

1 STATE OF OKLAHOMA

2 2nd Session of the 60th Legislature (2026)

3 POLICY COMMITTEE  
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 3764

7 By: Turner

8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to crimes and punishments; creating  
10 the Foreign Terrorist Organization Felony Enhancement  
11 Act; defining term; providing for enhancement of  
12 felony sentences under certain circumstances; making  
13 enhanced punishment applicable to mandatory minimum  
14 sentences; prohibiting the suspension or deferral of  
15 sentences; directing courts to make certain  
16 determination; allowing courts to take judicial  
17 notice of certain designations; providing burden of  
18 proof requirements; deeming association, membership,  
19 or knowing support of certain organizations as an  
20 aggravating factor; providing for codification; and  
21 declaring an emergency.

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

23 SECTION 1. NEW LAW A new section of law to be codified  
24 in the Oklahoma Statutes as Section 1269 of Title 21, unless there  
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Foreign  
Terrorist Organization Felony Enhancement Act".

1 SECTION 2. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1269.1 of Title 21, unless there  
3 is created a duplication in numbering, reads as follows:

4 As used in the Foreign Terrorist Organization Felony Enhancement  
5 Act, the term "designated foreign terrorist organization" means any  
6 organization designated by the United States Department of State,  
7 pursuant to Section 219 of the Immigration and Nationality Act,  
8 Section 1189 of Title 8 of the United States Code.

9 SECTION 3. NEW LAW A new section of law to be codified  
10 in the Oklahoma Statutes as Section 1269.2 of Title 21, unless there  
11 is created a duplication in numbering, reads as follows:

12 A. If a person is convicted of a felony offense under the laws  
13 of this state, and it is proven that, at the time the felony offense  
14 was committed, the person was a member of, acting on behalf of, or  
15 knowingly supporting a designated foreign terrorist organization,  
16 the sentence shall be enhanced as follows:

17 1. The term of imprisonment imposed shall be not less than  
18 twice the maximum sentence that could have been imposed for a first  
19 conviction for the underlying felony offense; and

20 2. Any fine imposed shall be not less than twice the maximum  
21 fine that could have been imposed for a first conviction for the  
22 underlying felony offense.

23 B. The enhanced term of imprisonment and fine provided for in  
24 subsection A of this section shall apply in addition to, and not in

1 place of, any mandatory minimum sentence applicable to the  
2 underlying offense.

3 C. The enhanced term of imprisonment provided for in subsection  
4 A of this section shall not be subject to statutory provisions for  
5 suspension or deferral of the sentence.

6 SECTION 4. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 1269.3 of Title 21, unless there  
8 is created a duplication in numbering, reads as follows:

9 Before a penalty enhancement may be imposed under the provisions  
10 of the Foreign Terrorist Organization Felony Enhancement Act, the  
11 court shall determine that:

12 1. The organization with which the defendant is alleged to be  
13 affiliated was, at the time the criminal offense was committed,  
14 designated as a Foreign Terrorist Organization by the United States  
15 Secretary of State pursuant to Section 219 of the Immigration and  
16 Nationality Act, Section 1189 of Title 8 of the United States Code;  
17 and

18 2. Such designation was active and in full force and effect at  
19 the time of the offense.

20 The court may take judicial notice of the designation as  
21 published in the Federal Register or as maintained by the United  
22 States Department of State.

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1 SECTION 5. NEW LAW A new section of law to be codified  
2 in the Oklahoma Statutes as Section 1269.4 of Title 21, unless there  
3 is created a duplication in numbering, reads as follows:

4 A. To apply the penalty enhancement under the Foreign Terrorist  
5 Organization Felony Enhancement Act, the state shall prove that the  
6 defendant:

7 1. Committed the underlying felony offense; and

8 2. At the time of the offense:

9 a. was a member of,

10 b. was acting at the direction of,

11 c. knowingly provided material support to, or

12 d. knowingly associated with in furtherance of the  
13 objectives of,

14 a designated foreign terrorist organization.

15 B. The trier of fact shall make a specific finding on the  
16 record regarding the affiliation of the defendant with a designated  
17 foreign terrorist organization.

18 C. Association with, membership in, or knowing support of a  
19 designated foreign terrorist organization at the time a criminal  
20 offense is committed shall be deemed an aggravating factor for  
21 purposes of:

22 1. Determining eligibility for bail and the appropriateness of  
23 conditions of release;

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- 1        2. Determining the length and severity of any sentence imposed
- 2 within statutory limits;
- 3        3. Determining whether probation may be granted;
- 4        4. Determining eligibility for parole or early release; and
- 5        5. Determining eligibility for sentence modification or
- 6 commutation.

7        Aggravating factors shall be considered in addition to any other  
8 statutory aggravating circumstance under state law.

9        SECTION 6. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

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