

1 STATE OF OKLAHOMA

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

3 POLICY COMMITTEE
4 RECOMMENDATION

5 FOR

6 HOUSE BILL NO. 4142

7 By: Manger

8 POLICY COMMITTEE RECOMMENDATION

9 An Act relating to crimes and punishments; amending
10 21 O.S. 2021, Sections 1767.1, as amended by Section
11 459, Chapter 486, O.S.L. 2025, and 1767.3 (21 O.S.
12 Supp. 2024, Section 1767.1), which relate to the
13 unlawful use of bombs or explosive devices and
14 related definitions; modifying elements of certain
15 crimes; providing construing provision; updating
16 certain defined terms; and providing an effective
17 date.

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

19 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1767.1, as
20 amended by Section 459, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
21 2024, Section 1767.1), is amended to read as follows:

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

1. Place or conspire to place in, upon, under, against or near
to any building, car, truck, aircraft, motor or other vehicle,

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

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

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

19 4. Manufacture, sell, transport, or possess or conspire to
20 manufacture, sell, transport, or possess any explosive, the
21 component parts ~~of an explosive~~ or ingredients of any homemade
22 explosive, an incendiary ~~device~~, or simulated bomb ~~with knowledge or~~
23 ~~intent that it or they will be used~~ when such item or materials are
24 designed, modified, assembled, or possessed in a manner that

1 demonstrates preparation for illegal use, or possessed in a
2 combination and under circumstances indicating intent or readiness
3 to unlawfully kill, injure or intimidate any person, or unlawfully
4 damage any real or personal property; or

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

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

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

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

22 9. While committing or attempting to commit any felony,
23 possess, display, or threaten to use any explosive, incendiary
24 ~~device~~, or simulated bomb.

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

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

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

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

13 1. "Explosive" or "explosives" means any chemical compound,
14 mixture or device, the primary or common purpose of which is to
15 function by explosion or which, although not its primary or common
16 purpose, has been modified, manipulated, altered, enhanced, or
17 otherwise caused to function by explosion (that is, with substantial
18 instantaneous release of gas, heat, debris, or concussive pressure
19 or force, or any combination of such actions), unless such compound,
20 mixture or device is otherwise specifically classified by the United
21 States Department of Transportation. The term "explosive" or
22 "explosives" shall include, but not be limited to, gunpowder,
23 dynamite, any bomb, all materials as defined in paragraphs 1 and 2
24 of Section 121.1 of Title 63 of the Oklahoma Statutes, and all

1 material which is classified as explosives by the United States
2 Department of Transportation;

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

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

20 4. "Component parts" means separate parts which if assembled
21 would form an explosive ~~device~~. Component parts of an "incendiary
22 device" shall consist of an inflammable material, a breakable
23 container and a source of ignition; and

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

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

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