

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1949

By: Murdock

AS INTRODUCED

An Act relating to consumer protection; defining terms; providing certain requirements for texting software providers; authorizing Attorney General to enforce provisions; requiring certain penalties; 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 800 of Title 15, unless there is created a duplication in numbering, reads as follows:

A. As used in this section:

1. "Encrypted" means plaintext data that has been processed into ciphertext with the goal of ensuring that the plaintext data is accessible only to parties authorized by the owner of the plaintext data;

2. "Texting software" means the software that comes preloaded on a device, and any subsequent updates to the software, that enables the device to send a text message to or receive a text

1 message from any telephone number capable of sending or receiving a
2 text message; and

3 3. "Texting software provider" means an entity that provides
4 texting software for a device.

5 B. 1. When a person sends a text message to an individual or a
6 group using texting software, the texting software provider for the
7 device sending the text message shall ensure the following:

- 8 a. that the data sent in the text message is encrypted
9 and that when selecting a communication network to
10 send the text message to another device, the texting
11 software selects a network that is compatible with and
12 supports such encryption,
- 13 b. a photo, video, or other media sent in the text
14 message is sent in its original quality without
15 degradation,
- 16 c. that the person who sent the text message receives
17 real-time notification that the recipient of the text
18 message has viewed it, if the recipient of the text
19 message has enabled such a notification function on
20 his or her device, and
- 21 d. that the intended recipient of a text message is sent
22 a real-time notification that a person is typing text
23 if the sender of the text message has enabled such a
24 notification function on his or her device.

1 2. When a person uses a device to receive a text message from
2 an individual or a group, the texting software provider for the
3 device receiving the text message shall ensure that:

4 a. any photo, video, or other media received in the text
5 message retains the same quality as when it was sent
6 without degradation,

7 b. the person who sent the text message is sent a real-
8 time notification that the recipient of the text
9 message has viewed it, if the recipient of the text
10 message has enabled such a notification function on
11 his or her device, and

12 c. the intended recipient of a text message receives a
13 real-time notification that a person is typing text if
14 the sender of the text message has enabled such a
15 notification function on his or her device.

16 C. 1. The Attorney General may bring an action against a
17 texting software provider that has violated subsection B of this
18 section to enforce this section and to restrain the violation by
19 temporary or permanent injunction.

20 2. A court shall require a texting software provider who
21 violates subsection B of this section to be charged an
22 administrative penalty of Ten Dollars (\$10.00) per violation. Each
23 device affected by a violation constitutes a separate violation, and
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1 each calendar month in which a violation occurs constitutes a
2 separate violation.

3 SECTION 2. This act shall become effective November 1, 2024.

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