

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 4142

By: Manger of the House

and

Hines of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to crimes and punishments; amending
11 21 O.S. 2021, Sections 1767.1, as amended by Section
12 459, Chapter 486, O.S.L. 2025, and 1767.3 (21 O.S.
13 Supp. 2025, Section 1767.1), which relate to the
14 unlawful use of bombs or explosive devices and
15 related definitions; modifying elements of certain
16 crimes; providing construing provision; updating
17 certain defined terms; and providing an effective
18 date.

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

20 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1767.1, as
21 amended by Section 459, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
22 2025, Section 1767.1), is amended to read as follows:

23 Section 1767.1. A. Any person who shall willfully or
24 maliciously commit any of the following acts shall be deemed guilty
of a Class D1 felony offense:

1 1. Place or conspire to place in, upon, under, against or near
2 to any building, car, truck, aircraft, motor or other vehicle,
3 vessel, railroad, railway car, or locomotive or structure, any
4 explosive or incendiary device ~~with unlawful intent to destroy,~~
5 ~~throw down, or injure~~ capable of causing destruction, in whole or in
6 part, ~~such of said property, or conspire, aid, counsel or procure~~
7 ~~the destruction of any building, public or private, or any car,~~
8 ~~truck, aircraft, motor or other vehicle, vessel, railroad, railway~~
9 ~~car, or locomotive or structure; or~~

10 2. Place or conspire to place in, upon, under, against or near
11 to any building, car, truck, aircraft, motor or other vehicle,
12 vessel, railroad, railway car, or locomotive or structure, any
13 explosive or incendiary device ~~with intent to destroy, throw down,~~
14 ~~or injure~~ capable of causing destruction or injury, in whole or in
15 part, under circumstances that, if ~~such intent~~ it were accomplished
16 to function, human life or safety would be endangered thereby; or

17 3. ~~By the explosion~~ Use of any explosive or ~~the igniting of any~~
18 incendiary ~~device~~ to destroy, throw down, or injure any property of
19 another person, or cause injury to another person, in whole or in
20 part; or

21 4. Manufacture, sell, transport, or possess or conspire to
22 manufacture, sell, transport, or possess any explosive, the
23 component parts ~~of an explosive~~ or ingredients of any homemade
24 explosive, an incendiary ~~device~~, or simulated bomb ~~with knowledge or~~

1 ~~intent that it or they will be used~~ when such item or materials are
2 designed, modified, assembled, or possessed in a manner that
3 demonstrates preparation for illegal use, or possessed in a
4 combination and under circumstances indicating intent or readiness
5 to unlawfully kill, injure or intimidate any person, or unlawfully
6 damage any real or personal property; or

7 5. Place or conspire to place in, upon, under, against or near
8 to any building, car, truck, aircraft, motor or other vehicle,
9 vessel, railroad, railway car, or locomotive or structure, any foul,
10 poisonous, offensive or injurious substance or compound, explosive,
11 incendiary ~~device~~, or simulated bomb ~~with intent~~ to wrongfully
12 injure, molest or coerce another person or to injure or damage the
13 property of another person; or

14 6. Injure, damage or attempt to damage by an explosive or
15 incendiary ~~device~~ any person, persons, or property, whether real or
16 personal, in whole or in part; or

17 7. Make any threat or convey information known to be false,
18 concerning an attempt or alleged attempt to kill, injure or
19 intimidate any person or unlawfully damage any real or personal
20 property by means of an explosive, incendiary ~~device~~, or simulated
21 bomb; or

22 8. Manufacture, sell, deliver, mail or send an explosive,
23 incendiary ~~device~~, or simulated bomb to another person; or

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1 9. While committing or attempting to commit any felony,
2 possess, display, or threaten to use any explosive, incendiary
3 ~~device~~, or simulated bomb.

4 B. Nothing contained herein shall be construed to apply to, or
5 repeal any laws pertaining to, the acts of mischief of juveniles
6 involving no injurious firecrackers or devices commonly called
7 "stink bombs".

8 C. Nothing contained herein shall be construed to prohibit the
9 lawful manufacture, sale, transport, possession, or use of
10 explosives, explosive materials, incendiaries, simulated bombs,
11 their components, or ingredients for a lawful purpose and in
12 compliance with applicable state and federal law.

13 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1767.3, is
14 amended to read as follows:

15 Section 1767.3. As used in Section 1767.1 of this title:

16 1. "Explosive" or "explosives" means any chemical compound,
17 mixture or device, the primary or common purpose of which is to
18 function by explosion or which, although not its primary or common
19 purpose, has been modified, manipulated, altered, enhanced, or
20 otherwise caused to function by explosion (that is, with substantial
21 instantaneous release of gas, heat, debris, or concussive pressure
22 or force, or any combination of such actions), unless such compound,
23 mixture or device is otherwise specifically classified by the United
24 States Department of Transportation. The term "explosive" or

1 "explosives" shall include, but not be limited to, gunpowder,
2 dynamite, any bomb, all materials as defined in paragraphs 1 and 2
3 of Section 121.1 of Title 63 of the Oklahoma Statutes, and all
4 material which is classified as explosives by the United States
5 Department of Transportation;

6 2. "Person" means any individual or individuals, firm,
7 copartnership, corporation, company, association, joint stock
8 association, and includes any trustee, receiver, assignee or
9 personal representative thereof;

10 3. "Incendiary ~~device~~" means any chemical compound, ~~mixture or~~
11 ~~device~~ accelerant, material, or combination thereof, the primary
12 purpose or effect of which is to ignite, initiate combustion, or
13 promote the spread of fire, whether through direct ignition,
14 chemical reaction, or by enhancing the combustibility of other
15 materials. This includes, but is not limited to, devices designed
16 to ignite on impact or as a result of chemical reaction such as a,
17 including "Molotov cocktail cocktails" or "firebomb" which is
18 ignited on impact, causing a mechanical reaction of the container's
19 breaking and permitting the inflammable matter to spread or splatter
20 and is ignited from the burning wick or hypergolic reaction of
21 chemicals "firebombs" and materials deployed without a container,
22 such as poured accelerants intended to cause fire or destruction;

23 4. "Component parts" means separate parts which if assembled
24 would form an explosive ~~device~~. Component parts of an "incendiary

1 device" shall consist of an inflammable material, a breakable
2 container and a source of ignition; and

3 5. "Simulated bomb" means any device or object that by its
4 design, construction, content, or characteristics appears to be, or
5 to contain, an incendiary device, explosive, or explosives, as
6 defined in this section, but is, in fact, an inoperative facsimile
7 or imitation of such a device or explosive.

8 SECTION 3. This act shall become effective November 1, 2026.

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