

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE BILL 1457

By: Frix

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5
6 AS INTRODUCED

7 An Act relating to trademarks and labels; amending 78
8 O.S. 2011, Section 73, as amended by Section 1,
9 Chapter 391, O.S.L. 2016 (78 O.S. Supp. 2016, Section
10 73), which relates to the American Indian Arts and
11 Crafts Sales Act of 1974; modifying definition; and
12 providing an effective date.

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

14 SECTION 1. AMENDATORY 78 O.S. 2011, Section 73, as
15 amended by Section 1, Chapter 391, O.S.L. 2016 (78 O.S. Supp. 2016,
16 Section 73), is amended to read as follows:

17 Section 73. As used in the American Indian Arts and Crafts
18 Sales Act of 1974, unless the context otherwise requires, the
19 following terms or phrases shall have the following meanings:

- 20 1. "American Indian tribe" means any Indian tribe recognized by
21 a state in the United States or federally recognized by the Bureau
22 of Indian Affairs of the United States Department of the Interior;
- 23 2. "American Indian" means a person who is a citizen or is an
24 enrolled member of an American Indian tribe;

1 3. "Imitation American Indian arts and crafts" means any basic
2 article purporting to be of American Indian style, make, origin or
3 design which is not made by American Indian labor and workmanship;

4 4. "Authentic American Indian arts and crafts" means any
5 article of American Indian style, make, origin or design which is
6 made wholly or in part by American Indian labor and workmanship to
7 include, but not be limited to, any Kachina doll, rosette, necklace,
8 choker, barrette, hair tie, medallion, pin, pendant, bolo tie, belt,
9 belt buckle, cuff links, tie clasp, tie bar, ring, earring, purse,
10 blanket, shawl, moccasin, drum, pottery or any visual or performing
11 arts or literature which is not an imitation American Indian art or
12 craft; and

13 5. "Merchant" means any person engaged in the sale to the
14 public of imitation American Indian arts and crafts or authentic
15 American Indian arts and crafts.

16 SECTION 2. This act shall become effective November 1, 2017.

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