

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2535 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Danny Williams

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 FLOOR SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 2535

6 By: Williams and Humphrey

7 FLOOR SUBSTITUTE

8 An Act relating to materials harmful to minors;  
9 amending 21 O.S. 2021, Section 1040.77, which relates  
10 to penalties for violations; modifying penalties; and  
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1040.77, is  
14 amended to read as follows:

15 Section 1040.77 Any person convicted of violating any provision  
16 of Section 1040.76 of this title shall be guilty of a misdemeanor  
17 and shall be punished by imprisonment in the county jail for a term  
18 not exceeding one (1) year, or fined a sum not exceeding Five  
19 Hundred Dollars (\$500.00) for the first or second offense One  
20 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

21 Any person convicted of a ~~third~~ second or subsequent violation of  
22 any provision of Section 1040.76 of this title shall be guilty of a  
23 ~~misdemeanor~~ felony and shall be punished by imprisonment in the  
24 custody of the Department of Corrections for a term not exceeding

1 five (5) years, or fined a sum not exceeding ~~One Thousand Dollars~~  
2 ~~(\$1,000.00) Five Thousand Dollars (\$5,000.00), or by both such fine~~  
3 and imprisonment. Each day that any violation of Section 1040.76 of  
4 this title occurs or continues shall constitute a separate offense  
5 and shall be punishable as a separate violation. Every act or  
6 transaction prohibited by Section 1040.76 of this title shall  
7 constitute a separate offense as to each item, issue or title  
8 involved and shall be punishable as such. For the purpose of this  
9 section, multiple copies of the same identical title, monthly issue,  
10 volume and number issue or other such identical material as  
11 prohibited by Section 1040.76 of this title shall constitute a  
12 single offense.

13 SECTION 2. This act shall become effective November 1, 2023.

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15 59-1-8013 GRS 03/15/23

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