials, including lipids, nanotechnology components, and polymers, and

d. adjuvants, preservatives, stabilizers, and other additives; and

3. "Manufacturer" means any person or entity engaged in the production, preparation, propagation, compounding, or processing of pharmaceutical products, as defined in Section 353.1 of Title 59 of the Oklahoma Statutes.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9002.2 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Manufacturers of pharmaceutical products, including those intended exclusively for research purposes, shall publish a complete and detailed list of all ingredients for each product.

1. The list shall include:

a. the chemical and common names of all active, inactive, biological, and synthetic ingredients,

b. the origin of any biological materials, specifying whether they are derived from human, animal, or synthetic sources,

c. the purpose of each ingredient, and

d. the quantity or concentration of each ingredient, including trace elements and residuals.

2. For products containing mRNA or other gene-based technology, the disclosure shall specify:

a. the sequence and source of any nucleic acids, and

b. the delivery mechanism, including synthetic carriers such as lipid nanoparticles.

B. The ingredient information shall be:

1. Submitted to the State Board of Pharmacy;

2. Published publicly on a manufacturer-maintained website; and

3. Included in product labeling and marketing materials.

C. The responsibility to disclose all ingredients or components of any pharmaceutical product, medical treatment, or mandate shall remain unchanged regardless of whether a national emergency is declared by the President of the United States or Congress. The rights of individuals shall not be suspended, abridged, or infringed during any declared emergency.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9002.3 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. Noncompliance with the provisions of this act shall result in the following penalties:

1. Fines up to Fifty Thousand Dollars ($50,000) per violation, per product; and

2. Suspension or revocation of the right to distribute or sell the noncompliant pharmaceutical product within this state until compliance is achieved.

B. Enhanced penalties for repeated or willful violations shall be assessed as follows:

1. Escalating fines:

a. on a second violation: fines up to One Hundred Thousand Dollars ($100,000.00) per product, and

b. on a third or subsequent violation: fines up to Two Hundred Fifty Thousand Dollars ($250,000.00) per product;

2. Prohibition of operations: For continued noncompliance, the manufacturer may be prohibited from distributing or selling any pharmaceutical products in this state for up to one (1) year; and

3. Criminal liability: Repeated or intentional misrepresentation or omission of ingredient information is a misdemeanor crime punishable by up to one (1) year imprisonment.

C. The following civil remedies shall be available:

1. Private right to civil action: Any individual or group harmed by noncompliance with this act, including misrepresentation or omission of ingredient information, may bring a civil lawsuit against the manufacturer for damages including, but not limited to:

a. economic damages including, but not limited to, medical expenses or financial losses,

b. noneconomic damages including, but not limited to, pain and suffering or emotional distress, and

c. punitive damages, as appropriate under Oklahoma law.

2. Class action suit: Affected individuals may form a class to seek collective remedy in cases of widespread harm resulting from noncompliance.

D. The State of Oklahoma may seek injunctive relief to compel compliance or halt the distribution and sale of noncompliant pharmaceutical products.

E. Individuals who report violations of this act by manufacturers shall be protected from retaliation under applicable whistleblower statutes and may be entitled to a percentage of fines collected as a result of their report.

F. The State Board of Pharmacy shall establish a reporting system for individuals to file complaints regarding suspected violations of this act, with such reports forwarded to the Legislature for review and potential enforcement action.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9002.4 of Title 63, unless there is created a duplication in numbering, reads as follows:

The Legislature shall retain exclusive rule-making authority to implement and enforce the provisions of this act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 9002.5 of Title 63, unless there is created a duplication in numbering, reads as follows:

To the extent any laws conflict with this act, this act shall govern.

SECTION 6. This act shall become effective January 1, 2026.

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