

An Act

ENROLLED HOUSE
BILL NO. 2104

By: Osburn and West (Tammy) of
the House

and

Rader of the Senate

An Act relating to the classification of felony offenses; amending 21 O.S. 2021, Section 701.7, which relates to murder in the first degree; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1268.2, which relates to terrorism; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 644, as amended by Section 1, Chapter 38, O.S.L. 2024 (21 O.S. Supp. 2024, Section 644), which relates to penalties for domestic abuse; providing felony classification for certain offenses; modifying penalties for certain unlawful acts; amending 21 O.S. 2021, Section 651, which relates to penalties for administering poison; providing felony classification for certain offense; amending 21 O.S. 2021, Section 701.8, which relates to murder in the second degree; providing felony classification for certain offense; amending 21 O.S. 2021, Section 701.9, which relates to penalties for murder in the first and second degrees; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 745, which relates to kidnapping; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 843.5, as amended by Section 2, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 843.5), which relates to child abuse; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1021, as amended by Section 7, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1021), which relates to indecent exposure and the solicitation of minors; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1312, which relates to penalties for

rioting; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1441, which relates to burglary with explosives; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1767.2, which relates to the use of explosives to damage persons or property; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-401, as amended by Section 1, Chapter 77, O.S.L. 2024 (63 O.S. Supp. 2024, Section 2-401), which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 124.8, which relates to the Oklahoma Explosives and Blasting Regulation Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 175, which relates to accessory to a felony offense; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 650, which relates to aggravated assault and battery upon a peace officer; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 701.16, which relates to solicitation for first degree murder; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 711 and 712, which relate to first degree manslaughter; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 748, which relates to human trafficking; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 760, which relates to female genital mutilation; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 798, 800 and 801, which relate to robbery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 849, which relates to equipping vehicles or structures with explosives; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1040.12a, as amended by Section 3, Chapter 103, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.12a), which relates to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1111.1, as amended by Section 3, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1111.1), which relates to rape by instrumentation;

providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1114 and 1115, which relate to penalties for rape and rape by instrumentation; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1117, which relates to forcing a woman to marry; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1752, which relates to displacing railroad equipment; providing felony classification for certain offense; amending 22 O.S. 2021, Section 107, which relates to criminal offenses during riots or insurrections; providing felony classification for certain offense; amending 47 O.S. 2021, Section 11-902, which relates to penalties for driving under the influence; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-403, which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 652, which relates to discharging a firearm with intent to kill; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 751, which relates to maiming; providing felony classification for certain offense; amending 21 O.S. 2021, Section 843.1, which relates to abuse of the elderly by caretakers; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1123, as last amended by Section 33, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1123), which relates to lewd or indecent acts to a child; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1268.3, which relates to the Oklahoma Antiterrorism Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1327, which relates to advocating sabotage, sedition or treason on public school grounds; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1401 and 1405, which relate to first degree arson and endangering human life during commission of arson; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 521, which relates to rescuing prisoners; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 813, 814 and 817, which relate

to aiding suicide; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 832, which relates to willful poisoning of others; providing felony classification for certain offense; amending 21 O.S. 2021, Section 888, as amended by Section 1, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024, Section 888), which relates to forcible sodomy; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1021.2, as amended by Section 1, Chapter 103, O.S.L. 2024, 1021.3, as amended by Section 10, Chapter 59, O.S.L. 2024, 1024.2, as amended by Section 15, Chapter 59, O.S.L. 2024 and 1029, as last amended by Section 3, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Sections 1021.2, 1021.3, 1024.2 and 1029), which relate to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1087, as amended by Section 6, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1087), which relates to procuring minors for prostitution; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1088, as amended by Section 7, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1088), which relates to inducing or restraining minors for prostitution; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1266, 1266.4 and 1266.5, which relate to the Sabotage Prevention Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1268.5, which relates to the Oklahoma Antiterrorism Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1287, which relates to the use of firearms while committing a felony; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1289.17A, which relates to the Oklahoma Firearms Act of 1971; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1431, which relates to first degree burglary; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1903, which relates to the Bus Passenger Safety Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 2001, which relates to the use of unlawful proceeds;

providing felony classification for certain offenses; amending 22 O.S. 2021, Section 1404, which relates to the Oklahoma Racketeer-Influenced and Corrupt Organizations Act; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 11-904, which relates to personal injury accident while under the influence; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-415, which relates to the Trafficking in Illegal Drugs Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 446, which relates to the unlawful transportation of aliens; providing felony classification for certain offense; amending 21 O.S. 2021, Section 532, which relates to permitting escapes; providing felony classification for certain offense; amending 21 O.S. 2021, Section 741, which relates to kidnapping; providing felony classification for certain offense; amending 21 O.S. 2021, Section 856.1, which relates to aiding, abetting and encouraging minors to participate in drug-related crimes; providing felony classification for certain offense; amending 21 O.S. 2021, Section 866, which relates to trafficking in children; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1040.8, as amended by Section 18, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.8), which relates to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1081, which relates to pandering; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1085, which relates to restraining female in house of prostitution; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1116, which relates to second degree rape; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1402, which relates to second degree arson; providing felony classification for certain offense; amending 57 O.S. 2021, Section 590, which relates to the Sex Offenders Registration Act; providing felony classification for certain offenses; amending 59 O.S. 2021, Section 1350.6, which relates to the Bail Enforcement and Licensing Act; providing felony classification for certain offense; amending

63 O.S. 2021, Section 2-332, which relates to the Precursor Substances Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 341, which relates to embezzlement by officers; providing felony classification for certain offense; amending 21 O.S. 2021, Section 349, which relates to injuring or burning public buildings; providing felony classification for certain offense; amending 21 O.S. 2021, Section 539, which relates to resisting execution of process; providing felony classification for certain offense; amending 21 O.S. 2021, Section 644.1, which relates to prior pattern of domestic abuse; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1289.26, which relates to unlawful use of body armor; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1403, which relates to third degree arson; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1561, which relates to forgery of wills, deeds and instruments; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1562, which relates to forgery of public securities; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1622, which relates to fraudulently uttering one's signature; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1623, which relates to fraudulently uttering one's endorsement; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1624, which relates to the unlawful obliteration of instruments or writings; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1626, which relates to signing fictitious names as officers of corporations; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1742.2, which relates to the Unlawful Use of a Recording Device Act; providing felony classification for certain offenses; amending 36 O.S. 2021, Section 4055.14, which relates to the Viatical Settlements Act of 2008; providing felony classification for certain offenses; amending 52 O.S. 2021, Section 47.6, which relates to the Hazardous Liquid Transportation System Safety Act; providing felony classification for certain offense;

amending 57 O.S. 2021, Section 21, which relates to contraband in jails and prisons; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-406, as last amended by Section 7, Chapter 308, O.S.L. 2024 (63 O.S. Supp. 2024, Section 2-406), which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-419.1, which relates to the Trafficking in Illegal Drugs Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 4253, which relates to the Vessel, and Motor Chop Shop, Stolen and Altered Property Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 53, which relates to concealing the death of a child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 645, which relates to assault and battery with a dangerous weapon; providing felony classification for certain offense; amending 21 O.S. 2021, Section 799, which relates to second degree robbery; providing felony classification for certain offense; amending 21 O.S. 2021, Section 843.3, which relates to abuse of a vulnerable adult; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 850, which relates to malicious intimidation or harassment; providing felony classification for certain offense; amending 21 O.S. 2021, Section 851, which relates to desertion of children; providing felony classification for certain offense; amending 21 O.S. 2021, Section 853, which relates to desertion of wife or child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 856, which relates to contributing to the delinquency of a minor; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 885, which relates to incest; providing felony classification for certain offense; amending 21 O.S. 2021, Section 886, which relates to crimes against nature; providing felony classification for certain offense; amending 21 O.S. 2021, Section 891, which relates to the enticement or concealing of children; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1028, as amended by Section 1, Chapter

267, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1028), which relates to operating a place of prostitution; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1040.13, as amended by Section 21, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.13), which relates to distribution of obscene material or child sexual abuse material; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1040.13a, which relates to soliciting sexual conduct or sexual communication with a child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1073, which relates to promoting pyramid schemes; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1086, which relates to allowing pandering on certain property; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1118, which relates to compelling a woman by force to marry; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1119, which relates to abduction of a person under fifteen; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1161.1, which relates to desecration of a human corpse; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1173, as amended by Section 2, Chapter 318, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1173), which relates to stalking; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1217, which relates to interfering with duties of firemen; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1230.7 and 1230.8, which relate to the Environmental Crimes Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1263, which relates to advocating criminal syndicalism or sabotage; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1265.2, 1265.3 and 1265.5, which relate to the Sabotage Prevention Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1268.4, 1268.6, 1268.7 and 1268.8, which relate to the Oklahoma Antiterrorism Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section

1283, as amended by Section 1, Chapter 299, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1283), which relates to possession of firearms by convicted felons and delinquents; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1289.16, 1289.17, 1289.20 and 1289.21, which relate to the Oklahoma Firearms Act of 1971; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1290.21, which relates to the Oklahoma Self-Defense Act; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1320.2 and 1320.4, which relate to incitement to riot and related penalties; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1321.7 and 1321.8, which relate to the Oklahoma Riot Control and Prevention Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1368, which relates to possession of explosives by convicted felons; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1378, which relates to conspiring to perform an act of violence; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 10-102.1, which relates to accidents involving death; providing felony classification for certain offense; amending 47 O.S. 2021, Section 11-905, which relates to personal injury accidents caused by unlicensed drivers; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 11-1111, which relates to throwing substances at moving vehicles; providing felony classification for certain offense; amending 63 O.S. 2021, Sections 2-328 and 2-333, which relate to the Precursor Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-509, which relates to the unlawful cultivation of certain plants; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-701, which relates to the methamphetamine registry; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 647, 649, 649.1, 649.2, 650.2, 653 and 681, which relate to assault and battery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 716, 717 and 722,

which relate to second degree manslaughter; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 856.3, which relates to gang-related offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1192.1, which relates to intentionally transmitting infectious virus; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1302, which relates to trespass; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1303, which relates to assaults while disguised; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1320.3 and 1320.5, which relate to unlawful assemblies and related penalties; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1685, which relates to cruelty to animals; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1692.2, 1692.3, 1692.4, 1692.5 and 1692.8, which relate to cockfighting offenses and penalties; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1694, 1695, 1696, 1697 and 1699.1, which relate to dogfighting offenses; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 10-102, which relates to nonfatal injury accidents; providing felony classification for certain offense; amending 57 O.S. 2021, Sections 586, 587 and 590.1, which relate to the Sex Offenders Registration Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 649.3, 650.4, 650.6, 650.7, 650.8, 650.9 and 650.11, which relate to assault and battery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 852.1, which relates to child endangerment; providing felony classification for certain offense; amending 21 O.S. 2021, Section 437, which relates to assisting prisoner escapes; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 438, which relates to carrying items into prison to assist escapes; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 440, which relates to harboring criminals and fugitives; providing felony classification for certain offense;

amending 21 O.S. 2021, Section 455, which relates to threatening witnesses giving testimony; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 540A, which relates to eluding police officers; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 662, which relates to dueling; providing felony classification for certain offense; amending 21 O.S. 2021, Section 843.4, which relates to exploitation of elderly or disabled adults; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1404, which relates to fourth degree arson; providing felony classification for certain offenses; amending 21 O.S. Section 1435, as amended by Section 1, Chapter 245, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1435), which relates to second and third degree burglary; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1708, which relates to grand larceny at night; providing felony classification for certain offense; amending 47 O.S. 2021, Section 6-302, which relates to making false affidavits; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-503.1f, which relates to evading money reporting requirements; providing felony classification for certain offense; amending 2 O.S. 2021, Section 11-10, which relates to anhydrous equipment theft; providing felony classification for certain offenses; amending 4 O.S. 2021, Section 268, which relates to fraudulent branding of domestic animals; providing felony classification for certain offense; amending 17 O.S. 2021, Section 6.1, which relates to injuring pipeline transportation systems; providing felony classification for certain offense; amending 19 O.S. 2021, Section 641, which relates to embezzlement by county treasurer; providing felony classification for certain offense; amending 21 O.S. 2021, Section 265, which relates to bribing executive officers; providing felony classification for certain offense; amending 21 O.S. 2021, Section 266, which relates to executive officers receiving bribes; providing felony classification for certain offense; amending 21 O.S. 2021, Section 282, which relates to unlawful entrance to restricted areas; providing felony classification for certain offenses; amending

21 O.S. 2021, Section 301, which relates to preventing meetings of the State Legislature; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 303 and 305, which relate to compelling adjournment of the State Legislature and passage or rejection of bills; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 308 and 309, which relate to bribing and accepting bribes by members of the Legislature; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 350, which relates to the seizure of military stores; providing felony classification for certain offense; amending 21 O.S. 2021, Section 374, which relates to the unlawful display of certain flags and banners; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 380 and 380.1, which relate to bribing a fiduciary and commercial bribery; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 382, which relates to receiving bribes by public officers; providing felony classification for certain offense; amending 21 O.S. 2021, Section 383, which relates to offering bribes to judicial officer and jurors; providing felony classification for certain offense; amending 21 O.S. 2021, Section 388, which relates to tampering with juries; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 421, 422 and 424, which relate to conspiracy offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 540B, which relates to roadblocks; providing felony classification for certain offense; amending 21 O.S. 2021, Section 578, which relates to fraudulent production of an infant; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 752 and 759, which relate to maiming and related penalties; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 941, 946 and 948, which relate to gambling offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 982 and 991, which relate to commercial gambling and betting; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 996.3, which relates to the Consumers Disclosure of Prizes and

Gifts Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1416, which relates to the unlawful delivery of goods; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1451, as amended by Section 1, Chapter 63, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1451), which relates to embezzlement offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1531, 1532, 1533 and 1533.2, which relate to falsely impersonation offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1541.2 and 1541.3, which relate to obtaining money or property by trick; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1577, 1578, 1579 and 1592, which relate to forgery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1632 and 1635, which relate to fraud relating to corporations; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1702, 1705, as amended by Section 1, Chapter 158, O.S.L. 2024, 1707, 1713, 1713.1, 1716, as amended by Section 1, Chapter 32, O.S.L. 2022, 1719.2, 1720, 1721, 1722, 1731, as amended by Section 1, Chapter 176, O.S.L. 2024, and 1732 (21 O.S. Supp. 2024, Sections 1705, 1716 and 1731), which relate to larceny offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1778, which relates to interfering with train signal lights; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1779, which relates to injuring written instruments; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1953 and 1955, which relate to the Oklahoma Computer Crimes Act; providing felony classification for certain offense; amending 22 O.S. 2021, Section 17, which relates to failing to forfeit certain proceeds; providing felony classification for certain offense; amending 27A O.S. 2021, Section 2-5-116, which relates to violations of the Oklahoma Clean Air Act; providing felony classification for certain offense; amending 27A O.S. 2021, Section 2-6-206, which relates to violations of the Oklahoma Pollutant Discharge Elimination System Act; providing

felony classification for certain offenses; amending 29 O.S. 2021, Section 3-201, which relates to violations of the Oklahoma Wildlife Conservation Code; providing felony classification for certain offense; amending 42 O.S. 2021, Section 153, which relates to lienable claims; providing felony classification for certain offense; amending 47 O.S. 2021, Section 4-108, which relates to trim tag plates; providing felony classification for certain offense; amending 47 O.S. 2021, Section 4-109, as amended by Section 36, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024, Section 4-109), which relates to certificate of titles; providing felony classification for certain offense; amending 47 O.S. 2021, Section 7-612, which relates to security verification forms; providing felony classification for certain offense; amending 47 O.S. 2021, Section 592.9, as amended by Section 17, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2024, Section 592.9), which relates to the Oklahoma Crusher Act; providing felony classification for certain offense; amending 47 O.S. 2021, Section 1503, which relates to the Motor Vehicle Chop Shop, Stolen and Altered Property Act; providing felony classification for certain offenses; amending 51 O.S. 2021, Sections 36.5 and 36.6, which relate to oaths or affirmations; providing felony classification for certain offenses; amending 52 O.S. 2021, Sections 109 and 118, which relate to false verification of documents and bribery; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-407, which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offense; amending 63 O.S. 2021, Sections 2-503.1, 2-503.1d, 2-503.1e, and 2-503.1g, which relate to the Drug Money Laundering and Wire Transmitter Act; providing felony classification for certain offenses; amending 68 O.S. 2021, Sections 218.1, 244 and 246, which relate to the Uniform Tax Procedure Code; providing felony classification for certain offense; amending 68 O.S. 2021, Section 317, which relates to forging tax stamps; providing felony classification for certain offense; amending 71 O.S. 2021, Sections 1-301 and 1-308, as amended by Sections 12 and 19, Chapter 77, O.S.L. 2022, 1-401, 1-402, 1-403 and 1-404, as

amended by Sections 20, 21 and 22, Chapter 77, O.S.L. 2022, 1-501, 1-502, 1-505, 1-506 and 1-508, as amended by Section 31, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Sections 1-301, 1-308, 1-402, 1-403, 1-404 and 1-508), which relate to the Oklahoma Uniform Securities Act of 2004; providing felony classification for certain offenses; amending 71 O.S. 2021, Sections 806, 808, 809 and 811, as amended by Sections 44 and 45, Chapter 77, O.S.L. 2022, 812, 819, 820, 821, 822 and 823 (71 O.S. Supp. 2024, Sections 809 and 811), which relate to the Oklahoma Business Opportunity Sales Act; providing felony classification for certain offenses; amending 74 O.S. 2021, Section 71, which relates to the Oklahoma Surplus Property Act; providing felony classification for certain offense; amending 79 O.S. 2021, Sections 203, 204 and 206, which relate to the Oklahoma Antitrust Reform Act; providing felony classification for certain offenses; amending 82 O.S. 2021, Section 867, which relates to officer and employees of the Grand River Dam Authority; providing felony classification for certain offense; amending 2 O.S. 2021, Sections 9-34, 9-35 and 9-36, which relate to the Public Warehouse and Commodity Indemnity Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Sections 16-25, 16-28.1 and 16-34, which relate to the Oklahoma Forestry Code; providing felony classification for certain offenses; amending 3 O.S. 2021, Sections 258 and 259, which relate to the operation of unregistered aircraft and unregistered serial numbers; providing felony classification for certain offenses; amending 3 O.S. 2021, Section 301, which relates to the operation of aircraft while under the influence; providing felony classification for certain offense; amending 3 O.S. 2021, Section 321, which relates to the unlawful possession of aircraft; providing felony classification for certain offense; amending 3A O.S. 2021, Sections 205, 208.4, 208.6, 208.7, 208.8, 208.9, 208.10 and 208.11, which relate to the Oklahoma Horse Racing Act; providing felony classification for certain offenses; amending 3A O.S. 2021, Section 727, which relates to the Oklahoma Education Lottery Act; providing felony classification for certain offense; amending 4 O.S.

2021, Section 42.4, which relates to owners of dangerous dogs; providing felony classification for certain offenses; amending 6 O.S. 2021, Sections 809, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414 and 1417, which relate to the Oklahoma Banking Code; providing felony classification for certain offenses; amending 10 O.S. 2021, Section 404.1, which relates to the Oklahoma Child Care Facilities Licensing Act; providing felony classification for certain offense; amending 10A O.S. 2021, Section 1-2-101, which relates to reports of child abuse; providing felony classification for certain offense; amending 13 O.S. 2021, Section 176.3, which relates to the Security of Communications Act; providing felony classification for certain offense; amending 15 O.S. 2021, Sections 753 and 761.1, which relate to the Consumer Protection Act; providing felony classification for certain offenses; amending 15 O.S. 2021, Section 765.3, which relates to the Home Repair Fraud Act; providing felony classification for certain offense; amending 15 O.S. 2021, Section 767, which relates to closing out sales; providing felony classification for certain offense; amending 15 O.S. 2021, Sections 776.1 and 776.6, which relate to fraudulent electronic mail; providing felony classification for certain offenses; amending 17 O.S. 2021, Section 16, which relates to the destruction of corporate transaction business records; providing felony classification for certain offense; amending 18 O.S. 2021, Section 411, which relates to the misapplication of solicited funds; providing felony classification for certain offense; amending 18 O.S. 2021, Sections 553.1 and 553.3, which relate to the Oklahoma Solicitation of Charitable Contributions Act; providing felony classification for certain offenses; amending 19 O.S. 2021, Sections 90 and 91, which relate to failure by election officers to perform certain duties; providing felony classification for certain offense; amending 19 O.S. 2021, Section 686, which relates to the failure of county officers to perform certain duties; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 318, 320, 321 and 322, which relate to soliciting and accepting bribes by members of the State Legislature; providing felony

classification for certain offenses; amending 21 O.S. 2021, Section 334, which relates to soliciting funds to promote legislation; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 355, 357, 358 and 359, which relate to the unlawful furnishing of public supplies for consideration; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 381 and 399, which relate to bribery and corruption offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 425, which relates to conspiracy offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 443 and 445, which relate to escapes from penal institutions; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 453 and 456, which relate to falsifying evidence; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 461, 462 and 463, which relate to forging, stealing and falsifying public records; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 491, 496, 500, 504 and 505, which relate to perjury offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 531, which relates to the destruction of records; providing felony classification for certain offense; amending 21 O.S. 2021, Section 540C, which relates to fortifying access points; providing felony classification for certain offense; amending 21 O.S. 2021, Section 543, which relates to concealing crimes in exchange for money or property; providing felony classification for certain offense; amending 21 O.S. 2021, Section 579, which relates to substituting a child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 588, which relates to recording grand or petit jury proceedings; providing felony classification for certain offense; amending 21 O.S. 2021, Section 861, which relates to procuring an abortion; providing felony classification for certain offense; amending 21 O.S. 2021, Section 872, which relates to adultery; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 883 and 884, which relate to bigamy offenses; providing felony

classification for certain offenses; amending 21 O.S. 2021, Sections 954, 984, 986, 987 and 988, which relate to offenses related to confidence games and gambling; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1031, as last amended by Section 2, Chapter 267, O.S.L. 2024, 1040.80, as amended by Section 32, Chapter 59, O.S.L. 2024 and 1040.13b, as amended by Section 1, Chapter 214, O.S.L. 2024 (21 O.S. Supp. 2024, Sections 1031, 1040.80 and 1040.13b), which relate to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1125, which relates to zone of safety for sex offenders; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1161 and 1162, which relate to the unlawful removal and purchasing of dead bodies; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1171, which relates to Peeping Toms; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1172, which relates to obscene communications; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1192, which relates to the spread of infectious diseases; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1229, which relates to altering the appearance of livestock; providing felony classification for certain offense; amending 21 O.S. Sections 1230.3, 1230.4, 1230.5 and 1230.6, which relate to the Environmental Crimes Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1265.4, which relates to the Sabotage Prevention Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1278, which relates to the unlawful intent to carry firearms; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1320.10, which relates to riots; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1411, 1412, 1414 and 1415, which relate to fraudulent bills of lading and warehouse receipts; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1483, 1485, 1486 and 1488, which relate to extortion

and blackmail; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1521, which relates to bogus check for motor vehicle leases or rentals; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1533.1, which relates to identity theft; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1544, which relates to false negotiable papers; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1550.28, 1550.31, 1550.33 and 1550.41, which relate to the Oklahoma Credit Card Crime Act of 1970; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1550, which relates to committing a felony with a firearm that has an altered or defaced serial number; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1571, 1572, 1573, 1574, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591 and 1593, which relate to second degree forgery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1621, which relates to third degree felony; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1639, which relates to fraudulent insolvency of unlicensed insurance business; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1663, which relates to Workers' Compensation fraud; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1681, which relates to poisoning animals; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1719, 1719.1, 1723, 1726, 1727 and 1728, which relate to larceny offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1751 and 1752.1, which relate to offenses concerning trains and railroad property; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1767.1, which relates to the use or threats to use incendiary devices; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1777, which relates to the removal or injury of piles; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1837,

which relates to substances or explosives in unginned cotton; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1873 and 1874, which relate to the sale or manufacture of unlawful telecommunication devices; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1904, which relates to the Bus Passenger Safety Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1958, which relates to the Oklahoma Computer Crimes Act; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1976, 1977, 1978 and 1979, which relate to the unlawful reproduction and sale of sound recordings; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1980, which relates to counterfeit labels; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1990.2, which relates to the Trademark Anti-Counterfeiting Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1993, which relates to the Laser Safety Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 2100.1, which relates to ice cream truck vending; providing felony classification for certain offense; amending 22 O.S. 2021, Section 60.6, which relates to the Protection from Domestic Abuse Act; providing felony classification for certain offenses; amending 22 O.S. 2021, Section 1263, which relates to the sale of seized liquor; providing felony classification for certain offenses; amending 22 O.S. 2021, Section 1264, which relates to false affidavits by an officer; providing felony classification for certain offense; amending 26 O.S. 2021, Section 9-118, which relates to breaking or tampering with voting devices; providing felony classification for certain offense; amending 26 O.S. 2021, Sections 16-101, 16-102, 16-102.1, 16-102.2, 16-103, 16-103.1, 16-104, 16-105, 16-106, 16-107, 16-108, 16-109 and 16-120, which relate to offenses in violation of the election code; providing felony classification for certain offenses; amending 27A O.S. 2021, Section 2-7-109, which relates to the Oklahoma Hazardous Waste Management Act; providing felony classification for certain

offense; amending 27A O.S. 2021, Sections 2-10-302 and 2-10-801, which relate to the Oklahoma Solid Waste Management Act; providing felony classification for certain offenses; amending 36 O.S. 2021, Section 311.1, which relates to fraudulent or false statements by insurer; providing felony classification for certain offenses; amending 36 O.S. 2021, Section 1435.26, which relates to the Oklahoma Producer Licensing Act; providing felony classification for certain offenses; amending 36 O.S. 2021, Section 1643, which relates to failure to file insurance statements by insurer; providing felony classification for certain offenses; amending 36 O.S. 2021, Section 6130, which relates to prepaid funeral benefits; providing felony classification for certain offense; amending 37A O.S. 2021, Sections 3-101, 6-101 and 6-123, which relate to Oklahoma Alcoholic Beverage Control Act; providing felony classification for certain offenses; amending 40 O.S. 2021, Section 5-107, which relates to the Employment Security Act of 1980; providing felony classification for certain offense; amending 40 O.S. 2021, Section 169, which relates to hiring armed guards without permits; providing felony classification for certain offense; amending 40 O.S. 2021, Section 183, which relates to entering boilers while under pressure; providing felony classification for certain offense; amending 42 O.S. 2021, Sections 142.4 and 142.6, which relate to fraudulent statements on certain liens; providing felony classification for certain offenses; amending 43 O.S. 2021, Section 14, which relates to performing unlawful marriages; providing felony classification for certain offense; amending 43 O.S. 2021, Section 123, which relates to remarrying and cohabitating; providing felony classification for certain offense; amending 43A O.S. 2021, Sections 2-219 and 3-601, as amended by Section 2, Chapter 250, O.S.L. 2023 (43A O.S. Supp. 2024, Section 3-601), which relate to the Mental Health Law; providing felony classification for certain offenses; amending 43A O.S. 2021, Section 11-113, which relates to the Advance Directives for Mental Health Treatment Act; providing felony classification for certain offense; amending 47 O.S. 2021, Sections 4-102, 4-103, 4-107, as amended by Section 35, Chapter 282, O.S.L. 2022, 4-107a and 4-

110 (47 O.S. Supp. 2024, Section 4-107), which relate to motor vehicle anti-theft laws; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 6-301, as amended by Section 76, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024, Section 6-301), which relates to the unlawful use of a driver license or identification card; providing felony classification for certain offense; amending 47 O.S. 2021, Section 11-207, which relates to interfering with traffic-control devices or railroad signs; providing felony classification for certain offense; amending 47 O.S. 2021, Section 17-102, which relates to penalties for violations of the Uniform Vehicle Code; providing felony classification for certain offense; amending 52 O.S. 2021, Sections 108, 114, 115 and 117, which relate to perjury, obstruction, conspiracy and bribery; providing felony classification for certain offenses; amending 52 O.S. Section 235, which relates to the misappropriation of gas; providing felony classification for certain offense; amending 56 O.S. 2021, Section 26.18, which relates to fraud in obtaining emergency relief or assistance; providing felony classification for certain offense; amending 56 O.S. 2021, Sections 1005 and 1005.1, which relate to the Oklahoma Medicaid Program Integrity Act; providing felony classification for certain offenses; amending 57 O.S. 2021, Section 22, receiving compensation for providing goods or services to inmates; providing felony classification for certain offense; amending 57 O.S. 2021, Section 222, which relates to the Prisoners Public Works Act; providing felony classification for certain offense; amending 57 O.S. 2021, Section 599, which relates to the Mary Rippey Violent Crime Offenders Registration Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 328.49, which relates to the State Dental Act; providing felony classification for certain offense; amending 59 O.S. 2021, Sections 353.17A, 353.24 and 353.25, which relate to the Oklahoma Pharmacy Act; providing felony classification for certain offenses; amending 59 O.S. 2021, Section 396.33, which relates to the Funeral Services License Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section

491, which relates to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 638, which relates to the Oklahoma Osteopathic Medicine Act; providing felony classification for certain offenses; amending 59 O.S. 2021, Section 1044, which relates to the Oklahoma Inspectors Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1322, which relates to perjury on affidavit of undertaking; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1335, which relates to noncompliance with personal recognizance; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1512, which relates to the Oklahoma Pawnshop Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1750.11, which relates to the Oklahoma Security Guard and Private Investigator Act; providing felony classification for certain offense; amending 61 O.S. 2021, Sections 115 and 116, which relate to the Public Competitive Bidding Act of 1974; providing felony classification for certain offenses; amending 62 O.S. 2021, Section 81, which relates to false or illegal vouchers; providing felony classification for certain offense; amending 62 O.S. 2021, Section 604, which relates to the Uniform Facsimile Signature of Public Officials Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-404, which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Sections 2200.16A and 2200.17A, which relate to the Oklahoma Uniform Anatomical Gift Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Sections 4209, 4209.1, 4209.2, 4209.3 and 4209.4, which relate to the Oklahoma Boating Safety Regulation Act; providing felony classification for certain offenses; amending 64 O.S. 2021, Section 1026, which relates to destroying or forging records of the Commissioners of the Land Office; providing felony classification for certain offense; amending 64 O.S. 2021, Section 1094, which relates to unauthorized prospecting of minerals on certain land; providing felony classification for

certain offense; amending 66 O.S. 2021, Section 304, which relates to the Railroad Revitalization Act; providing felony classification for certain offense; amending 66 O.S. 2021, Section 324, which relates to the Oklahoma Tourism and Passenger Rail Act; providing felony classification for certain offense; amending 67 O.S. Section 83, which relates to obstructing the copying of certain records; providing felony classification for certain offense; amending 68 O.S. 2021, Sections 240.1 and 241, which relate to the Uniform Tax Procedure Code; providing felony classification for certain offenses; amending 68 O.S. 2021, Sections 450.8 and 450.9, which relate to failure to affix, remove or prepare fraudulent tax stamps on controlled dangerous substances; providing felony classification for certain offenses; amending 68 O.S. 2021, Section 2003, which relates to false oaths; providing felony classification for certain offense; amending 68 O.S. 2021, Section 2376, which relates to submitting false tax returns; providing felony classification for certain offense; amending 68 O.S. 2021, Section 2920, which relates to the submission of false tax receipts; providing felony classification for certain offense; amending 68 O.S. 2021, Section 2945, as amended by Section 4, Chapter 349, O.S.L. 2022 (68 O.S. Supp. 2024, Section 2945), which relates to fraudulent lists of taxable information; providing felony classification for certain offense; amending 68 O.S. 2021, Section 3609, which relates to the Oklahoma Quality Jobs Program Act; providing felony classification for certain offense; amending 68 O.S. 2021, Section 3807, which relates to the Former Military Facility Development Act; providing felony classification for certain offense; amending 68 O.S. 2021, Section 4109, which relates to the Oklahoma Specialized Quality Investment Act; providing felony classification for certain offense; amending 68 O.S. 2021, Section 4209, which relates to the Oklahoma Quality Investment Act; providing felony classification for certain offense; amending 69 O.S. 2021, Section 310, which relates to conflicts of interest of the State Highway Commission; providing felony classification for certain offense; amending 69 O.S. 2021, Section 1705, which relates to powers and duties of the Oklahoma

Turnpike Authority; providing felony classification for certain offense; amending 69 O.S. 2021, Section 1802, which relates to penalties for felony violations of the Oklahoma Highway Code of 1968; providing felony classification for certain offense; amending 70 O.S. 2021, Section 23-106, which relates to powers and duties of the Oklahoma Educational Television Authority; providing felony classification for certain offense; amending 70 O.S. 2021, Section 3909, which relates to the altering or destroying of audit records; providing felony classification for certain offense; amending 70 O.S. 2021, Section 4306, which relates to the misappropriation of gifts, devises and bequests at higher educational institutions; providing felony classification for certain offense; amending 71 O.S. 2021, Sections 453, 455 and 460, which relate to the Oklahoma Take-over Disclosure Act of 1985; providing felony classification for certain offenses; amending 73 O.S. 2021, Section 162, which relates to the unlawful transaction of business for profit by employees or officers of the Oklahoma Capitol Improvement Authority; providing felony classification for certain offense; amending 74 O.S. 2021, Section 85.45h, which relates to the Oklahoma Minority Business Enterprise Assistance Act; providing felony classification for certain offense; amending 74 O.S. 2021, Section 85.47h, which relates to the Oklahoma Small Business Surety Bond Guaranty Program Act; providing felony classification for certain offense; amending 74 O.S. 2021, Section 150.9, which relates to false or altered criminal history records; providing felony classification for certain offense; amending 74 O.S. 2021, Section 3404, which relates to the Anti-Kickback Act of 1974; providing felony classification for certain offense; amending 79 O.S. 2021, Sections 101 and 103, which relate to prohibited agreements regarding bridges, roads or highways; providing felony classification for certain offense; amending 82 O.S. 2021, Section 1086.3, which relates to unlawful business transactions for profit by members of the Water Resources Board; providing felony classification for certain offense; amending 82 O.S. 2021, Section 1281, which relates to conflicts of interest; providing felony

classification for certain offense; amending 84 O.S. 2021, Section 55, which relates to falsely executing written declarations; providing felony classification for certain offense; amending 85A O.S. 2021, Section 6, which relates to the Administrative Workers' Compensation Act; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 434, 436, and 444, which relate to escapes from penitentiaries and peace officers; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 650.5, as amended by Section 2, Chapter 140, O.S.L. 2023 (21 O.S. Supp. 2024, Section 650.5), which relates to penalties for assault and battery offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Section 852, which relates to failing to provide support for a child; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 856.2, which relates to harboring a runaway child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1272.3, which relates to the unlawful discharge of stun guns, tear gas or pepper mace; providing felony classification for certain offense; amending 21 O.S. Section 1289.18, which relates to the Oklahoma Firearms Act of 1971; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1304, which relates to mailing threatening letters; providing felony classification for certain offense; amending 63 O.S. 2021, Sections 1-731 and 1-733, which relate to abortions; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 1-737.9, which relates to the Oklahoma Unborn Child Protection from Dismemberment Abortion Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-738.14, which relates to the Unborn Child Pain Awareness/Prevention Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-740.4b, which relates to using false government records to obtain abortion; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-745.7, which relates to the Pain-Capable Unborn Child Protection Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-746.7, which relates to

consent to abortion; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-749, which relates to the preservation of fetal tissue; providing felony classification for certain offense; amending 2 O.S. 2021, Section 2-18, which relates to the Oklahoma Agriculture Code; providing felony classification for certain offense; amending 2 O.S. 2021, Section 5-106, which relates to the Oklahoma Farm Animal, Crop, and Research Facilities Protection Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 6-94, which relates to permanent branding of animals; providing felony classification for certain offense; amending 2 O.S. 2021, Section 6-125, which relates to quarantined livestock; providing felony classification for certain offense; amending 2 O.S. 2021, Sections 6-151 and 6-155, which relate to penalties for transporting livestock without health certificates; providing felony classification for certain offenses; amending 2 O.S. 2021, Sections 6-190, 6-191, 6-192, 6-194, 6-197, 6-199, 6-200 and 6-207, which relate to the Oklahoma Meat Inspection Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Sections 6-258, 6-259, 6-260, 6-261, 6-262 and 6-264, which relate to the Oklahoma Poultry Products Inspection Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Section 6-611, which relates to the Feral Swine Control Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 9-37, which relates to the Public Warehouse and Commodity Indemnity Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 9-132, which relates to the Livestock Auction Market Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 11-2, which relates to ungraded agricultural products; providing felony classification for certain offense; amending 2 O.S. 2021, Section 11-94, which relates to the Oklahoma Scrap Metal Dealers Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Section 16-6, which relates to the Oklahoma Forestry Code; providing felony classification for certain offense; amending 2 O.S. 2021, Section 16-59,

which relates to the removal of timber products from state lands; providing felony classification for certain offense; amending 2 O.S. 2021, Sections 16-60 and 16-63, which relate to wrongful injuries to and fraudulent sales of timber; providing felony classification for certain offenses; amending 2 O.S. 2021, Section 16-66, which relates to false declaration of ownership; providing felony classification for certain offense; amending 3 O.S. 2021, Section 281, which relates to the installation of nonconforming fuel tanks; providing felony classification for certain offenses; amending 3A O.S. 2021, Section 203.6, which relates to the Oklahoma Horse Racing Act; providing felony classification for certain offense; amending 3A O.S. 2021, Sections 504 and 505, which relate to the Amusement and Carnival Games Act; providing felony classification for certain offenses; amending 4 O.S. 2021, Section 85.11, which relates to unlawfully taking up or concealing estrays; providing felony classification for certain offense; amending 6 O.S. 2021, Section 808, which relates to the Oklahoma Banking Code; providing felony classification for certain offense; amending 11 O.S. 2021, Section 39-113, which relates to the Improvement District Act; providing felony classification for certain offense; amending 12 O.S. 2021, Section 65, which relates to false valuations of real estate; providing felony classification for certain offense; amending 12 O.S. 2021, Section 923, which relates to falsely swearing on affidavit; providing felony classification for certain offense; amending 15 O.S. 2021, Section 567, which relates to contracts for sale of future deliveries of certain commodities; providing felony classification for certain offense; amending 17 O.S. Section 158.59, which relates to unlawful acts relating to rural electric cooperatives; providing felony classification for certain offense; amending 17 O.S. 2021, Section 191.11, which relates to the Electric Restructuring Act of 1997; providing felony classification for certain offense; amending 18 O.S. 2021, Section 381.73, which relates to the Oklahoma Savings and Loan Code; providing felony classification for certain offense; amending 19 O.S. 2021, Sections 28 and 29, which relate to election

officers who neglect official duties and bribery; providing felony classification for certain offenses; amending 19 O.S. 2021, Section 92, which relates to bribery; providing felony classification for certain offense; amending 19 O.S. 2021, Sections 112 and 123, which relate to county depositories; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 187.1 and 187.2, which relate to campaign contributions; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 275, which relates to gratuity or reward for appointing another to a public office; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 306 and 307, which relate to altering bills or resolutions; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 360, which relates to coercing political participation of state employees; providing felony classification for certain offense; amending 21 O.S. 2021, Section 372, which relates to the mutilation of United States flag; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 384 and 400, which relate to bribery and corruption offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Section 451, which relates to falsifying evidence; providing felony classification for certain offense; amending 21 O.S. 2021, Section 567A, which relates to the violation of child custody orders; providing felony classification for certain offense; amending 21 O.S. 2021, Section 589, which relates to false reporting of crimes; providing felony classification for certain offense; amending 21 O.S. 2021, Section 590, which relates to the unlawful disposal of government records; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 815 and 818, which relate to suicide; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 950, which relates to gambling offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1053, 1066 and 1068, which relate to lotteries; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1092, which relates to exhibiting stolen goods; providing felony

classification for certain offense; amending 21 O.S. 2021, Section 1163, which relates to the unlawful interference with burial places; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1168.1, 1168.4 and 1168.6, which relate to human skeletal remains; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1174, which relates to burning crosses; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1214, which relates to the unlawful receiving of transmissions made by law enforcement; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1267.1, which relates to overthrowing the government by force or violence; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1282, which relates to slungshots; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1442, which relates to the possession of burglary tools; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1503 and 1506, which relate to defrauding owners of hotels or restaurants and mock auctions; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1542 and 1543, which relate to obtaining property by false pretenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1550.32, which relates to the Oklahoma Credit Card Crime Act of 1970; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1662, which relates to fraudulent insurance claims; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1753 and 1753.8, which relate to injuries to highways and stealing road signs; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1755, which relates to injuries to toll houses or gates; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1760 and 1765, which relate to malicious injury to property and house of worship; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1785, which relates to injuring public works of art or literature; providing felony classification for certain offense; amending

21 O.S. 2021, Sections 1786 and 1791, which relate to injuries to gas or water pipes and fences; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1792, which relates to trespass on critical infrastructure facilities; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1834, which relates to the willful disposal or damage of encumbered property; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1861, which relates to telephone solicitations; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1871, which relates to unlawful avoidance of paying service charges; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1872, which relates to possession of unlawful telecommunication or cloning devices; providing felony classification for certain offenses; amending 22 O.S. 2021, Section 60.4, as amended by Section 7, Chapter 318, O.S.L. 2022 (22 O.S. Supp. 2024, Section 60.4), which relates to the Protection from Domestic Abuse Act; providing felony classification for certain offense; amending 22 O.S. 2021, Section 1110, which relates to bail jumping; providing felony classification for certain offense; amending 34 O.S. 2021, Section 23, which relates to falsely signing or destroying petitions for referendum; providing felony classification for certain offense; amending 36 O.S. 2021, Section 2737.1, which relates to fraudulent statements related to applications into fraternal benefit societies; providing felony classification for certain offense; amending 37A O.S. 2021, Sections 6-115, 6-116, 6-117, 6-120, 6-121 and 6-129, which relate to the Oklahoma Alcoholic Beverage Control Act; providing felony classification for certain offenses; amending 40 O.S. 2021, Sections 181 and 182, which relate to the unlawful repair of steam boilers; providing felony classification for certain offenses; amending 44 O.S. 2021, Section 210, which relates to assault on members of the National Guard; providing felony classification for certain offense; amending 47 O.S. 2021, Section 579.1, as amended by Section 17, Chapter 240, O.S.L. 2024 (47 O.S. Supp. 2024, Section 579.1), which relates to the unlawful

brokering of vehicles; providing felony classification for certain offense; amending 56 O.S. 2021, Section 183, which relates to the unlawful use or publishing of certain information; providing felony classification for certain offense; amending 56 O.S. 2021, Section 185, which relates to public assistance fraud; providing felony classification for certain offense; amending 56 O.S. 2021, Section 243 which relates to food stamp fraud; providing felony classification for certain offenses; amending 57 O.S. 2021, Section 13, which relates to prison escapes; providing felony classification for certain offense; amending 59 O.S. 2021, Section 15.26, which relates to the Oklahoma Accountancy Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 328.49, which relates to the State Dental Act; providing felony classification for certain offense; amending 59 O.S. 2021, Sections 1350.2, 1350.4, 1350.12 and 1350.16, which relate to the Bail Enforcement and Licensing Act; providing felony classification for certain offenses; amending 59 O.S. 2021, Section 1529, which relates to the Precious Metal and Gem Dealer Licensing Act; providing felony classification for certain offense; amending 61 O.S. 2021, Section 114, which relates to the Public Competitive Bidding Act of 1974; providing felony classification for certain offense; amending 62 O.S. 2021, Section 89.11, which relates to willful interference with inspections or destruction of transaction records; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-324.1, which relates to unlawfully issuing birth, death and stillbirth certificates; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-757.10, which relates to the Oklahoma Abortion-Inducing Drug Certification Program Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-307, which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offense; amending 63 O.S. 2021, Sections 2-312.1 and 2-314, which relate to the Anti-Drug Diversion Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-405, which relates to offenses and penalties of the Uniform Controlled

Dangerous Substances Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 3101.11, which relates to the Oklahoma Advance Directive Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 4009.1, as amended by Section 206, Chapter 282, O.S.L. 2022 (63 O.S. Supp. 2024, Section 4009.1), which relates to the Oklahoma Vessel and Motor Registration Act; providing felony classification for certain offense; amending 64 O.S. 2021, Sections 1017, 1018 and 1029, which relate to offenses concerning property transaction and property of the Commissioners of the Land Office; providing felony classification for certain offenses; amending 68 O.S. 2021, Section 317.1, which relates to delivery or sale of cigarettes to minors; providing felony classification for certain offense; amending 68 O.S. 2021, Section 349.1, which relates to the sale of contraband cigarettes; providing felony classification for certain offense; amending 68 O.S. 2021, Section 426, which relates to shipping, selling or purchasing contraband tobacco products; providing felony classification for certain offense; amending 68 O.S. 2021, Section 1364, as last amended by Section 1, Chapter 203, O.S.L. 2021 (68 O.S. Supp. 2024, Section 1364), which relates to the Oklahoma Sales Tax Code; providing felony classification for certain offense; amending 68 O.S. 2021, Section 1625, which relates to perjury on fireworks affidavit; providing felony classification for certain offense; amending 68 O.S. 2021, Section 2861, which relates to the Ad Valorem Tax Code; providing felony classification for certain offense; amending 68 O.S. 2021, Section 3908, which relates to the Small Employer Quality Jobs Incentive Act; providing felony classification for certain offense; amending 69 O.S. 2021, Section 1213, which relates to obstructing or damaging roads or traffic-control devices; providing felony classification for certain offense; amending 70 O.S. 2021, Section 17-110, which relates to falsifying teacher retirement system records; providing felony classification for certain offense; amending 71 O.S. 2021, Sections 621, 626 and 631, as amended by Sections 3 and 6, Chapter 78, O.S.L. 2022, 641, 653, 654 and 658 (71 O.S. Supp. 2024, Sections

626 and 631), which relate to the Oklahoma Subdivision Land Sales Code; providing felony classification for certain offenses; amending 72 O.S. 2021, Section 6-1, which relates to impersonating members or veterans of the United States Armed Forces; providing felony classification for certain offenses; amending 74 O.S. 2021, Section 217, which relates to false reports made by the State Auditor and Inspector; providing felony classification for certain offense; amending 82 O.S. 2021, Section 674, which relates to the Conservancy Act of Oklahoma; providing felony classification for certain offense; amending 85A O.S. 2021, Section 38, which relates to the Administrative Workers' Compensation Act; providing felony classification for certain offense; and providing an effective date.

SUBJECT: Classification of felony offenses

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 701.7, is amended to read as follows:

Section 701.7. A. A person commits murder in the first degree when that person unlawfully and with malice aforethought causes the death of another human being. Malice is that deliberate intention unlawfully to take away the life of a human being, which is manifested by external circumstances capable of proof.

B. A person also commits the crime of murder in the first degree, regardless of malice, when that person or any other person takes the life of a human being during, or if the death of a human being results from, the commission or attempted commission of murder of another person, shooting or discharge of a firearm or crossbow with intent to kill, intentional discharge of a firearm or other deadly weapon into any dwelling or building as provided in Section 1289.17A of this title, forcible rape, robbery with a dangerous weapon, kidnapping, escape from lawful custody, eluding an officer, first degree burglary, first degree arson, unlawful distributing or

dispensing of controlled dangerous substances or synthetic controlled substances, trafficking in illegal drugs, or manufacturing or attempting to manufacture a controlled dangerous substance.

1. Except as provided in paragraph 3 of this subsection, the term "synthetic controlled substance" means a substance:

- a. the chemical structure of which is substantially similar to the chemical structure of a controlled substance in Schedule I or II,
- b. which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II, or
- c. with respect to a particular person, which such person represents or intends to have a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Schedule I or II.

2. The designation of gamma butyrolactone does not preclude a finding pursuant to paragraph 1 of this subsection that the chemical is a synthetic controlled substance.

3. Such term does not include:

- a. a controlled substance,
- b. any substance for which there is an approved new drug application,
- c. with respect to a particular person any substance, if an exemption is in effect for investigational use, for that person, under Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) to the extent conduct with respect to such substance is pursuant to such exemption, or

- d. any substance to the extent not intended for human consumption before such an exemption takes effect with respect to that substance.

C. A person commits murder in the first degree when the death of a child results from the willful or malicious injuring, torturing, maiming or using of unreasonable force by said person or who shall willfully cause, procure or permit any of said acts to be done upon the child pursuant to Section 843.5 of this title. It is sufficient for the crime of murder in the first degree that the person either willfully tortured or used unreasonable force upon the child or maliciously injured or maimed the child.

D. A person commits murder in the first degree when that person unlawfully and with malice aforethought solicits another person or persons to cause the death of a human being in furtherance of unlawfully manufacturing, distributing or dispensing controlled dangerous substances, as defined in the Uniform Controlled Dangerous Substances Act, unlawfully possessing with intent to distribute or dispense controlled dangerous substances, or trafficking in illegal drugs.

E. A person commits murder in the first degree when that person intentionally causes the death of a law enforcement officer, correctional officer, or corrections employee while the officer or employee is in the performance of official duties.

F. A person who violates any of the provisions provided for in this section shall, upon conviction, be guilty of a Class Y felony offense.

SECTION 2. AMENDATORY 21 O.S. 2021, Section 1268.2, is amended to read as follows:

Section 1268.2. A. Every act of terrorism is a felony.

B. A person convicted of terrorism shall be guilty of a Class A3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not exceeding life.

C. A person who kills another person or who causes the death of another person in the commission of an act of terrorism shall be guilty of murder in the first degree, a Class Y felony offense.

D. A person convicted of biochemical terrorism shall be guilty of a Class B1 felony offense and shall be ordered, in addition to the punishment imposed for the act of terrorism, to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act of terrorism.

E. The punishment for terrorism shall be in addition to any penalty imposed for any individual offense or offenses involved in the act or acts of terrorism.

SECTION 3. AMENDATORY 21 O.S. 2021, Section 644, as amended by Section 1, Chapter 38, O.S.L. 2024 (21 O.S. Supp. 2024, Section 644), is amended to read as follows:

Section 644. A. Assault shall be punishable by imprisonment in a county jail not exceeding ~~thirty (30)~~ ninety (90) days, or by a fine not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

B. Assault and battery shall be punishable by imprisonment in a county jail not exceeding ~~ninety (90) days~~ six (6) months, or by a fine not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

C. Any person who commits any assault and battery against a current or former intimate partner or a family or household member as defined by Section 60.1 of Title 22 of the Oklahoma Statutes shall be guilty of domestic abuse. Upon conviction, the defendant shall be punished by imprisonment in the county jail for not more than one (1) year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Upon conviction for a second or subsequent offense, the person shall be guilty of a Class B5 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not more than four (4) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent offense.

D. 1. Any person who, with intent to do bodily harm and without justifiable or excusable cause, commits any assault, battery, or assault and battery upon an intimate partner or a family or household member as defined by Section 60.1 of Title 22 of the Oklahoma Statutes with any sharp or dangerous weapon, upon conviction, is guilty of domestic assault or domestic assault and

battery with a dangerous weapon which shall be a Class B3 felony ~~and offense~~ punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years, or by imprisonment in a county jail not exceeding one (1) year. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction for a violation of this paragraph.

2. Any person who, without such cause, shoots an intimate partner or a family or household member as defined by Section 60.1 of Title 22 of the Oklahoma Statutes by means of any deadly weapon that is likely to produce death shall, upon conviction, be guilty of domestic assault and battery with a deadly weapon which shall be a Class A3 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding life. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction for a violation of this paragraph.

E. 1. Any person convicted of domestic abuse committed against a pregnant woman with knowledge of the pregnancy shall be guilty of a ~~misdemeanor~~, Class B5 felony offense punishable by imprisonment in the ~~county jail for not more than one (1) year~~ custody of the Department of Corrections for not more than five (5) years.

2. Any person convicted of a second or subsequent offense of domestic abuse against a pregnant woman with knowledge of the pregnancy shall be guilty of a Class A3 felony, ~~offense~~ punishable by imprisonment in the custody of the Department of Corrections for not less than ten (10) years.

3. Any person convicted of domestic abuse committed against a pregnant woman with knowledge of the pregnancy and a miscarriage occurs or injury to the unborn child occurs shall be guilty of a Class A1 felony, ~~offense~~ punishable by imprisonment in the custody of the Department of Corrections for not less than twenty (20) years.

F. Any person convicted of domestic abuse as defined in subsection C of this section that results in great bodily injury to the victim shall be guilty of a Class B3 felony offense and punished by imprisonment in the custody of the Department of Corrections for not more than ten (10) years, or by imprisonment in the county jail for not more than one (1) year. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction of a violation of this subsection.

G. Any person convicted of domestic abuse as defined in subsection C of this section that was committed in the presence of a child shall be punished by imprisonment in the county jail for not less than six (6) months nor more than one (1) year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Any person convicted of a second or subsequent domestic abuse as defined in subsection C of this section that was committed in the presence of a child shall be guilty of a Class B5 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years, or by a fine not exceeding Seven Thousand Dollars (\$7,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent offense. For every conviction of a domestic abuse crime in violation of any provision of this section committed against an intimate partner or a family or household member as defined by Section 60.1 of Title 22 of the Oklahoma Statutes, the court shall:

1. Specifically order as a condition of a suspended or deferred sentence that a defendant participate in counseling or undergo treatment to bring about the cessation of domestic abuse as specified in paragraph 2 of this subsection;

2. a. The court shall require the defendant to complete an assessment and follow the recommendations of a batterers' intervention program certified by the Attorney General. If the defendant is ordered to participate in a batterers' intervention program, the order shall require the defendant to attend the program for a minimum of fifty-two (52) weeks, complete the program, and be evaluated before and after attendance of the program by program staff. Three unexcused absences in succession or seven unexcused absences in a period of fifty-two (52) weeks from any court-ordered batterers' intervention program shall be prima facie evidence of the violation of the conditions of probation for the district attorney to seek acceleration or revocation of any probation entered by the court.

b. A program for anger management, couples counseling, or family and marital counseling shall not solely qualify for the counseling or treatment requirement for domestic abuse pursuant to this subsection. The counseling may be ordered in addition to counseling specifically for the treatment of domestic abuse or per evaluation as set forth below. If, after sufficient evaluation and attendance at required counseling sessions, the domestic violence

treatment program or licensed professional determines that the defendant does not evaluate as a perpetrator of domestic violence or does evaluate as a perpetrator of domestic violence and should complete other programs of treatment simultaneously or prior to domestic violence treatment, including but not limited to programs related to the mental health, apparent substance or alcohol abuse or inability or refusal to manage anger, the defendant shall be ordered to complete the counseling as per the recommendations of the domestic violence treatment program or licensed professional;

3. a. The court shall set a review hearing no more than one hundred twenty (120) days after the defendant is ordered to participate in a domestic abuse counseling program or undergo treatment for domestic abuse to assure the attendance and compliance of the defendant with the provisions of this subsection and the domestic abuse counseling or treatment requirements. The court may suspend sentencing of the defendant until the defendant has presented proof to the court of enrollment in a program of treatment for domestic abuse by an individual licensed practitioner or a domestic abuse treatment program certified by the Attorney General and attendance at weekly sessions of such program. Such proof shall be presented to the court by the defendant no later than one hundred twenty (120) days after the defendant is ordered to such counseling or treatment. At such time, the court may complete sentencing, beginning the period of the sentence from the date that proof of enrollment is presented to the court, and schedule reviews as required by subparagraphs a and b of this paragraph and paragraphs 4 and 5 of this subsection. Three unexcused absences in succession or seven unexcused absences in a period of fifty-two (52) weeks from any court-ordered domestic abuse counseling or treatment program shall be prima facie evidence of the violation of the conditions of probation for the district attorney to seek acceleration or revocation of any probation entered by the court.

b. The court shall set a second review hearing after the completion of the counseling or treatment to assure the attendance and compliance of the defendant with the provisions of this subsection and the domestic abuse counseling or treatment requirements. The court shall retain continuing jurisdiction over the defendant during the course of ordered counseling through the final review hearing;

4. The court may set subsequent or other review hearings as the court determines necessary to assure the defendant attends and fully

complies with the provisions of this subsection and the domestic abuse counseling or treatment requirements;

5. At any review hearing, if the defendant is not satisfactorily attending individual counseling or a domestic abuse counseling or treatment program or is not in compliance with any domestic abuse counseling or treatment requirements, the court may order the defendant to further or continue counseling, treatment, or other necessary services. The court may revoke all or any part of a suspended sentence, deferred sentence, or probation pursuant to Section 991b of Title 22 of the Oklahoma Statutes and subject the defendant to any or all remaining portions of the original sentence;

6. At the first review hearing, the court shall require the defendant to appear in court. Thereafter, for any subsequent review hearings, the court may accept a report on the progress of the defendant from individual counseling, domestic abuse counseling, or the treatment program. There shall be no requirement for the victim to attend review hearings; and

7. If funding is available, a referee may be appointed and assigned by the presiding judge of the district court to hear designated cases set for review under this subsection. Reasonable compensation for the referees shall be fixed by the presiding judge. The referee shall meet the requirements and perform all duties in the same manner and procedure as set forth in Sections 1-8-103 and 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees appointed in juvenile proceedings.

The defendant may be required to pay all or part of the cost of the counseling or treatment, in the discretion of the court.

H. As used in subsection G of this section, "in the presence of a child" means in the physical presence of a child; or having knowledge that a child is present and may see or hear an act of domestic violence. For the purposes of subsections C and G of this section, "child" may be any child whether or not related to the victim or the defendant.

I. For the purposes of subsections C and G of this section, any conviction for assault and battery against an intimate partner or a family or household member as defined by Section 60.1 of Title 22 of the Oklahoma Statutes shall constitute a sufficient basis for a felony charge:

1. If that conviction is rendered in any state, county or parish court of record of this or any other state; or

2. If that conviction is rendered in any municipal court of record of this or any other state for which any jail time was served; provided, no conviction in a municipal court of record entered prior to November 1, 1997, shall constitute a prior conviction for purposes of a felony charge.

J. Any person who commits any assault and battery by strangulation or attempted strangulation against an intimate partner or a family or household member as defined by Section 60.1 of Title 22 of the Oklahoma Statutes shall, upon conviction, be guilty of a Class B5 felony offense of domestic abuse by strangulation and shall be punished by imprisonment in the custody of the Department of Corrections for a period not less than one (1) year nor more than ten (10) years, or by a fine not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment. The provisions of Section 51.1 of this title shall apply to any second or subsequent conviction of a violation of this subsection. As used in this subsection, "strangulation" means any form of asphyxia; including, but not limited to, asphyxia characterized by closure of the blood vessels or air passages of the neck as a result of external pressure on the neck or the closure of the nostrils or mouth as a result of external pressure on the head.

K. Any district court of this state and any judge thereof shall be immune from any liability or prosecution for issuing an order that requires a defendant to:

1. Attend a treatment program for domestic abusers certified by the Attorney General;

2. Attend counseling or treatment services ordered as part of any suspended or deferred sentence or probation; and

3. Attend, complete, and be evaluated before and after attendance by a treatment program for domestic abusers, certified by the Attorney General.

L. There shall be no charge of fees or costs to any victim of domestic violence, stalking, or sexual assault in connection with the prosecution of a domestic violence, stalking, or sexual assault offense in this state.

M. In the course of prosecuting any charge of domestic abuse, stalking, harassment, rape, or violation of a protective order, the prosecutor shall provide the court, prior to sentencing or any plea agreement, a local history and any other available history of past convictions of the defendant within the last ten (10) years relating to domestic abuse, stalking, harassment, rape, violation of a protective order, or any other violent misdemeanor or felony convictions.

N. Any plea of guilty or finding of guilt for a violation of subsection C, F, G, I or J of this section shall constitute a conviction of the offense for the purpose of this act or any other criminal statute under which the existence of a prior conviction is relevant for a period of ten (10) years following the completion of any court imposed probationary term; provided, the person has not, in the meantime, been convicted of a misdemeanor involving moral turpitude or a felony.

O. For purposes of subsection F of this section, "great bodily injury" means bone fracture, protracted and obvious disfigurement, protracted loss or impairment of the function of a body part, organ or mental faculty, or substantial risk of death.

P. Any pleas of guilty or nolo contendere or finding of guilt to a violation of any provision of this section shall constitute a conviction of the offense for the purpose of any subsection of this section under which the existence of a prior conviction is relevant for a period of ten (10) years following the completion of any sentence or court imposed probationary term.

SECTION 4. AMENDATORY 21 O.S. 2021, Section 651, is amended to read as follows:

Section 651. Any person who, with intent to kill, administers or causes or procures to be administered to another any poison which is actually taken by such other person but by which death is not caused shall be guilty of a Class A1 felony offense, punishable by imprisonment in the State Penitentiary for not less than ten (10) years.

SECTION 5. AMENDATORY 21 O.S. 2021, Section 701.8, is amended to read as follows:

Section 701.8. Homicide, a Class A1 felony offense, is murder in the second degree in the following cases:

1. When perpetrated by an act imminently dangerous to another person and evincing a depraved mind, regardless of human life, although without any premeditated design to effect the death of any particular individual; or

2. When perpetrated by a person engaged in the commission of any felony other than the unlawful acts set out in Section 1, subsection B, of this act.

SECTION 6. AMENDATORY 21 O.S. 2021, Section 701.9, is amended to read as follows:

Section 701.9. A. A person who is convicted of or pleads guilty or nolo contendere to murder in the first degree shall be guilty of a Class Y felony offense and shall be punished by death, by imprisonment for life without parole, or by imprisonment for life. A person who is convicted of or pleads guilty or nolo contendere to murder in the first degree, as described in subsection E of Section 701.7 of this title, shall be guilty of a Class Y felony offense and shall be punished by death or by life without parole and absent an overwhelming amount of mitigating evidence shall not be entitled to or afforded the benefit of receiving imprisonment for life or deferment of the sentence.

B. A person who is convicted of or pleads guilty or nolo contendere to murder in the second degree shall be guilty of a Class A1 felony offense punishable by imprisonment in the custody of the Department of Corrections for not less than ten (10) years nor more than life.

SECTION 7. AMENDATORY 21 O.S. 2021, Section 745, is amended to read as follows:

Section 745. A. Every person who, without lawful authority, forcibly seizes and confines another, or inveigles or kidnaps another, for the purpose of extorting any money, property or thing of value or advantage from the person so seized, confined, inveigled or kidnapped, or from any other person, or in any manner threatens either by written instrument, word of mouth, message, telegraph, telephone, by placing an ad in a newspaper, or by messenger, demands money or other thing of value, shall be guilty of a Class A1 felony offense, and upon conviction shall suffer death or imprisonment in the State Penitentiary, for not less than ten (10) years.

B. Every person, not a principal in the kidnapping and not a relative or agent authorized by a relative of a kidnapped person, but who knowingly aids, assists, or participates in the disposing, receiving, possession or exchanging of any moneys, property or thing of value or advantage from the person so seized, confined, inveigled or kidnapped, shall be guilty of a Class A2 felony offense, and upon conviction thereof shall be punished by imprisonment in the State Penitentiary, for not less than five (5) years.

SECTION 8. AMENDATORY 21 O.S. 2021, Section 843.5, as amended by Section 2, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 843.5), is amended to read as follows:

Section 843.5. A. Any person who shall willfully or maliciously engage in child abuse, as defined in this section, shall, upon conviction, be guilty of a Class A3 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

B. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in enabling child abuse, as defined in this section, shall, upon conviction, be guilty of a Class A3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

C. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in child neglect, as defined in this section, shall, upon conviction, be guilty of a Class B1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

D. Any parent or other person who shall willfully or maliciously engage in enabling child neglect shall, upon conviction, be guilty of a Class B1 felony offense and shall be punished by

imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

E. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in child sexual abuse, as defined in this section, shall, upon conviction, be guilty of a Class A3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment, except as provided in Section 51.1a of this title or as otherwise provided in subsection F of this section for a child victim under twelve (12) years of age. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

F. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in child sexual abuse, as defined in this section, to a child under twelve (12) years of age shall, upon conviction, be guilty of a Class A1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years nor more than life imprisonment, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

G. Any parent or other person who shall willfully or maliciously engage in enabling child sexual abuse shall, upon conviction, be guilty of a Class A3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

H. Any person who shall willfully or maliciously engage in child sexual exploitation, as defined in this section, shall, upon conviction, be guilty of a Class A3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment, except as provided in subsection I of this section for a child victim under twelve (12) years of age. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

I. Any person who shall willfully or maliciously engage in child sexual exploitation, as defined in this section, of a child under twelve (12) years of age shall, upon conviction, be guilty of a Class A1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years nor more than life imprisonment, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00).

J. Any person responsible for the health, safety or welfare of a child who shall willfully or maliciously engage in enabling child sexual exploitation, as defined in this section, shall, upon conviction, be guilty of a Class A3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

K. Notwithstanding any other provision of law, any person convicted of forcible anal or oral sodomy, rape, rape by instrumentation, or lewd molestation of a child under fourteen (14) years of age subsequent to a previous conviction for any offense of forcible anal or oral sodomy, rape, rape by instrumentation, or lewd molestation of a child under fourteen (14) years of age shall be

guilty of a Class A1 felony offense and shall be punished by death or by imprisonment for life without parole.

L. Provided, however, that nothing contained in this section shall prohibit any parent or guardian from using reasonable and ordinary force pursuant to Section 844 of this title.

M. Consent shall not be a defense for any violation provided for in this section.

N. Notwithstanding the age requirements of other statutes referenced within this section, this section shall apply to any child under eighteen (18) years of age.

O. As used in this section:

1. "Child abuse" means:

- a. the willful or malicious harm or threatened harm or failure to protect from harm or threatened harm to the health, safety or welfare of a child under eighteen (18) years of age by a person responsible for a child's health, safety or welfare, or
- b. the act of willfully or maliciously injuring, torturing or maiming a child under eighteen (18) years of age by any person;

2. "Child neglect" means the willful or malicious neglect, as defined by Section 1-1-105 of Title 10A of the Oklahoma Statutes, of a child under eighteen (18) years of age by a person responsible for a child's health, safety or welfare;

3. "Child sexual abuse" means the willful or malicious sexual abuse of a child under eighteen (18) years of age by a person responsible for a child's health, safety or welfare and includes, but is not limited to:

- a. sexual intercourse,
- b. penetration of the vagina or anus, however slight, by an inanimate object or any part of the human body not amounting to sexual intercourse,
- c. sodomy,

- d. incest, or
- e. a lewd act or proposal, as defined in this section;

4. "Child sexual exploitation" means the willful or malicious sexual exploitation of a child under eighteen (18) years of age by another and includes, but is not limited to:

- a. human trafficking, as provided for in Section 748 of this title, if the offense involved child trafficking for commercial sex,
- b. trafficking in children, as provided for in Section 866 of this title, if the offense was committed for the sexual gratification of any person,
- c. procuring or causing the participation of a minor in child pornography, as provided for in Section 1021.2 of this title,
- d. purchase, procurement or possession of child pornography, as provided for in Section 1024.2 of this title,
- e. engaging in or soliciting prostitution, as provided for in Section 1029 of this title, if the offense involved child sex trafficking,
- f. publication, distribution or participation in the preparation of obscene material, as provided for in Section 1040.8 of this title, if the offense involved child pornography,
- g. aggravated possession of child pornography, as provided for in Section 1040.12a of this title,
- h. sale or distribution of obscene material, as provided for in Section 1040.13 of this title,
- i. soliciting sexual conduct or communication with a minor by use of technology, as provided for in Section 1040.13a of this title,

- j. offering or transporting a child for purposes of child sex trafficking, as provided for in Section 1087 of this title, and
- k. child sex trafficking, as provided for in Section 1088 of this title;

5. "Enabling child abuse" means the causing, procuring or permitting of child abuse by a person responsible for a child's health, safety or welfare;

6. "Enabling child neglect" means the causing, procuring or permitting of child neglect by a person responsible for a child's health, safety or welfare;

7. "Enabling child sexual abuse" means the causing, procuring or permitting of child sexual abuse by a person responsible for a child's health, safety or welfare;

8. "Enabling child sexual exploitation" means the causing, procuring or permitting of child sexual exploitation by a person responsible for a child's health, safety or welfare;

9. "Incest" means marrying, committing adultery or fornicating with a child by a person responsible for the health, safety or welfare of a child;

10. "Lewd act or proposal" means:

- a. making any oral, written or electronic or computer-generated lewd or indecent proposal to a child for the child to have unlawful sexual relations or sexual intercourse with any person,
- b. looking upon, touching, mauling or feeling the body or private parts of a child in a lewd or lascivious manner or for the purpose of sexual gratification,
- c. asking, inviting, enticing or persuading any child to go alone with any person to a secluded, remote or secret place for a lewd or lascivious purpose,
- d. urinating or defecating upon a child or causing, forcing or requiring a child to defecate or urinate

upon the body or private parts of another person for the purpose of sexual gratification,

- e. ejaculating upon or in the presence of a child,
- f. causing, exposing, forcing or requiring a child to look upon the body or private parts of another person for the purpose of sexual gratification,
- g. causing, forcing or requiring any child to view any obscene materials, child pornography or materials deemed harmful to minors as such terms are defined in Sections 1024.1 and 1040.75 of this title,
- h. causing, exposing, forcing or requiring a child to look upon sexual acts performed in the presence of the child for the purpose of sexual gratification, or
- i. causing, forcing or requiring a child to touch or feel the body or private parts of the child or another person for the purpose of sexual gratification;

11. "Permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of the conduct or harm proscribed by this section;

12. "Person responsible for a child's health, safety or welfare" for purposes of this section shall include, but not be limited to:

- a. the parent of the child,
- b. the legal guardian of the child,
- c. the custodian of the child,
- d. the foster parent of the child,
- e. a person eighteen (18) years of age or older with whom the parent of the child cohabitates, who is at least three (3) years older than the child,

- f. any other person eighteen (18) years of age or older residing in the home of the child, who is at least three (3) years older than the child,
- g. an owner, operator, agent, employee or volunteer of a public or private residential home, institution, facility or day treatment program, as defined in Section 175.20 of Title 10 of the Oklahoma Statutes, that the child attended,
- h. an owner, operator, agent, employee or volunteer of a child care facility, as defined in Section 402 of Title 10 of the Oklahoma Statutes, that the child attended,
- i. an intimate partner of the parent of the child, as defined in Section 60.1 of Title 22 of the Oklahoma Statutes, or
- j. a person who has voluntarily accepted responsibility for the care or supervision of a child;

13. "Sexual intercourse" means the actual penetration, however slight, of the vagina or anus by the penis; and

14. "Sodomy" means:

- a. penetration, however slight, of the mouth of the child by a penis,
- b. penetration, however slight, of the vagina of a person responsible for a child's health, safety or welfare, by the mouth of a child,
- c. penetration, however slight, of the mouth of the person responsible for a child's health, safety or welfare by the penis of the child, or
- d. penetration, however slight, of the vagina of the child by the mouth of the person responsible for a child's health, safety or welfare.

SECTION 9. AMENDATORY 21 O.S. 2021, Section 1021, as amended by Section 7, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1021), is amended to read as follows:

Section 1021. A. Every person who willfully and knowingly either:

1. Lewdly exposes his or her person or genitals in any public place, or in any place where there are present other persons to be offended or annoyed thereby; provided, however, for purposes of this section, a person alleged to have committed an act of public urination shall be prosecuted pursuant to Section 22 of this title unless such act was accompanied with another act that violates paragraphs 2 through 4 of this subsection and shall not be subject to registration under the Sex Offenders Registration Act;

2. Procures, counsels, or assists any person to expose such person, or to make any other exhibition of such person to public view or to the view of any number of persons, for the purpose of sexual stimulation of the viewer;

3. Writes, composes, stereotypes, prints, photographs, designs, copies, draws, engraves, paints, molds, cuts, or otherwise prepares, publishes, sells, distributes, keeps for sale, knowingly downloads on a computer, or exhibits any obscene material or child sexual abuse material; or

4. Makes, prepares, cuts, sells, gives, loans, distributes, keeps for sale, or exhibits any disc record, metal, plastic, or wax, wire or tape recording, or any type of obscene material or child sexual abuse material,

shall be guilty, upon conviction, of a Class B4 felony offense and shall be punished by the imposition of a fine of not less than Five Hundred Dollars (\$500.00) nor more than Twenty Thousand Dollars (\$20,000.00) or by imprisonment for not less than thirty (30) days nor more than ten (10) years, or by both such fine and imprisonment.

B. Every person who:

1. Willfully solicits or aids a minor child to perform; or

2. Shows, exhibits, loans, or distributes to a minor child any obscene material or child sexual abuse material for the purpose of inducing said minor to participate in,

any act specified in paragraphs 1, 2, 3 or 4 of subsection A of this section, shall be guilty of a Class A1 felony offense, upon

conviction, and shall be punished by imprisonment in the custody of the Department of Corrections for not less than ten (10) years nor more than thirty (30) years, except when the minor child is under twelve (12) years of age at the time the offense is committed, and in such case the person shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years.

C. Persons convicted under this section shall not be eligible for a deferred sentence.

D. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

E. For purposes of this section, "downloading on a computer" means electronically transferring an electronic file from one computer or electronic media to another computer or electronic media.

SECTION 10. AMENDATORY 21 O.S. 2021, Section 1312, is amended to read as follows:

Section 1312. Every person guilty of participating in any riot is punishable as follows:

1. If any murder, maiming, robbery, rape or arson was committed in the course of such riot, such person is guilty of a Class A1 felony offense punishable in the same manner as a principal in such crime;

2. If the purpose of the riotous assembly was to resist the execution of any statute of this state or of the United States, or to obstruct any public officer of this state or of the United States, in the performance of any legal duty, or in serving or executing any legal process, such person shall, upon conviction, be guilty of a Class B3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding ten (10) years and not less than two (2) years;

3. If such person carried at the time of such riot any species of firearms, or other deadly or dangerous weapon, or was disguised, such person shall, upon conviction, be guilty of a Class B3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding ten (10) years and not less than two (2) years;

4. If such person directed, advised, encouraged or solicited other persons, who participated in the riot to acts of force or violence, such person shall, upon conviction, be guilty of a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding twenty (20) years and not less than two (2) years; or

5. Every person who shall unlawfully obstruct the normal use of any public street, highway or road within this state by impeding, hindering or restraining motor vehicle traffic or passage thereon, by standing or approaching motor vehicles thereon, or by endangering the safe movement of motor vehicles or pedestrians traveling thereon shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine of not less than One Hundred Dollars (\$100.00) and not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. In addition, the person shall be liable for all damages to person or property by reason of the same. As used in this paragraph, "obstruct" means to render impassable or to render passage unreasonably inconvenient or hazardous.

In all other cases such person is punishable as for a misdemeanor.

SECTION 11. AMENDATORY 21 O.S. 2021, Section 1441, is amended to read as follows:

Section 1441. Any person who enters any building, railway car, vehicle, or structure and there opens or attempts to open any vault, safe, or receptacle used or kept for the secure keeping of money, securities, books of accounts, or other valuable property, papers or documents, without the consent of the owner, by the use of or aid of dynamite, nitroglycerine, gunpowder, or other explosives, or who enters any such building, railway car, vehicle, or structure in which is kept any vault, safe or other receptacle for the safe keeping of money or other valuable property, papers, books or documents, with intent and without the consent of the owner, to open or crack such vault, safe or receptacle by the aid or use of any

explosive, upon conviction, shall be deemed guilty of a Class A1 felony offense, and upon conviction shall be punished by imprisonment in the State Penitentiary for a term of not less than twenty (20) years nor more than fifty (50) years.

SECTION 12. AMENDATORY 21 O.S. 2021, Section 1767.2, is amended to read as follows:

Section 1767.2. Any person violating any of the provisions of Section 1767.1 of this title shall be deemed guilty of a Class D1 felony offense, and upon conviction shall be punished by ~~imprisonment in the State Penitentiary for not less than three (3) years nor more than ten (10) years~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both. If personal injury results, such person shall be guilty of a Class A1 felony offense and shall be punished by imprisonment in the State Penitentiary for not less than seven (7) years or life imprisonment.

SECTION 13. AMENDATORY 63 O.S. 2021, Section 2-401, as amended by Section 1, Chapter 77, O.S.L. 2024 (63 O.S. Supp. 2024, Section 2-401), is amended to read as follows:

Section 2-401. A. Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person:

1. To distribute, dispense, transport with intent to distribute or dispense, possess with intent to manufacture, distribute, or dispense, a controlled dangerous substance or to solicit the use of or use the services of a person less than eighteen (18) years of age to cultivate, distribute or dispense a controlled dangerous substance;

2. To create, distribute, transport with intent to distribute or dispense, or possess with intent to distribute, a counterfeit controlled dangerous substance; or

3. To distribute any imitation controlled substance as defined by Section 2-101 of this title, except when authorized by the Food and Drug Administration of the United States Department of Health and Human Services.

B. Any person who violates the provisions of this section with respect to:

1. A substance classified in Schedule I or II, except for marijuana, upon conviction, shall be guilty of transporting or possessing with an intent to distribute a controlled dangerous substance, a Class C2 felony offense, and shall be sentenced to a term of imprisonment ~~in the custody of the Department of Corrections for not more than seven (7) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and a fine not more than One Hundred Thousand Dollars (\$100,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. A second conviction for the violation of provisions of this paragraph is a Class C2 felony offense punishable by a term of imprisonment ~~in the custody of the Department of Corrections for not more than fourteen (14) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. A third or subsequent conviction for the violation of the provisions of this paragraph is a Class C2 felony offense punishable by a term of imprisonment ~~in the custody of the Department of Corrections for not more than twenty (20) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes;

2. Any other controlled dangerous substance classified in Schedule III, IV, V or marijuana, upon conviction, shall be guilty of a Class D1 felony offense and shall be sentenced to a term of imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes and a fine not more than Twenty Thousand Dollars (\$20,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. A second conviction for the violation of the provisions of this paragraph is a Class D1 felony offense punishable by a term of imprisonment ~~in the custody of the Department of Corrections for not more than ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes. A third or subsequent conviction for the violation of the provisions of this paragraph is a Class D1 felony offense punishable by a term of imprisonment ~~in the custody of the Department of Corrections for not more than fifteen (15) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes; or

3. An imitation controlled substance as defined by Section 2-101 of this title, upon conviction, shall be guilty of a misdemeanor and shall be sentenced to a term of imprisonment in the county jail

for a period not more than one (1) year and a fine not more than One Thousand Dollars (\$1,000.00). A person convicted of a second violation of the provisions of this paragraph shall be guilty of a Class D2 felony offense and shall be sentenced to a term of imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 200 of Title 21 of the Oklahoma Statutes, and a fine not more than Five Thousand Dollars (\$5,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.

C. 1. Except when authorized by the Food and Drug Administration of the United States Department of Health and Human Services, it shall be unlawful for any person to manufacture or distribute a controlled substance or synthetic controlled substance.

2. Any person convicted of violating the provisions of paragraph 1 of this subsection with respect to distributing a controlled substance is guilty of a Class C2 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and a fine not more than Twenty-five Thousand Dollars (\$25,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.

3. A second conviction for the violation of the provisions of paragraph 1 of this subsection with respect to distributing a controlled substance is a Class C2 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not less than two (2) years nor more than twenty (20) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. A third or subsequent conviction for the violation of the provisions of this paragraph is a Class C2 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not less than ten (10) years nor more than life~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

4. Any person convicted of violating the provisions of paragraph 1 of this subsection with respect to manufacturing a controlled substance is guilty of a Class C2 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed ten (10) years~~ as provided

for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and a fine not more than Twenty-five Thousand Dollars (\$25,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.

5. A second conviction for the violation of the provisions of paragraph 1 of this subsection with respect to manufacturing a controlled substance is a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than two (2) years nor more than twenty (20) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. A third or subsequent conviction for the violation of the provisions of this paragraph is a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than ten (10) years nor more than life as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

D. Convictions for violations of the provisions of this section shall be subject to the statutory provisions for suspended or deferred sentences, or probation as provided in Section 991a of Title 22 of the Oklahoma Statutes.

E. Any person who is at least eighteen (18) years of age and who violates the provisions of this section by using or soliciting the use of services of a person less than eighteen (18) years of age to distribute, dispense, transport with intent to distribute or dispense or cultivate a controlled dangerous substance or by distributing a controlled dangerous substance to a person under eighteen (18) years of age, or in the presence of a person under twelve (12) years of age, is guilty of a Class C1 felony offense punishable by:

1. For a first violation of this ~~section~~ subsection, a term of imprisonment in the custody of the Department of Corrections not less than two (2) years nor more than ten (10) years;

2. For a second violation of this ~~section~~ subsection, a term of imprisonment in the custody of the Department of Corrections for not less than four (4) years nor more than twenty (20) years; or

3. For a third or subsequent violation of this ~~section~~ subsection, a term of imprisonment in the custody of the Department of Corrections for not less than ten (10) years nor more than life.

F. Any person who violates any provision of this section by transporting with intent to distribute or dispense, distributing or possessing with intent to distribute a controlled dangerous substance to a person, or violation of subsection G of this section, in or on, or within two thousand (2,000) feet of the real property comprising a public or private elementary or secondary school, public vocational school, public or private college or university, or other institution of higher education, recreation center or public park, including a state park or recreation area, public housing project, or child care facility as defined by Section 402 of Title 10 of the Oklahoma Statutes, shall be guilty of a Class C1 felony offense and shall be punished by:

1. ~~For a first offense, a term of imprisonment in the custody of the Department of Corrections, or by the imposition of a fine or by both, not exceeding twice that authorized by the appropriate provision of this section as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma Statutes; or~~

2. For a second or subsequent violation of this section, a term of imprisonment ~~in the custody of the Department of Corrections~~ as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma Statutes, or by the imposition of a fine, or by both, not exceeding thrice that authorized by the appropriate provision of this section. Convictions for second and subsequent violations of the provisions of this section shall not be subject to statutory provisions of suspended sentences, deferred sentences or probation.

G. 1. Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person to manufacture or attempt to manufacture any controlled dangerous substance or possess any substance listed in Section 2-322 of this title or any substance containing any detectable amount of pseudoephedrine or its salts, optical isomers or salts of optical isomers, iodine or its salts, optical isomers or salts of optical isomers, hydriodic acid, sodium metal, lithium metal, anhydrous ammonia, phosphorus, or organic solvents with the intent to use that substance to manufacture a controlled dangerous substance.

2. Any person violating the provisions of this subsection with respect to the unlawful manufacturing or attempting to unlawfully manufacture any controlled dangerous substance, possessing any substance listed in this subsection or Section 2-322 of this title,

or combining fentanyl with any other controlled dangerous substance, upon conviction, is guilty of a Class A2 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than seven (7) years nor more than life and by a fine not less than Fifty Thousand Dollars (\$50,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. The possession of any amount of anhydrous ammonia in an unauthorized container shall be prima facie evidence of intent to use such substance to manufacture a controlled dangerous substance.

3. Any person violating the provisions of this subsection with respect to the unlawful manufacturing or attempting to unlawfully manufacture any controlled dangerous substance in the following amounts:

- a. one (1) kilogram or more of a mixture or substance containing a detectable amount of heroin,
- b. five (5) kilograms or more of a mixture or substance containing a detectable amount of:
 - (1) coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed,
 - (2) cocaine, its salts, optical and geometric isomers, and salts of isomers,
 - (3) ecgonine, its derivatives, their salts, isomers, and salts of isomers, or
 - (4) any compound, mixture, or preparation which contains any quantity of any of the substances referred to in divisions (1) through (3) of this subparagraph,
- c. fifty (50) grams or more of a mixture or substance described in division (2) of subparagraph b of this paragraph which contains cocaine base,
- d. one hundred (100) grams or more of phencyclidine (PCP) or one (1) kilogram or more of a mixture or substance containing a detectable amount of phencyclidine (PCP),

- e. ten (10) grams or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD),
- f. four hundred (400) grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-pheylethy)-4-piperidinyl] propanamide or 100 grams or more of a mixture or substance containing a detectable amount of any analogue of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide,
- g. one thousand (1,000) kilograms or more of a mixture or substance containing a detectable amount of marijuana or one thousand (1,000) or more marijuana plants regardless of weight,
- h. fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers or five hundred (500) grams or more of a mixture or substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, or
- i. ten (10) grams or more of a mixture or substance containing a detectable amount of fentanyl, its analogs, or derivatives,

upon conviction, is guilty of aggravated manufacturing of a controlled dangerous substance, a Class A1 felony offense, punishable by imprisonment in the custody of the Department of Corrections for not less than twenty (20) years nor more than life and by a fine not less than Fifty Thousand Dollars (\$50,000.00), which shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. Any person convicted of a violation of the provisions of this paragraph shall be required to serve a minimum of eighty-five percent (85%) of the sentence received prior to becoming eligible for state correctional earned credits towards the completion of the sentence or eligible for parole.

4. Any sentence to the custody of the Department of Corrections for any violation of paragraph 3 of this subsection shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation. A person convicted of a second or subsequent violation of the provisions of paragraph 3 of this

subsection shall be punished as a habitual offender pursuant to Section 51.1 of Title 21 of the Oklahoma Statutes and shall be required to serve a minimum of eighty-five percent (85%) of the sentence received prior to becoming eligible for state correctional earned credits or eligibility for parole.

5. Any person who has been convicted of manufacturing or attempting to manufacture methamphetamine pursuant to the provisions of this subsection and who, after such conviction, purchases or attempts to purchase, receive or otherwise acquire any product, mixture, or preparation containing any detectable quantity of base pseudoephedrine or ephedrine shall, upon conviction, be guilty of a Class B3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term in the range of twice the minimum term provided for in paragraph 2 of this subsection.

H. Any person convicted of any offense described in the Uniform Controlled Dangerous Substances Act may, in addition to the fine imposed, be assessed an amount not to exceed ten percent (10%) of the fine imposed. Such assessment shall be paid into a revolving fund for enforcement of controlled dangerous substances created pursuant to Section 2-506 of this title.

I. Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this title.

J. For purposes of this section, "public housing project" means any dwelling or accommodations operated as a state or federally subsidized multifamily housing project by any housing authority, nonprofit corporation or municipal developer or housing projects created pursuant to the Oklahoma Housing Authorities Act.

K. When a person is found guilty of a violation of the provisions of this section, the court shall order, in addition to any other penalty, the defendant to pay a one-hundred-dollar assessment to be deposited in the Drug Abuse Education and Treatment Revolving Fund created in Section 2-503.2 of this title, upon collection.

L. Any person convicted of a second or subsequent felony violation of the provisions of this section, except for paragraphs 1 and 2 of subsection B of this section, paragraphs 2, 3, 4 and 5 of

subsection C of this section, paragraphs 1, 2, and 3 of subsection E of this section and paragraphs 1 and 2 of subsection F of this section, shall be punished as a habitual offender pursuant to Section 51.1 of Title 21 of the Oklahoma Statutes.

SECTION 14. AMENDATORY 63 O.S. 2021, Section 124.8, is amended to read as follows:

Section 124.8. A. Any firm, corporation, company or partnership shall ensure that all personnel, field crews, magazine attendants, truck drivers, supervisors and superintendents are fully conversant with all provisions of this ~~division~~ section and the rules promulgated hereunder. The permit holder shall be responsible for violations committed by employees working under the company or corporation permit.

B. Any person violating any of the provisions of this ~~division~~ section or any rules or regulations made thereunder shall be guilty of a Class C2 felony offense and shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. If such violation was committed with the knowledge or intent that any explosive or blasting agent involved was to be used to kill, injure or intimidate any person or unlawfully to damage any real or personal property, the person or persons committing such violations, upon conviction, shall be guilty of a Class B4 felony offense and shall be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00), or imprisoned for not more than ten (10) years, or both. If in a case involving such knowledge or intent personal injury results, such person shall be guilty of a Class A1 felony offense and shall be imprisoned for not more than twenty (20) years, or fined not more than Twenty Thousand Dollars (\$20,000.00), or both; and if death results such person shall be subject to imprisonment for any term of years or for life.

SECTION 15. AMENDATORY 21 O.S. 2021, Section 175, is amended to read as follows:

Section 175. Except in cases where a different punishment is prescribed by law, an accessory to a felony is punishable as follows:

1. If the underlying offense is a felony punishable by imprisonment in the penitentiary for four (4) years or more, the

person guilty of being an accessory shall be subject to imprisonment in the penitentiary for a term not exceeding one-half (1/2) of the longest term prescribed upon a conviction for the underlying offense;

2. If the underlying offense is a felony punishable by imprisonment in the penitentiary for any time less than four (4) years, the person guilty of being an accessory shall be subject to imprisonment in a county jail for not more than one (1) year;

3. If the underlying offense be punishable by a fine only, the person guilty of being an accessory shall be subject to a fine not exceeding one-half (1/2) of the largest amount of money which may be imposed as a fine upon a conviction of the underlying offense;

4. If the underlying offense be punishable by both imprisonment and a fine, the offender convicted of being an accessory shall be subject to both imprisonment and fine, not exceeding one-half (1/2) of the longest term of imprisonment and one-half (1/2) of the largest fine which may be imposed upon a conviction of the underlying offense; and

5. If the underlying offense be murder in the first degree, the accessory thereto shall be guilty of a Class A2 felony offense and shall be punished by imprisonment for not less than five (5) years nor more than forty-five (45) years. If the underlying offense be murder in the second degree, the accessory thereto shall be guilty of a Class B1 felony offense and shall be punished by imprisonment for not less than five (5) years nor more than twenty-five (25) years.

SECTION 16. AMENDATORY 21 O.S. 2021, Section 650, is amended to read as follows:

Section 650. A. Every person who, without justifiable or excusable cause, knowingly commits any aggravated assault and battery upon the person of a police officer, sheriff, deputy sheriff or highway patrolman, corrections personnel as defined in Section 649 of this title, or any state peace officer employed by any state or federal governmental agency to enforce state laws, while the officer is in the performance of his or her duties shall upon conviction thereof be guilty of a Class A3 felony offense, which shall be punishable by imprisonment in the custody of the Department of Corrections for not more than life or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

B. Every person who, without justifiable or excusable cause, commits any aggravated assault and battery upon a person that the violator knows or should reasonably know is a police officer, sheriff, deputy sheriff or highway patrolman, corrections personnel as defined in Section 649 of this title, or any state peace officer employed by any state or federal governmental agency to enforce state laws, that results in maiming as defined in Section 751 of this title, while the officer is in the performance of his or her duties shall, upon conviction, be guilty of a Class A2 felony offense punishable by imprisonment in the custody of the Department of Corrections of not less than five (5) years nor more than life or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. For purposes of this section, aggravated assault and battery upon law officers, includes the physical contact with and in attempt to gain control of the firearm of any police officer, sheriff, deputy sheriff, highway patrolman, corrections personnel as defined in Section 649 of this title, or any peace officer employed by any state or federal governmental agency to enforce state laws.

D. This section shall not supersede any other act or acts, but shall be cumulative thereto.

SECTION 17. AMENDATORY 21 O.S. 2021, Section 701.16, is amended to read as follows:

Section 701.16. It shall be unlawful for any person or agent of that person to solicit another person or persons to cause the death of a human being by the act of murder in the first degree as is defined by Section 701.7 of this title. A person who is convicted, pleads guilty or pleads nolo contendere to the act of solicitation for murder in the first degree, except as provided in Section 701.7 of this title, shall be guilty of a Class A2 felony offense punishable by imprisonment in a state penal institution for not less than five (5) years nor more than life imprisonment in the State Penitentiary.

SECTION 18. AMENDATORY 21 O.S. 2021, Section 711, is amended to read as follows:

Section 711. Homicide, a Class A2 felony offense, is manslaughter in the first degree in the following cases:

1. When perpetrated without a design to effect death by a person while engaged in the commission of a misdemeanor~~+~~;

2. When perpetrated without a design to effect death, and in a heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon; unless it is committed under such circumstances as constitute excusable or justifiable homicide~~+~~;

3. When perpetrated unnecessarily either while resisting an attempt by the person killed to commit a crime, or after such attempt shall have failed.

SECTION 19. AMENDATORY 21 O.S. 2021, Section 712, is amended to read as follows:

Section 712. Every physician who, being in a state of intoxication without a design to effect death, administers any poison, drug or medicine, or does any other act as such physician to another person, which produces the death of such other person, is guilty of manslaughter in the first degree, a Class A2 felony offense.

SECTION 20. AMENDATORY 21 O.S. 2021, Section 748, as amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2024, Section 748), is amended to read as follows:

Section 748. A. As used in Sections 748 and 748.2 of this title:

1. "Coercion" means compelling, forcing or intimidating a person to act by:

- a. threats of harm or physical restraint against any person,
- b. any act, scheme, plan, or pattern intended to cause a person to believe that performing, or failing to perform, an act would result in serious physical, financial, or emotional harm or distress to or physical restraint against any person,
- c. the abuse or threatened abuse of the law or legal process,

- d. knowingly destroying, concealing, removing, confiscating or possessing any actual or purported passport, labor or immigration document, or other government identification document, including but not limited to a driver license or birth certificate, of another person,
- e. facilitating or controlling a person's access to any addictive or controlled substance other than for legal medical purposes,
- f. blackmail,
- g. demanding or claiming money, goods, or any other thing of value from or on behalf of a prostituted person where such demand or claim arises from or is directly related to the act of prostitution,
- h. determining, dictating or setting the times at which another person will be available to engage in an act of prostitution with a third party,
- i. determining, dictating or setting the places at which another person will be available for solicitation of, or to engage in, an act of prostitution with a third party, or
- j. determining, dictating or setting the places at which another person will reside for purposes of making such person available to engage in an act of prostitution with a third party;

2. "Commercial sex" means any form of commercial sexual activity such as sexually explicit performances, prostitution, participation in the production of pornography, performance in a strip club, or exotic dancing or display;

3. "Debt bondage" means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined;

4. "Human trafficking" means modern-day slavery that includes, but is not limited to, extreme exploitation and the denial of freedom or liberty of an individual for purposes of deriving benefit from that individual's commercial sex act or labor;

5. "Human trafficking for labor" means:

- a. recruiting, enticing, harboring, maintaining, transporting, providing or obtaining, by any means, another person through deception, force, fraud, threat or coercion or for purposes of engaging the person in labor, or
- b. benefiting, financially or by receiving anything of value, from participation in a venture that has engaged in an act of trafficking for labor;

6. "Human trafficking for commercial sex" means:

- a. recruiting, enticing, harboring, maintaining, transporting, providing or obtaining, by any means, another person through deception, force, fraud, threat or coercion for purposes of engaging the person in a commercial sex act,
- b. recruiting, enticing, harboring, maintaining, transporting, providing, purchasing or obtaining, by any means, a minor for purposes of engaging the minor in a commercial sex act, or
- c. benefiting, financially or by receiving anything of value, from participating in a venture that has engaged in an act of trafficking for commercial sex;

7. "Legal process" means the criminal law, the civil law, or the regulatory system of the federal government, any state, territory, district, commonwealth, or trust territory therein, and any foreign government or subdivision thereof and includes legal civil actions, criminal actions, and regulatory petitions or applications;

8. "Minor" means an individual under eighteen (18) years of age; and

9. "Victim" means a person against whom a violation of any provision of this section has been committed.

B. It shall be unlawful to knowingly engage in human trafficking.

C. Any person violating the provisions of this section shall, upon conviction, be guilty of a Class A2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than five (5) years or for life, or by a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Any person violating the provisions of this section where the victim of the offense is under eighteen (18) years of age at the time of the offense shall, upon conviction, be guilty of a Class A2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than fifteen (15) years or for life, or by a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or by both such fine and imprisonment. The court shall also order the defendant to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes. If the person is convicted of human trafficking, the person shall serve eighty-five percent (85%) of the sentence before being eligible for parole consideration or any earned credits. The terms of imprisonment specified in this subsection shall not be subject to statutory provisions for suspension, deferral or probation, or state correctional institution earned credits accruing from and after November 1, 1989, except for the achievement earned credits authorized by subsection H of Section 138 of Title 57 of the Oklahoma Statutes. To qualify for such achievement earned credits, such inmates must also be in compliance with the standards for Class level 2 behavior, as defined in subsection D of Section 138 of Title 57 of the Oklahoma Statutes.

D. It is an affirmative defense to prosecution for a criminal, youthful offender, or delinquent offense that, during the time of the alleged commission of the offense, the defendant or alleged youthful offender or delinquent was a victim of human trafficking.

E. The consent of a victim to the activity prohibited by this section shall not constitute a defense.

F. Lack of knowledge of the age of the victim shall not constitute a defense to the activity prohibited by this section with respect to human trafficking of a minor.

SECTION 21. AMENDATORY 21 O.S. 2021, Section 760, is amended to read as follows:

Section 760. A. Female genital mutilation shall be unlawful in the State of Oklahoma. Whoever knowingly circumcises, excises, or infibulates, in whole or in part, the labia majora, labia minora, or clitoris of another shall, upon conviction, be guilty of a Class A2 felony offense punishable by incarceration in the custody of the Department of Corrections for a term of not less than three (3) years nor more than life and a fine of not more than Twenty Thousand Dollars (\$20,000.00). Consent to the procedure by a minor on whom it is performed or by the parent or parents of the minor is not a defense to a violation of this subsection.

B. A surgical procedure is not a violation of subsection A of this section if the procedure:

1. Is necessary as a recognized treatment for a known disease or for purposes of cosmetic surgery to repair a defect or injury for the person on whom it is performed and is performed by:

- a. a licensed physician, or
- b. a physician in training under the supervision of a licensed physician; or

2. Is necessary in the assistance of childbirth or for medical purposes connected with that labor or birth and is performed by:

- a. a licensed physician,
- b. a physician in training under the supervision of a licensed physician, or
- c. a certified nurse-midwife.

C. Any physician, physician in training, certified nurse-midwife or any other medical professional who performs or participates in a female genital mutilation procedure shall, in addition to the penalties in subsection A of this section, have the professional license or certification of the person permanently revoked.

SECTION 22. AMENDATORY 21 O.S. 2021, Section 798, is amended to read as follows:

Section 798. Any person guilty of robbery in the first degree shall be guilty of a Class A2 felony offense punishable by imprisonment in the State Penitentiary not less than ten (10) years.

SECTION 23. AMENDATORY 21 O.S. 2021, Section 800, is amended to read as follows:

Section 800. Whenever two or more persons conjointly commit a robbery or where the whole number of persons conjointly commits a robbery and persons present and aiding such robbery amount to two or more, each and either of such persons shall be guilty of a Class A2 felony offense punishable by imprisonment in the State Penitentiary for not less than five (5) years nor more than fifty (50) years.

SECTION 24. AMENDATORY 21 O.S. 2021, Section 801, is amended to read as follows:

Section 801. Any person or persons who, with the use of any firearms or any other dangerous weapons, whether the firearm is loaded or not, or who uses a blank or imitation firearm capable of raising in the mind of the one threatened with such device a fear that it is a real firearm, attempts to rob or robs any person or persons, or who robs or attempts to rob any place of business, residence or banking institution or any other place inhabited or attended by any person or persons at any time, either day or night, shall be guilty of a Class A2 felony offense and, upon conviction therefor, shall suffer punishment by imprisonment for life in the State Penitentiary, or for a period of time of not less than five (5) years, at the discretion of the court, or the jury trying the same.

Upon conviction therefor, any person guilty of three separate and distinct felonies, in violation of this section shall suffer punishment by imprisonment for life in the State Penitentiary, or for a period of time of not less than ten (10) years, and it is mandatory upon the court to impose no less than the minimum sentence of ten (10) years. The sentence imposed upon such person shall not be reduced to less than ten (10) calendar years, nor suspended, nor shall any person be eligible for probation or parole or receive any deduction from his sentence for good conduct until he shall have served ten (10) calendar years of such sentence.

SECTION 25. AMENDATORY 21 O.S. 2021, Section 849, is amended to read as follows:

Section 849. Every person who shall attach to, or place in or upon any motor vehicle or any vehicle designed or customarily used to transport a person or persons or any structure designed or customarily used for the occupancy of a person or persons, any explosive material, thing or device with the intent of causing bodily injury or death to any person shall be guilty of a Class A2 felony offense, and, upon conviction therefor, shall suffer punishment by imprisonment for a period of time of not less than five (5) years, or imprisonment in the State Penitentiary for life, at the discretion of the court or the jury trying the same.

SECTION 26. AMENDATORY 21 O.S. 2021, Section 1040.12a, as amended by Section 3, Chapter 103, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.12a), is amended to read as follows:

Section 1040.12a. A. Any person who, with knowledge of its contents, possesses one hundred (100) or more separate visual depictions of child pornography shall, upon conviction, be guilty of aggravated possession of child pornography, a Class A2 felony offense. The violator shall be punished by imprisonment in the custody of the Department of Corrections for a term not exceeding life imprisonment and by a fine in an amount of not more than Ten Thousand Dollars (\$10,000.00). The violator, upon conviction, shall be required to register as a sex offender under the Sex Offenders Registration Act.

B. For purposes of this section:

1. Multiple copies of the same identical material shall each be counted as a separate item; and

2. The terms "child pornography" and "visual depictions" mean the same definitions provided by Section 1024.1 of this title.

SECTION 27. AMENDATORY 21 O.S. 2021, Section 1111.1, as amended by Section 3, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1111.1), is amended to read as follows:

Section 1111.1. A. Rape by instrumentation, a Class A2 felony offense, is an act within or without the bonds of matrimony in which any inanimate object or any part of the human body, not amounting to sexual intercourse is used in the carnal knowledge of another person without his or her consent and penetration of the anus or vagina occurs to that person.

B. Provided, further, that at least one of the circumstances specified in Section 1111 of this title has been met; further, where the victim is:

1. At least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in conduct prohibited by this section of law with a person who is eighteen (18) years of age or older and is an employee of a school system;

2. Under the legal custody or supervision of a state or federal agency, county, municipal or a political subdivision and engages in conduct prohibited by this section of law with a federal, state, county, municipal or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality or a political subdivision that exercises authority over the victim, consent shall not be an element of the crime;

3. Nineteen (19) years of age or younger and in the legal custody of a state agency, federal agency or tribal court and engages in conduct prohibited by this section of law with a foster parent or foster parent applicant; or

4. A student at a secondary school, is concurrently enrolled at an institution of higher education, and engages in acts pursuant to this section with a perpetrator who is an employee of the institution of higher education of which the student is enrolled.

C. "Employee of an institution of higher education", for purposes of this section, means faculty, adjunct faculty, instructors, volunteers, or an employee of a business contracting with an institution of higher education who may exercise, at any time, institutional authority over the victim. Employee of an institution of higher education shall not include an enrolled student who is not more than three (3) years of age or older than the concurrently enrolled student and who is employed or volunteering, in any capacity, for the institution of higher education.

D. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-

imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 28. AMENDATORY 21 O.S. 2021, Section 1114, is amended to read as follows:

Section 1114. A. Rape or rape by instrumentation in the first degree, a Class A2 felony offense, shall include:

1. Rape committed by a person over eighteen (18) years of age upon a person under fourteen (14) years of age;

2. Rape committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime;

3. Rape accomplished where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;

4. Rape accomplished where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;

5. Rape accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the person committing the crime; or

6. Rape by instrumentation regardless of the age of the victim or the age of the person committing the crime.

B. In all other cases, rape is rape in the second degree, a Class B2 felony offense.

SECTION 29. AMENDATORY 21 O.S. 2021, Section 1115, is amended to read as follows:

Section 1115. Rape in the first degree is a Class A2 felony offense punishable by death or imprisonment in the custody of the Department of Corrections, for a term of not less than five (5) years, life or life without parole. Except for persons sentenced to

life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second or subsequent violation of subsection A of Section 1114 of this title shall not be eligible for any form of probation. Any person convicted of a third or subsequent violation of subsection A of Section 1114 of this title or of an offense under Section 888 of this title or an offense under Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or any attempt to commit any of these offenses or any combination of these offenses shall be punished by imprisonment in the custody of the Department of Corrections for life or life without parole.

SECTION 30. AMENDATORY 21 O.S. 2021, Section 1117, is amended to read as follows:

Section 1117. Any person who takes any woman against her will, ~~and,~~ by force, menace or duress, compels her to marry him or to marry any other person, shall be guilty of a Class A2 felony offense punishable by imprisonment in the State Penitentiary not less than ten (10) years.

SECTION 31. AMENDATORY 21 O.S. 2021, Section 1752, is amended to read as follows:

Section 1752. Whenever any offense specified in Section 1751 of this title results in the death of any human being, the offender shall be guilty of a Class A2 felony offense punishable by imprisonment in the State Penitentiary for not less than four (4) years.

SECTION 32. AMENDATORY 22 O.S. 2021, Section 107, is amended to read as follows:

Section 107. A person who, after the publication of a proclamation by the Governor or acting Governor, or who, after lawful notice as aforesaid to disperse and retire, resists or aids in resisting the execution of process in a county declared to be in a state of riot or insurrection, or who aids or attempts the rescue or escape of another from lawful custody or confinement, or who

resists or aids in resisting a force ordered out by the Governor or any civil officer as aforesaid, to quell or suppress an insurrection or riot, is guilty of a Class A2 felony offense, and is punishable by imprisonment in the state prison for not less than two (2) years.

SECTION 33. AMENDATORY 47 O.S. 2021, Section 11-902, is amended to read as follows:

Section 11-902. A. It is unlawful and punishable as provided in this section for any person to drive, operate, or be in actual physical control of a motor vehicle within this state, whether upon public roads, highways, streets, turnpikes, other public places or upon any private road, street, alley or lane which provides access to one or more single or multi-family dwellings, who:

1. Has a blood or breath alcohol concentration, as defined in Section 756 of this title, of eight-hundredths (0.08) or more at the time of a test of such person's blood or breath administered within two (2) hours after the arrest of such person;

2. Is under the influence of alcohol;

3. Has any amount of a Schedule I chemical or controlled substance, as defined in Section 2-204 of Title 63 of the Oklahoma Statutes, or one of its metabolites or analogs in the person's blood, saliva, urine or any other bodily fluid at the time of a test of such person's blood, saliva, urine or any other bodily fluid administered within two (2) hours after the arrest of such person;

4. Is under the influence of any intoxicating substance other than alcohol which may render such person incapable of safely driving or operating a motor vehicle; or

5. Is under the combined influence of alcohol and any other intoxicating substance which may render such person incapable of safely driving or operating a motor vehicle.

B. The fact that any person charged with a violation of this section is or has been lawfully entitled to use alcohol or a controlled dangerous substance or any other intoxicating substance shall not constitute a defense against any charge of violating this section.

C. 1. Any person who is convicted of a violation of the provisions of this section shall be guilty of a misdemeanor for the first offense and shall:

- a. participate in an assessment and evaluation pursuant to subsection G of this section and shall follow all recommendations made in the assessment and evaluation,
- b. be punished by imprisonment in jail for not less than ten (10) days nor more than one (1) year, and
- c. be fined not more than One Thousand Dollars (\$1,000.00).

2. Any person who, having been convicted of or having received deferred judgment for a violation of this section or a violation pursuant to the provisions of any law of this state or another state prohibiting the offenses provided in this section, Section 11-904 of this title or paragraph 4 of subsection A of Section 852.1 of Title 21 of the Oklahoma Statutes, or having a prior conviction in a municipal criminal court of record for the violation of a municipal ordinance prohibiting the offense provided for in this section commits a subsequent violation of this section within ten (10) years of the date following the completion of the execution of said sentence or deferred judgment shall, upon conviction, be guilty of a Class C2 felony offense and shall participate in an assessment and evaluation pursuant to subsection G of this section and shall be sentenced to:

- a. follow all recommendations made in the assessment and evaluation for treatment at the defendant's expense, or
- b. ~~placement in the custody of the Department of Corrections for not less than one (1) year and not to exceed five (5) years~~ imprisonment as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or
- c. treatment, imprisonment as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and a fine within the limitations prescribed in subparagraphs a and b of this paragraph.

However, if the treatment in subsection G of this section does not include residential or inpatient treatment for a period of not less than five (5) days, the person shall serve a term of imprisonment of at least five (5) days.

3. Any person who commits a violation of this section after having been convicted of a felony offense pursuant to the provisions of this section or a violation pursuant to the provisions of any law of this state or another state prohibiting the offenses provided for in this section, Section 11-904 of this title or paragraph 4 of subsection A of Section 852.1 of Title 21 of the Oklahoma Statutes shall be guilty of a Class B4 felony offense and participate in an assessment and evaluation pursuant to subsection G of this section and shall be sentenced to:

- a. follow all recommendations made in the assessment and evaluation for treatment at the defendant's expense, two hundred forty (240) hours of community service and use of an ignition interlock device, as provided by subparagraph n of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes, or
- b. placement in the custody of the Department of Corrections for not less than one (1) year and not to exceed ten (10) years and a fine of not more than Five Thousand Dollars (\$5,000.00), or
- c. treatment, imprisonment and a fine within the limitations prescribed in subparagraphs a and b of this paragraph.

However, if the treatment in subsection G of this section does not include residential or inpatient treatment for a period of not less than ten (10) days, the person shall serve a term of imprisonment of at least ten (10) days.

4. Any person who commits a violation of this section after having been twice convicted of a felony offense pursuant to the provisions of this section or a violation pursuant to the provisions of any law of this state or another state prohibiting the offenses provided for in this section, Section 11-904 of this title or paragraph 4 of subsection A of Section 852.1 of Title 21 of the Oklahoma Statutes shall be guilty of a Class B3 felony offense and participate in an assessment and evaluation pursuant to subsection G of this section and shall be sentenced to:

- a. follow all recommendations made in the assessment and evaluation for treatment at the defendant's expense, followed by not less than one (1) year of supervision and periodic testing at the defendant's expense, four hundred eighty (480) hours of community service, and use of an ignition interlock device, as provided by subparagraph n of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes, for a minimum of thirty (30) days, or
- b. placement in the custody of the Department of Corrections for not less than one (1) year and not to exceed twenty (20) years and a fine of not more than Five Thousand Dollars (\$5,000.00), or
- c. treatment, imprisonment and a fine within the limitations prescribed in subparagraphs a and b of this paragraph.

However, if the person does not undergo residential or inpatient treatment pursuant to subsection G of this section the person shall serve a term of imprisonment of at least ten (10) days.

5. Any person who, after a previous conviction of a violation of murder in the second degree or manslaughter in the first degree in which the death was caused as a result of driving under the influence of alcohol or other intoxicating substance, is convicted of a violation of this section shall be guilty of a Class A2 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than five (5) years and not to exceed twenty (20) years, and a fine of not more than Ten Thousand Dollars (\$10,000.00).

6. Provided, however, a conviction from another state shall not be used to enhance punishment pursuant to the provisions of this subsection if that conviction is based on a blood or breath alcohol concentration of less than eight-hundredths (0.08).

7. In any case in which a defendant is charged with driving under the influence of alcohol or other intoxicating substance offense within any municipality with a municipal court other than a court of record, the charge shall be presented to the county's district attorney and filed with the district court of the county within which the municipality is located.

D. Any person who is convicted of a violation of driving under the influence with a blood or breath alcohol concentration of fifteen-hundredths (0.15) or more pursuant to this section shall be deemed guilty of aggravated driving under the influence, a Class B3 felony offense. A person convicted of aggravated driving under the influence shall participate in an assessment and evaluation pursuant to subsection G of this section and shall comply with all recommendations for treatment. Such person shall be sentenced as provided in paragraph 1, 2, 3, 4 or 5 of subsection C of this section and to:

1. Not less than one (1) year of supervision and periodic testing at the defendant's expense; and

2. An ignition interlock device or devices, as provided by subparagraph n of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes, for a minimum of ninety (90) days.

E. When a person is sentenced to imprisonment in the custody of the Department of Corrections, the person shall be processed through the Lexington Assessment and Reception Center or at a place determined by the Director of the Department of Corrections. The Department of Corrections shall classify and assign the person to one or more of the following:

1. The Department of Mental Health and Substance Abuse Services pursuant to paragraph 1 of subsection A of Section 612 of Title 57 of the Oklahoma Statutes; or

2. A correctional facility operated by the Department of Corrections with assignment to substance abuse treatment. Successful completion of a Department-of-Corrections-approved substance abuse treatment program shall satisfy the recommendation for a ten-hour or twenty-four-hour alcohol and drug substance abuse course or treatment program or both. Successful completion of an approved Department of Corrections substance abuse treatment program may precede or follow the required assessment.

F. The Department of Public Safety is hereby authorized to reinstate any suspended or revoked driving privilege when the person meets the statutory requirements which affect the existing driving privilege.

G. Any person who is found guilty of a violation of the provisions of this section shall be ordered to participate in an alcohol and drug substance abuse evaluation and assessment program offered by a certified assessment agency or certified assessor for the purpose of evaluating and assessing the receptivity to treatment and prognosis of the person and shall follow all recommendations made in the assessment and evaluation for treatment. The court shall order the person to reimburse the agency or assessor for the evaluation and assessment. Payment shall be remitted by the defendant or on behalf of the defendant by any third party; provided, no state-appropriated funds are utilized. The fee for an evaluation and assessment shall be the amount provided in subsection C of Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation and assessment shall be conducted at a certified assessment agency, the office of a certified assessor or at another location as ordered by the court. The agency or assessor shall, within seventy-two (72) hours from the time the person is evaluated and assessed, submit a written report to the court for the purpose of assisting the court in its sentencing determination. The court shall, as a condition of any sentence imposed, including deferred and suspended sentences, require the person to participate in and successfully complete all recommendations from the evaluation, such as an alcohol and substance abuse treatment program pursuant to Section 3-452 of Title 43A of the Oklahoma Statutes. If such report indicates that the evaluation and assessment shows that the defendant would benefit from a ten-hour or twenty-four-hour alcohol and drug substance abuse course or a treatment program or both, the court shall, as a condition of any sentence imposed, including deferred and suspended sentences, require the person to follow all recommendations identified by the evaluation and assessment and ordered by the court. No person, agency or facility operating an evaluation and assessment program certified by the Department of Mental Health and Substance Abuse Services shall solicit or refer any person evaluated and assessed pursuant to this section for any treatment program or substance abuse service in which such person, agency or facility has a vested interest; however, this provision shall not be construed to prohibit the court from ordering participation in or any person from voluntarily utilizing a treatment program or substance abuse service offered by such person, agency or facility. If a person is sentenced to imprisonment in the custody of the Department of Corrections and the court has received a written evaluation report pursuant to the provisions of this subsection, the report shall be furnished to the Department of Corrections with the judgment and sentence. Any evaluation and assessment report submitted to the court pursuant to the provisions

of this subsection shall be handled in a manner which will keep such report confidential from the general public's review. Nothing contained in this subsection shall be construed to prohibit the court from ordering judgment and sentence in the event the defendant fails or refuses to comply with an order of the court to obtain the evaluation and assessment required by this subsection. If the defendant fails or refuses to comply with an order of the court to obtain the evaluation and assessment, the Department of Public Safety shall not reinstate driving privileges until the defendant has complied in full with such order. Nothing contained in this subsection shall be construed to prohibit the court from ordering judgment and sentence and any other sanction authorized by law for failure or refusal to comply with an order of the court.

H. Any person who is found guilty of a violation of the provisions of this section shall be required by the court to attend a victims impact panel program, as defined in subsection H of Section 991a of Title 22 of the Oklahoma Statutes, if such a program is offered in the county where the judgment is rendered, and to pay a fee of Seventy-five Dollars (\$75.00), as set by the governing authority of the program and approved by the court, to the program to offset the cost of participation by the defendant, if in the opinion of the court the defendant has the ability to pay such fee.

I. Any person who is found guilty of a felony violation of the provisions of this section shall be required to submit to electronic monitoring as authorized and defined by Section 991a of Title 22 of the Oklahoma Statutes.

J. Any person who is found guilty of a violation of the provisions of this section who has been sentenced by the court to perform any type of community service shall not be permitted to pay a fine in lieu of performing the community service.

K. When a person is found guilty of a violation of the provisions of this section, the court shall order, in addition to any other penalty, the defendant to pay a one-hundred-dollar assessment to be deposited in the Drug Abuse Education and Treatment Revolving Fund created in Section 2-503.2 of Title 63 of the Oklahoma Statutes, upon collection.

L. 1. When a person is eighteen (18) years of age or older, and is the driver, operator, or person in physical control of a vehicle, and is convicted of violating any provision of this section while transporting or having in the motor vehicle any child less

than eighteen (18) years of age, the fine shall be enhanced to double the amount of the fine imposed for the underlying driving under the influence (DUI) violation which shall be in addition to any other penalties allowed by this section.

2. Nothing in this subsection shall prohibit the prosecution of a person pursuant to Section 852.1 of Title 21 of the Oklahoma Statutes who is in violation of any provision of this section or Section 11-904 of this title.

M. Any plea of guilty, nolo contendere or finding of guilt for a violation of this section or a violation pursuant to the provisions of any law of this state or another state prohibiting the offenses provided for in this section, Section 11-904 of this title, or paragraph 4 of subsection A of Section 852.1 of Title 21 of the Oklahoma Statutes, shall constitute a conviction of the offense for the purpose of this section; provided, any deferred judgment shall only be considered to constitute a conviction for a period of ten (10) years following the completion of any court-imposed probationary term.

N. If qualified by knowledge, skill, experience, training or education, a witness shall be allowed to testify in the form of an opinion or otherwise solely on the issue of impairment, but not on the issue of specific alcohol concentration level, relating to the following:

1. The results of any standardized field sobriety test including, but not limited to, the horizontal gaze nystagmus (HGN) test administered by a person who has completed training in standardized field sobriety testing; or

2. Whether a person was under the influence of one or more impairing substances and the category of such impairing substance or substances. A witness who has received training and holds a current certification as a drug recognition expert shall be qualified to give the testimony in any case in which such testimony may be relevant.

SECTION 34. AMENDATORY 63 O.S. 2021, Section 2-403, is amended to read as follows:

Section 2-403. A. Any person found guilty of larceny, burglary or theft of controlled dangerous substances is guilty of a Class C2 felony offense punishable by imprisonment ~~for a period not to exceed~~

~~ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. A second or subsequent offense under this subsection is a Class C2 felony offense punishable by imprisonment ~~for not less than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.~~ Convictions for second or subsequent violations of this subsection shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation.

B. Any person found guilty of robbery or attempted robbery of controlled dangerous substances from a practitioner, manufacturer, distributor or agent thereof as defined in Section 2-101 of this title is guilty of a Class A2 felony offense punishable by imprisonment for a period of not less than five (5) years, and such sentence shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation. A second or subsequent offense under this subsection is a Class A2 felony offense punishable by life imprisonment. Convictions for second or subsequent offenses of this subsection shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation.

SECTION 35. AMENDATORY 21 O.S. 2021, Section 652, is amended to read as follows:

Section 652. A. Every person who intentionally and wrongfully shoots another with or discharges any kind of firearm, with intent to kill any person, including an unborn child as defined in Section 1-730 of Title 63 of the Oklahoma Statutes, shall upon conviction be guilty of a Class A3 felony offense punishable by imprisonment in the State Penitentiary not exceeding life.

B. Every person who uses any vehicle to facilitate the intentional discharge of any kind of firearm, crossbow or other weapon in conscious disregard for the safety of any other person or persons, including an unborn child as defined in Section 1-730 of Title 63 of the Oklahoma Statutes, shall upon conviction be guilty of a Class A3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than two (2) years nor exceeding life.

C. Any person who commits any assault and battery upon another, including an unborn child as defined in Section 1-730 of Title 63 of the Oklahoma Statutes, by means of any deadly weapon, or by such other means or force as is likely to produce death, or in any manner

attempts to kill another, including an unborn child as defined in Section 1-730 of Title 63 of the Oklahoma Statutes, or in resisting the execution of any legal process, shall upon conviction be guilty of a Class A3 felony offense punishable by imprisonment in the State Penitentiary not exceeding life.

D. The provisions of this section shall not apply to:

1. Acts which cause the death of an unborn child if those acts were committed during a legal abortion to which the pregnant woman consented; or

2. Acts which are committed pursuant to usual and customary standards of medical practice during diagnostic testing or therapeutic treatment.

E. Under no circumstances shall the mother of the unborn child be prosecuted for causing the death of the unborn child unless the mother has committed a crime that caused the death of the unborn child.

SECTION 36. AMENDATORY 21 O.S. 2021, Section 751, is amended to read as follows:

Section 751. Every person who, with premeditated design to injure another, inflicts upon his person any injury which disfigures his personal appearance or disables any member or organ of his body or seriously diminishes his physical vigor, is guilty of maiming, a Class A3 felony offense.

SECTION 37. AMENDATORY 21 O.S. 2021, Section 843.1, is amended to read as follows:

Section 843.1. A. 1. No caretaker or other person shall abuse, commit financial neglect, neglect, commit sexual abuse, or exploit any person entrusted to the care of such caretaker or other person in a nursing facility or other setting, or knowingly cause, secure, or permit any of these acts to be done.

2. For purposes of this section, the terms, "abuse", "financial neglect", "neglect", "sexual abuse", and "exploit" shall have the same meaning as such terms are defined and clarified in Section 10-103 of Title 43A of the Oklahoma Statutes.

B. 1. Any person convicted of a violation of this section, except as provided in paragraph 2 of this subsection, shall be guilty of a Class B1 felony offense. The violator, upon conviction, shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed ten (10) years, and by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment, and in addition, the person shall be subject to the Elderly and Incapacitated Victim's Protection Act. Such person's term shall further be subject to the provisions of Section 13.1 of this title for mandatory minimum sentencing.

2. Any person convicted of violating the provisions of this section by committing sexual abuse shall be guilty of a Class A3 felony offense. The person convicted of sexual abuse shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed fifteen (15) years, and by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment, and in addition, the person shall be subject to the Elderly and Incapacitated Victim's Protection Act. Such person's imprisonment term imposed pursuant to this section shall further be subject to the provisions of Section 13.1 of this title for mandatory minimum sentencing.

C. Consent shall not be a defense for any violation of this section.

D. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of paragraph 2 of subsection B of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 38. AMENDATORY 21 O.S. 2021, Section 1123, as last amended by Section 33, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1123), is amended to read as follows:

Section 1123. A. It is a Class A3 felony offense for any person to knowingly and intentionally:

1. Make any oral, written or electronically or computer-generated lewd or indecent proposal to any child under sixteen (16)

years of age, or other individual the person believes to be a child under sixteen (16) years of age, for the child to have unlawful sexual relations or sexual intercourse with any person;

2. Look upon, touch, maul, or feel the body or private parts of any child under sixteen (16) years of age in any lewd or lascivious manner by any acts against public decency and morality, as defined by law;

3. Ask, invite, entice, or persuade any child under sixteen (16) years of age, or other individual the person believes to be a child under sixteen (16) years of age, to go alone with any person to a secluded, remote, or secret place, with the unlawful and willful intent and purpose then and there to commit any crime against public decency and morality, as defined by law, with the child;

4. In any manner lewdly or lasciviously look upon, touch, maul, or feel the body or private parts of any child under sixteen (16) years of age in any indecent manner or in any manner relating to sexual matters or sexual interest; or

5. In a lewd and lascivious manner and for the purpose of sexual gratification:

- a. urinate or defecate upon a child under sixteen (16) years of age, or force or require a child to defecate or urinate upon the body or private parts of another, or for the purpose of sexual gratification,
- b. ejaculate upon or in the presence of a child,
- c. cause, expose, force or require a child to look upon the body or private parts of another person,
- d. force or require any child under sixteen (16) years of age or other individual the person believes to be a child under sixteen (16) years of age, to view any obscene materials, child sexual abuse material or materials deemed harmful to minors as such terms are defined by Sections 1024.1 and 1040.75 of this title,
- e. cause, expose, force or require a child to look upon sexual acts performed in the presence of the child, or

- f. force or require a child to touch or feel the body or private parts of the child or another person.

Any person convicted of any violation of this subsection shall be punished by imprisonment in the custody of the Department of Corrections for not less than three (3) years nor more than twenty (20) years, except when the child is under twelve (12) years of age at the time the offense is committed, and in such case the person shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years. The provisions of this subsection shall not apply unless the accused is at least three (3) years older than the victim, except when accomplished by the use of force or fear. Except as provided in Section 51.1a of this title, any person convicted of a second or subsequent violation of this subsection shall be guilty of a felony punishable as provided in this subsection and shall not be eligible for probation, suspended or deferred sentence. Except as provided in Section 51.1a of this title, any person convicted of a third or subsequent violation of this subsection shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of life or life without parole, in the discretion of the jury, or in case the jury fails or refuses to fix punishment then the same shall be pronounced by the court. Any person convicted of a violation of this subsection after having been twice convicted of a violation of subsection A of Section 1114 of this title, Section 888 of this title, sexual abuse of a child pursuant to Section 843.5 of this title, or of any attempt to commit any of these offenses or any combination of convictions pursuant to these sections shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.

B. No person shall commit sexual battery on any other person. "Sexual battery" shall mean the intentional touching, mauling or feeling of the body or private parts of any person sixteen (16) years of age or older, in a lewd and lascivious manner:

1. Without the consent of that person;

2. When committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state, or the subcontractor or

employee of a subcontractor of the contractor of the state or federal government, a county, a municipality or a political subdivision of this state;

3. When committed upon a person who is at least sixteen (16) years of age and is less than twenty (20) years of age and is a student, or in the legal custody or supervision of any public or private elementary or secondary school, or technology center school, by a person who is eighteen (18) years of age or older and is an employee of a school system;

4. When committed upon a person who is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency or a tribal court, by a foster parent or foster parent applicant; or

5. When the victim is a student at a secondary school, is concurrently enrolled at an institution of higher education, and engages in acts pursuant to this subsection with a perpetrator who is an employee of the institution of higher education of which the student is enrolled.

As used in this subsection, "employee of an institution of higher education" means faculty, adjunct faculty, instructors, volunteers, or an employee of a business contracting with an institution of higher education who may exercise, at any time, institutional authority over the victim. Employee of an institution of higher education shall not include an enrolled student who is not more than three (3) years of age or older than the concurrently enrolled student and who is employed or volunteering, in any capacity, for the institution of higher education.

As used in this subsection, "employee of a school system" means a teacher, principal or other duly appointed person employed by a school system or an employee of a firm contracting with a school system.

C. No person shall in any manner lewdly or lasciviously:

1. Look upon, touch, maul, or feel the body or private parts of any human corpse in any indecent manner relating to sexual matters or sexual interest; or

2. Urinate, defecate or ejaculate upon any human corpse.

D. Any person convicted of a violation of subsection B or C of this section shall be deemed guilty of a Class B4 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not more than ten (10) years.

E. The fact that an undercover operative or law enforcement officer was involved in the detection and investigation of an offense pursuant to this section shall not constitute a defense to a prosecution under this section.

F. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 39. AMENDATORY 21 O.S. 2021, Section 1268.3, is amended to read as follows:

Section 1268.3. A. Conspiracy to commit terrorism is a Class A3 felony offense.

B. A person convicted of conspiracy to commit terrorism shall be punished by imprisonment in the State Penitentiary for a term not exceeding life.

SECTION 40. AMENDATORY 21 O.S. 2021, Section 1327, is amended to read as follows:

Section 1327. A. The Legislature recognizes that special circumstances exist as regards college campuses and public school facilities, including the fact that a large number of people are confined to a small area, and certain acts committed in such places would have a more detrimental effect as regards the health and safety of those involved than if the same act were committed at some other place, and, in keeping with these facts, any person on the campuses or school grounds of any public state-supported institutions of higher learning or public school facilities who, by word of mouth or writings, advocates, affirmatively suggests or teaches the duty, necessity, propriety or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest or teach the duty, necessity, propriety or

expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit; or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, affirmatively suggesting, or teaching crime, criminal syndicalism, sabotage, the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting or bringing about any industrial or political ends, or change, or as a means of accomplishing, effecting or bringing about any industrial or political revolution, or for profit; or who shall openly or at all attempt to justify by word of mouth or writing the commission or the attempt to commit sabotage, any act of physical violence, the destruction of or damage to any property, the injury to any person or the commission of any crime or unlawful act, with the intent to exemplify, spread or teach or affirmatively suggest criminal syndicalism, or who organizes, or helps to organize or becomes a member of or voluntarily assembles with any society or assemblage of persons which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change or revolution, or for profit; shall be guilty of a Class C2 felony offense, and upon conviction thereof shall be punished by imprisonment ~~in the State Penitentiary for a term not less than two (2) years, nor more than ten (10) years as provided~~ for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not less than Five Thousand Dollars (\$5,000.00), nor more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. Provided, that none of the provisions of this section shall be construed to modify or affect Section 166 of Title 40 of the Oklahoma Statutes.

B. Any person on the campuses or school grounds of any public state-supported institutions of higher learning or public school facilities above the age of eighteen (18) years who advocates revolution, teaches or justifies a program of sabotage, force and violation, sedition or treason against the government of the United States or of this state, or who directly or indirectly advocates or teaches by any means the overthrow of the government of the United

States or of this state by force or any unlawful means shall be guilty of a Class A3 felony offense, and upon conviction shall be punished by imprisonment in the State Penitentiary from ten (10) years to life.

SECTION 41. AMENDATORY 21 O.S. 2021, Section 1401, is amended to read as follows:

Section 1401. A. Any person who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance, destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or structure or contents thereof, inhabited or occupied by one or more persons, whether the property of that person or another, or who willfully and maliciously sets fire to or burns, or by the use of any explosive device, accelerant, ignition device, heat-producing device or substance causes a person to be burned, or aids, counsels or procures the burning of a person shall, upon conviction, be guilty of arson in the first degree, which is a Class A3 felony offense, and shall be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by imprisonment in the custody of the Department of Corrections for not more than thirty-five (35) years, or by both such fine and imprisonment.

B. Any person who, while manufacturing, attempting to manufacture or endeavoring to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes, destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any building or contents thereof, inhabited or occupied by one or more persons whether the property of that person or another, or who while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes causes a person to be burned, or aids, counsels or procures the burning of a person shall, upon conviction, be guilty of arson in the first degree, which is a Class A3 felony offense, and shall be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) and by imprisonment in the custody of the Department of Corrections for not more than thirty-five (35) years.

SECTION 42. AMENDATORY 21 O.S. 2021, Section 1405, is amended to read as follows:

Section 1405. Any person violating any of the provisions of Sections 1401, 1402, 1403 or 1404 of this title who during such violation endangers any human life, including all emergency service personnel, shall be guilty of a Class B4 felony offense and upon conviction shall be punished by imprisonment in the State Penitentiary for not less than three (3) years nor more than ten (10) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or both. If personal injury results, the person shall be guilty of a Class A3 felony offense and shall be punished by imprisonment in the State Penitentiary for not less than seven (7) years.

SECTION 43. AMENDATORY 21 O.S. 2021, Section 521, is amended to read as follows:

Section 521. Any person who by force or fraud rescues or attempts to rescue, or aids another person in rescuing or in attempting to rescue, any prisoner from any officer or other person having him in lawful custody, is punishable as follows:

1. If such prisoner was in custody upon a charge or conviction of a felony, such person shall be guilty of a Class B1 felony offense and shall be punished by imprisonment in the State Penitentiary for not less than ten (10) years; or

2. If such prisoner was in custody otherwise than upon a charge or conviction of a felony, by imprisonment in a county jail not exceeding one (1) year, or by fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 44. AMENDATORY 21 O.S. 2021, Section 813, is amended to read as follows:

Section 813. Every person who willfully, in any manner, advises, encourages, abets, or assists another person in taking his own life, is guilty of aiding suicide, a Class B1 felony offense.

SECTION 45. AMENDATORY 21 O.S. 2021, Section 814, is amended to read as follows:

Section 814. Every person who willfully furnishes another person with any deadly weapon or poisonous drug, knowing that such person intends to use such weapon or drug in taking his own life, is guilty of aiding suicide, a Class B1 felony offense, if such person thereafter employs such instrument or drug in taking his own life.

SECTION 46. AMENDATORY 21 O.S. 2021, Section 817, is amended to read as follows:

Section 817. Any person guilty of aiding suicide shall be guilty of a Class B1 felony offense punishable by imprisonment in the State Penitentiary for not less than seven (7) years.

SECTION 47. AMENDATORY 21 O.S. 2021, Section 832, is amended to read as follows:

Section 832. A. 1. No person shall willfully mingle any poison, Schedule I through V drug pursuant to the provisions of Sections 2-203 through 2-212 of Title 63 of the Oklahoma Statutes, or sharp object, or any other object or substance which if used in a manner which is not customary or usual is harmful to human life, with any food, drink, medicine, or patent or proprietary medicine with intent that the same shall be taken, consumed, applied, or used in any manner by any human being to his injury; and

2. Unless authorized by law, no person shall willfully poison or place any Schedule I through V drug pursuant to the provisions of Sections 2-203 through 2-212 of Title 63 of the Oklahoma Statutes or any other object or substance which if used in a manner which is not customary or usual is harmful to human life in any spring, well, or reservoir of water.

B. Any person convicted of violating any of the provisions of this section shall be guilty of a Class B1 felony offense, punishable by imprisonment in the State Penitentiary for not less than five (5) years, or by a fine of not less than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 48. AMENDATORY 21 O.S. 2021, Section 888, as amended by Section 1, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024, Section 888), is amended to read as follows:

Section 888. A. Any person who forces another person to engage in the detestable and abominable crime against nature, pursuant to Section 886 of this title, upon conviction, is guilty of a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a period of not more than twenty (20) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of

post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second violation of this section, where the victim of the second offense is a person under sixteen (16) years of age, shall not be eligible for probation, suspended or deferred sentence. Any person convicted of a third or subsequent violation of this section, where the victim of the third or subsequent offense is a person under sixteen (16) years of age, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole, in the discretion of the jury, or in case the jury fails or refuses to fix punishment then the same shall be pronounced by the court. Any person convicted of a violation of this subsection after having been twice convicted of a violation of subsection A of Section 1114 of this title, a violation of Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or of any attempt to commit any of these offenses or any combination of the offenses, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.

B. The crime of forcible sodomy, a Class B1 felony offense, shall include:

1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age;

2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime;

3. Sodomy accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime;

4. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state, or the subcontractor or employee of a subcontractor of the contractor of the state or

federal government, a county, a municipality or a political subdivision of this state;

5. Sodomy committed upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by a school system;

6. Sodomy committed upon a student at a secondary school who is concurrently enrolled at an institution of higher education by an employee of the institution of higher education of which the student is enrolled;

7. Sodomy committed upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused; or

8. Sodomy committed upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit.

C. "Employee of an institution of higher education", for purposes of this section, means faculty, adjunct faculty, instructors, volunteers, or an employee of a business contracting with an institution of higher education who may exercise, at any time, institutional authority over the victim. Employee of an institution of higher education shall not include an enrolled student who is not more than three (3) years of age or older than the concurrently enrolled student and who is employed or volunteering, in any capacity, for the institution of higher education.

SECTION 49. AMENDATORY 21 O.S. 2021, Section 1021.2, as amended by Section 1, Chapter 103, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1021.2), is amended to read as follows:

Section 1021.2. A. Any person who shall procure or cause the participation of any minor under the age of eighteen (18) years in any child pornography or obscene material or who knowingly possesses, views, accesses, shares, streams, downloads, procures, sells, distributes, or manufactures, or causes to be possessed, viewed, accessed, shared, streamed, downloaded, procured, sold, distributed, or manufactured any child pornography shall, upon

conviction, be guilty of a Class B1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not more than twenty (20) years and by the imposition of a fine of not more than Twenty-five Thousand Dollars (\$25,000.00). Persons convicted under this section shall not be eligible for a deferred sentence. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

B. The consent of the minor, or of the mother, father, legal guardian, or custodian of the minor to the activity prohibited by this section shall not constitute a defense.

SECTION 50. AMENDATORY 21 O.S. 2021, Section 1021.3, as amended by Section 10, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1021.3), is amended to read as follows:

Section 1021.3. A. Any parent, guardian or individual having custody of a minor under the age of eighteen (18) years who knowingly permits or consents to the participation of a minor in any child sexual abuse material shall be guilty of a Class B1 felony offense and, upon conviction, shall be ~~imprisoned~~ punished by imprisonment in the custody of the Department of Corrections for a period of not more than twenty (20) years or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) or by both such fine and imprisonment. Persons convicted under this section shall not be eligible for a deferred sentence. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

B. The consent of the minor to the activity prohibited by this section shall not constitute a defense.

SECTION 51. AMENDATORY 21 O.S. 2021, Section 1024.2, as amended by Section 15, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1024.2), is amended to read as follows:

Section 1024.2. It shall be unlawful for any person to buy, procure or possess child sexual abuse material in violation of Sections 1024.1 through 1024.4 of this title. Such person shall, upon conviction, be guilty of a Class B1 felony offense and shall be ~~imprisoned~~ punished by imprisonment for a period of not more than twenty (20) years or a fine up to, but not exceeding, Twenty-five Thousand Dollars (\$25,000.00) or by both such fine and imprisonment.

SECTION 52. AMENDATORY 21 O.S. 2021, Section 1029, as last amended by Section 3, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1029), is amended to read as follows:

Section 1029. A. It shall further be unlawful:

1. To engage in prostitution, lewdness, or assignation;

2. To solicit, induce, or entice another person to pay or provide money or any other item or service of value to engage in an act of lewdness, assignation, or prostitution, with himself or herself;

3. To reside in, enter, or remain in any house, place, building, or other structure, or to enter or remain in any vehicle, trailer, or other conveyance with the intent of committing an act of prostitution, lewdness, or assignation;

4. To knowingly offer money or any other item or service of value, or agree to provide or pay money or any other item or service of value to, or on behalf of, another person, for the purpose of engaging in sexual conduct, as defined in subsection B of Section 1024.1 of this title, with that person or another; or

5. To aid, abet, or participate in the doing of any of the acts prohibited in paragraph 1, 2, 3, or 4 of this subsection.

B. Any prohibited act described in paragraph 1, 2, 3, 4, or 5 of subsection A of this section is a Class B4 felony offense. Any prohibited act described in paragraph 1, 2, 3, 4, or 5 of subsection A of this section committed with a person under eighteen (18) years of age is a Class B1 felony offense and shall be deemed child sex

trafficking, as defined in Section 1030 of this title, and shall be punishable as provided in Section 1031 of this title.

C. No child who is a victim of human trafficking shall be subject to juvenile delinquency or criminal proceedings for the offenses described in subsection A of this section which occurred as a result of the child being a victim of human trafficking.

SECTION 53. AMENDATORY 21 O.S. 2021, Section 1087, as amended by Section 6, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1087), is amended to read as follows:

Section 1087. A. No person shall:

1. Offer, or offer to secure, a child under eighteen (18) years of age for the purpose of child sex trafficking, or for any other lewd or indecent act, or procure or offer to procure a child for, or a place for a child as an inmate in, a house of prostitution or other place where prostitution is practiced;

2. Receive or to offer or agree to receive any child under eighteen (18) years of age into any house, place, building, other structure, vehicle, trailer, or other conveyance for the purpose of child sex trafficking, lewdness, or assignation, or to permit any person to remain there for such purpose; or

3. Direct, take, or transport, or to offer or agree to take or transport, or aid or assist in transporting, any child under eighteen (18) years of age to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the purpose of such directing, taking, or transporting is child sex trafficking, lewdness, or assignation.

B. 1. Any person violating the provisions of paragraph 1 of subsection A of this section shall, upon conviction, be guilty of a Class B4 felony offense punishable by imprisonment of not less than one (1) year nor more than ten (10) years. Any person violating the provisions of paragraph 2 or 3 of subsection A of this section shall, upon conviction, be guilty of a Class B1 felony offense punishable by imprisonment of not less than one (1) year nor more than ten (10) years.

2. Any owner, proprietor, keeper, manager, conductor, or other person who knowingly permits any violation of this section in any

house, building, room, or other premises or any conveyances under his or her control or of which he or she has possession shall, upon conviction for the first offense, be guilty of a misdemeanor and punishable by imprisonment in the county jail for a period of not less than six (6) months nor more than one (1) year, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00). Upon conviction for a subsequent offense pursuant to this subsection, such person shall be guilty of a Class B1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a period of not less than one (1) year nor more than ten (10) years, or by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

C. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 54. AMENDATORY 21 O.S. 2021, Section 1088, as amended by Section 7, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1088), is amended to read as follows:

Section 1088. A. No person shall:

1. By promise, threats, violence, or by any device or scheme, including but not limited to the use of any controlled dangerous substance prohibited pursuant to the provisions of the Uniform Controlled Dangerous Substances Act, cause, induce, persuade, or encourage a child under eighteen (18) years of age to engage or continue to engage in child sex trafficking or to become or remain an inmate of a house of prostitution or other place where prostitution is practiced;

2. Keep, hold, detain, restrain, or compel against his or her will any child under eighteen (18) years of age to engage in the practice of child sex trafficking or in a house of prostitution or other place where child sex trafficking is practiced or allowed; or

3. Directly or indirectly keep, hold, detain, restrain, or compel or attempt to keep, hold, detain, restrain, or compel a child under eighteen (18) years of age to engage in the practice of child sex trafficking or in a house of prostitution or any place where prostitution is practiced or allowed for the purpose of compelling such child to directly or indirectly pay, liquidate, or cancel any debt, dues, or obligations incurred, or said to have been incurred, by such child.

B. 1. Any person violating the provisions of this section other than paragraph 2 of this subsection, upon conviction, shall be guilty of a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than twenty-five (25) years, and by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00).

2. Any owner, proprietor, keeper, manager, conductor, or other person who knowingly permits a violation of this section in any house, building, room, tent, lot or premises under his or her control or of which he or she has possession, upon conviction for the first offense, shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a period of not less than six (6) months nor more than one (1) year, and by a fine of not more than Five Thousand Dollars (\$5,000.00). Upon conviction for a subsequent offense pursuant to the provisions of this paragraph, such person shall be guilty of a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a period of not less than one (1) year nor more than ten (10) years, and by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00).

C. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 55. AMENDATORY 21 O.S. 2021, Section 1266, is amended to read as follows:

Section 1266. Any person above the age of eighteen (18) years who advocates revolution, teaches or justifies a program of sabotage, force and violation, sedition or treason against the government of the United States or of this state, or who directly or indirectly advocates or teaches by any means the overthrow of the government of the United States or of this state by force or any unlawful means shall be guilty of a Class B1 felony offense, and upon conviction shall be punished by imprisonment in the State Penitentiary from five (5) years to life.

SECTION 56. AMENDATORY 21 O.S. 2021, Section 1266.4, is amended to read as follows:

Section 1266.4. A. It shall be unlawful for any person knowingly or willfully to:

~~(1)~~ 1. Commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Oklahoma, or of any political subdivision of either of them, by force or violence; or

~~(2)~~ 2. Advocate, abet, advise, or teach by any means any person to commit, attempt to commit, or aid in the commission of any such act, under such circumstances as to constitute a clear and present danger to the security of the United States, or of the State of Oklahoma, or of any political subdivision of either of them; or

~~(3)~~ 3. Conspire with one or more persons to commit any of the above acts; or

~~(4)~~ 4. Assist in the formation of, or participate in the management of, or contribute to the support of, or become or remain a member of, or destroy any books or records or files of, or secrete any funds in this state of the Communist Party of the United States or any component or related part or organization thereof, or any organization which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Oklahoma, or of any political subdivision of either of them, by force or violence, knowing the nature of such organization.

B. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class B1 felony offense.

SECTION 57. AMENDATORY 21 O.S. 2021, Section 1266.5, is amended to read as follows:

Section 1266.5. Any person who shall violate any of the provisions of Section 1266.4 of this title shall be guilty of a Class B1 felony offense, and upon conviction thereof shall be fined not more than Twenty Thousand Dollars (\$20,000.00), or imprisoned not less than one (1) year nor more than twenty (20) years in the State Penitentiary, or may be both so fined and imprisoned. No person convicted of any violation of this act shall ever be entitled to suspension or probation of sentence by the trial court.

SECTION 58. AMENDATORY 21 O.S. 2021, Section 1268.5, is amended to read as follows:

Section 1268.5. A. Every person who, without justifiable or excusable cause, willfully commits biochemical assault against another person shall be punished as provided in this section.

B. Every act of biochemical assault is a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment when the person knows the substance or material used to commit biochemical assault is not toxic, noxious, or lethal to humans. In addition to any term of imprisonment imposed for biochemical assault, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act.

C. Every act of biochemical assault is a Class B1 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than ten (10) years when the person knows the substance or material used to commit biochemical assault is toxic, noxious, or lethal to humans. In addition to any term of imprisonment imposed for biochemical assault, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act.

SECTION 59. AMENDATORY 21 O.S. 2021, Section 1287, is amended to read as follows:

Section 1287.

USE OF FIREARM WHILE COMMITTING A FELONY

A. Any person who, while committing or attempting to commit a felony, possesses a pistol, shotgun or rifle or any other offensive weapon in such commission or attempt, whether the pistol, shotgun or rifle is loaded or not, or who possesses a blank or imitation pistol, altered air or toy pistol, shotgun or rifle capable of raising in the mind of one threatened with such device a fear that it is a real pistol, shotgun or rifle, or who possesses an air gun or carbon dioxide or other gas-filled weapon, electronic dart gun, conductive energy weapon, knife, dagger, dirk, switchblade knife, blackjack, ax, loaded cane, billy, hand chain or metal knuckles, in addition to the penalty provided by statute for the felony committed or attempted shall, upon conviction, be guilty of a Class B4 felony offense for possessing such weapon or device, which shall be a separate offense from the felony committed or attempted and shall be punishable by imprisonment in the custody of the Department of Corrections for a period of not less than two (2) years nor for more than ten (10) years for the first offense, and guilty of a Class B1 felony offense punishable for a period of not less than ten (10) years nor more than thirty (30) years for any second or subsequent offense.

B. Any person convicted of violating the provisions of this section after having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act shall have the license revoked and shall be liable for an administrative fine of One Thousand Dollars (\$1,000.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

C. As used in this section:

1. "Altered toy pistol" shall mean any toy weapon which has been altered from its original manufactured state to resemble a real weapon; and

2. "Altered air pistol" shall mean any air pistol manufactured to propel projectiles by air pressure which has been altered from its original manufactured state.

SECTION 60. AMENDATORY 21 O.S. 2021, Section 1289.17A, is amended to read as follows:

Section 1289.17A.

FELONY DISCHARGING FIREARMS

It shall be unlawful for any person to willfully or intentionally discharge any firearm or other deadly weapon at or into any dwelling, or at or into any building used for public or business purposes. Any violation of the provisions of this section shall be a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than two (2) years nor more than twenty (20) years. The provisions of this section shall not apply to any law enforcement officer in the performance of any lawful duty.

SECTION 61. AMENDATORY 21 O.S. 2021, Section 1431, is amended to read as follows:

Section 1431. Every person who breaks into and enters the dwelling house of another, in which there is at the time some human being, with intent to commit some crime therein, either:

1. By forcibly bursting or breaking the wall, or an outer door, window, or shutter of a window of such house or the lock or bolts of such door, or the fastening of such window or shutter; or

2. By breaking in any other manner, being armed with a dangerous weapon or being assisted or aided by one or more confederates then actually present; or

3. By unlocking an outer door by means of false keys or by picking the lock thereof, or by lifting a latch or opening a window, is guilty of burglary in the first degree, a Class B1 felony offense.

SECTION 62. AMENDATORY 21 O.S. 2021, Section 1903, is amended to read as follows:

Section 1903. A. No person shall by force or violence, or threat of force or violence, seize or exercise control of any bus. Any person violating this subsection shall be guilty of a Class B1 felony offense and shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not more than twenty (20) years, or by a fine of not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.

B. In addition, no person shall intimidate, threaten, assault or batter any driver, attendant, guard or passenger of any bus with intent to violate subsection A of this section. Any person violating this subsection shall be guilty of a Class B4 felony offense and shall, upon conviction, be punished by imprisonment in the custody of the Department for not more than ten (10) years, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. In addition, any person violating subsection A or B of this section using a dangerous or deadly weapon shall be guilty of a Class B1 felony offense, and shall, upon conviction, be punished by imprisonment in the custody of the Department for not more than twenty (20) years, or by a fine of not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.

D. It shall be unlawful for any person to discharge any firearm into or within any bus, terminal or other transportation facility, unless such action is determined to have been in defensive force resulting from reasonable fear of imminent peril of death or great bodily harm to himself or herself or another. Such person shall, upon conviction, be guilty of a Class B4 felony offense punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment for not more than five (5) years, or both.

SECTION 63. AMENDATORY 21 O.S. 2021, Section 2001, is amended to read as follows:

Section 2001. A. It is unlawful for any person knowingly or intentionally to receive or acquire proceeds and to conceal such proceeds, or engage in transactions involving such proceeds, known to be derived from a specified unlawful activity, as defined in subsection F of this section. This subsection does not apply to any transaction between an individual and the counsel of the individual necessary to preserve the right to representation of the individual, as guaranteed by the Oklahoma Constitution and by the Sixth

Amendment of the United States Constitution. However, this exception does not create any presumption against or prohibition of the right of the state to seek and obtain forfeiture of any proceeds derived from a violation of the Oklahoma Statutes.

B. It is unlawful for any person knowingly or intentionally to give, sell, transfer, trade, invest, conceal, transport, or maintain an interest in or otherwise make available anything of value which that person knows is intended to be used for the purpose of committing or furthering the commission of a specified unlawful activity, as defined in subsection F of this section.

C. It is unlawful for any person knowingly or intentionally to direct, plan, organize, initiate, finance, manage, supervise, or facilitate the transportation or transfer of proceeds known to be derived from a specified unlawful activity, as defined in subsection F of this section.

D. It is unlawful for any person knowingly or intentionally to conduct a financial transaction involving proceeds derived from a specified unlawful activity, as defined in subsection F of this section, when the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds known to be derived from a violation of the Oklahoma Statutes, or to avoid a transaction reporting requirement under state or federal law.

E. Notwithstanding any other provision of this section, it shall be lawful for an organization engaged in the business of banking to receive deposits and payments, to pay checks and other withdrawals, and to process any other financial transaction for its customers in the ordinary course of business if it has no actual knowledge of any violation of the Oklahoma Statutes by that customer. If an organization engaged in the business of banking, acting in good faith and without actual knowledge of any violation of the Oklahoma Statutes by its customer, acquires a security interest or statutory lien with respect to a customer's funds, that customer's funds which are subject to the security interest or lien shall not be subject to forfeiture action, to the extent of the amount of that customer's indebtedness to the banking organization.

F. For purposes of this section, "specified unlawful activity" means an act or omission, including any initiatory, preparatory, or completed offense or omission that is punishable as a misdemeanor or felony under the laws of Oklahoma, or if the act occurred outside

Oklahoma would be punishable as a misdemeanor or felony under the laws of the state in which it occurred and under the laws of Oklahoma.

G. Any person convicted of violating any of the provisions of this section is guilty of:

1. A misdemeanor, if the violation involves Two Thousand Five Hundred Dollars (\$2,500.00) or less;

2. A Class D3 felony offense, punishable by imprisonment ~~for not more than two (2) years as provided for in subsections B through F of Section 20P of this title~~ if the violation involves more than Two Thousand Five Hundred Dollars (\$2,500.00), but not more than Ten Thousand Dollars (\$10,000.00);

3. A Class C1 felony offense, punishable by imprisonment ~~for not less than two (2) years and not more than ten (10) years as provided for in subsections B through E of Section 20L of this title~~ if the violation involves more than Ten Thousand Dollars (\$10,000.00), but not more than Fifty Thousand Dollars (\$50,000.00); or

4. A Class B1 felony offense, punishable by imprisonment for not less than five (5) years and not more than twenty (20) years if the violation involves more than Fifty Thousand Dollars (\$50,000.00).

H. In addition to any criminal penalty, a person who violates any provision of this section shall be subject to a civil penalty of three (3) times the value of the property involved in the transaction. The civil penalty provided in this subsection shall be split evenly between the prosecuting agency and the investigating law enforcement agency.

SECTION 64. AMENDATORY 22 O.S. 2021, Section 1404, is amended to read as follows:

Section 1404. A. Any person convicted of violating any provision of Section 1403 of this title shall be guilty of a Class B1 felony offense and shall be punished by a term of imprisonment in the custody of the Department of Corrections of not less than ten (10) years and shall not be eligible for a deferred sentence, probation, suspension, work furlough, or release from confinement on any other basis until the person has served one-half (1/2) of the

sentence. A violation of each of the provisions of Section 1403 of this title shall be a separate offense.

B. In lieu of the fine authorized by the Oklahoma Racketeer-Influenced and Corrupt Organizations Act, any person convicted of violating any provision of Section 1403 of this title, through which the person derived pecuniary value, or by which the person caused personal injury, or property damage or other loss, may be sentenced to pay a fine that does not exceed three times the gross value gained or three times the gross loss caused, whichever is greater, plus court costs and the costs of investigation and prosecution reasonably incurred, less the value of any property ordered forfeited pursuant to the provisions of subsection A of Section 1405 of this title. The district court shall hold a separate hearing to determine the amount of the fine authorized by the provisions of this subsection.

C. No person shall institute any proceedings, civil or criminal, pursuant to the provisions of this act, except the Attorney General, any district attorney or any district attorney appointed under the provisions of Section 215.9 of Title 19 of the Oklahoma Statutes.

SECTION 65. AMENDATORY 47 O.S. 2021, Section 11-904, is amended to read as follows:

Section 11-904. A. Any person who is involved in a personal injury accident while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of Section 11-902 of this title may be charged with a violation of the provisions of this subsection as follows:

1. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a misdemeanor for the first offense and shall be punished by imprisonment in the county jail for not less than ninety (90) days nor more than one (1) year, and a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00); and

2. Any person who is convicted of a violation of the provisions of this subsection after having been previously convicted of a violation of this subsection or of Section 11-902 of this title shall be deemed guilty of a Class B5 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than one (1) year and not more than five

(5) years, and a fine of not more than Five Thousand Dollars (\$5,000.00).

B. 1. Any person who causes an accident resulting in great bodily injury to any person other than himself while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of Section 11-902 of this title may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for not less than four (4) years and not more than twenty (20) years, and a fine of not more than Five Thousand Dollars (\$5,000.00).

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

SECTION 66. AMENDATORY 63 O.S. 2021, Section 2-415, is amended to read as follows:

Section 2-415. A. The provisions of the Trafficking in Illegal Drugs Act shall apply to persons convicted of violations with respect to the following substances:

1. Marijuana;
2. Cocaine or coca leaves;
3. Heroin;
4. Amphetamine or methamphetamine;
5. Lysergic acid diethylamide (LSD);
6. Phencyclidine (PCP);
7. Cocaine base, commonly known as "crack" or "rock";
8. 3,4-Methylenedioxy methamphetamine, commonly known as "ecstasy" or MDMA;
9. Morphine;

10. Oxycodone;
11. Hydrocodone;
12. Benzodiazepine; or
13. Fentanyl and its analogs and derivatives.

B. Except as otherwise authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful for any person to:

1. Knowingly distribute, manufacture, bring into this state or possess a controlled substance specified in subsection A of this section in the quantities specified in subsection C of this section;
2. Possess any controlled substance with the intent to manufacture a controlled substance specified in subsection A of this section in quantities specified in subsection C of this section; or
3. Use or solicit the use of services of a person less than eighteen (18) years of age to distribute or manufacture a controlled dangerous substance specified in subsection A of this section in quantities specified in subsection C of this section.

Violation of this section shall be known as "trafficking in illegal drugs". Separate types of controlled substances described in subsection A of this section when possessed at the same time in violation of any provision of this section shall constitute a separate offense for each substance.

Any person who commits the conduct described in paragraph 1, 2 or 3 of this subsection and represents the quantity of the controlled substance to be an amount described in subsection C of this section shall be punished under the provisions appropriate for the amount of controlled substance represented, regardless of the actual amount.

C. In the case of a violation of the provisions of subsection B of this section, involving:

1. Marijuana:
 - a. twenty-five (25) pounds or more of a mixture or substance containing a detectable amount of marijuana

shall be a Class B3 felony offense punishable by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00), or

- b. one thousand (1,000) pounds or more of a mixture or substance containing a detectable amount of marijuana shall be deemed aggravated trafficking, a Class B2 felony offense, punishable by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

2. Cocaine, coca leaves or cocaine base:

- a. twenty-eight (28) grams or more of a mixture or substance containing a detectable amount of cocaine, coca leaves or cocaine base shall be a Class B3 felony offense punishable by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00),
- b. three hundred (300) grams or more of a mixture or substance containing a detectable amount of cocaine, coca leaves or cocaine base shall be a Class B3 felony offense punishable by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00), or
- c. four hundred fifty (450) grams or more of a mixture or substance containing a detectable amount of cocaine, coca leaves or cocaine base shall be deemed aggravated trafficking, a Class B2 felony offense, punishable by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

3. Heroin:

- a. ten (10) grams or more of a mixture or substance containing a detectable amount of heroin shall be a Class B3 felony offense punishable by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or

- b. twenty-eight (28) grams or more of a mixture or substance containing a detectable amount of heroin shall be deemed aggravated trafficking, a Class B2 felony offense, punishable by a fine of not less than Fifty Thousand Dollars (\$50,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

4. Amphetamine or methamphetamine:

- a. twenty (20) grams or more of a mixture or substance containing a detectable amount of amphetamine or methamphetamine shall be a Class B3 felony offense punishable by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than Two Hundred Thousand Dollars (\$200,000.00),
- b. two hundred (200) grams or more of a mixture or substance containing a detectable amount of amphetamine or methamphetamine shall be a Class B3 felony offense punishable by a fine of not less than Fifty Thousand Dollars (\$50,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00), or
- c. four hundred fifty (450) grams or more of a mixture or substance containing a detectable amount of amphetamine or methamphetamine shall be deemed aggravated trafficking, a Class B2 felony offense, punishable by a fine of not less than Fifty Thousand Dollars (\$50,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

5. Lysergic acid diethylamide (LSD):

- a. one (1) gram or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD) shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than Fifty Thousand Dollars (\$50,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00), or
- b. ten (10) grams or more of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD) shall be aggravated trafficking, a

Class B2 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections of not less than two (2) years nor more than life and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Two Hundred Fifty Thousand Dollars (\$250,000.00);

6. Phencyclidine (PCP):

- a. twenty (20) grams or more of a substance containing a mixture or substance containing a detectable amount of phencyclidine (PCP) shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than Twenty Thousand Dollars (\$20,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or
- b. one hundred fifty (150) grams or more of a substance containing a mixture or substance containing a detectable amount of phencyclidine (PCP) shall be aggravated trafficking, a Class B2 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections of not less than two (2) years nor more than life and by a fine of not less than Fifty Thousand Dollars (\$50,000.00) and not more than Two Hundred Fifty Thousand Dollars (\$250,000.00);

7. Methylenedioxy methamphetamine:

- a. thirty (30) tablets or ten (10) grams of a mixture or substance containing a detectable amount of 3,4-Methylenedioxy methamphetamine shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00), or
- b. one hundred (100) tablets or thirty (30) grams of a mixture or substance containing a detectable amount of 3,4-Methylenedioxy methamphetamine shall be deemed aggravated trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of

the Department of Corrections of not less than two (2) years nor more than life and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

8. Morphine: One thousand (1,000) grams or more of a mixture containing a detectable amount of morphine shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

9. Oxycodone: Four hundred (400) grams or more of a mixture containing a detectable amount of oxycodone shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

10. Hydrocodone: Three thousand seven hundred fifty (3,750) grams or more of a mixture containing a detectable amount of hydrocodone shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

11. Benzodiazepine: Five hundred (500) grams or more of a mixture containing a detectable amount of benzodiazepine shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00); and

12. Fentanyl and its analogs and derivatives:

- a. one (1) gram or more of a mixture containing fentanyl or carfentanil, or any fentanyl analogs or derivatives, shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One

Hundred Thousand Dollars (\$100,000.00) and not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or

- b. five (5) grams or more of a mixture containing fentanyl or carfentanil, or any fentanyl analogs or derivatives, shall be aggravated trafficking, a Class B1 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections of not less than two (2) years nor more than life and by a fine of not less than Two Hundred Fifty Thousand Dollars (\$250,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00).

D. Any person who violates the provisions of this section with respect to marijuana, cocaine, coca leaves, cocaine base, heroin, amphetamine or methamphetamine in a quantity specified in paragraphs 1, 2, 3 and 4 of subsection C of this section shall, in addition to any fines specified by this section, be punishable by a term of imprisonment as follows:

1. For trafficking, a first violation of this section, a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years;

2. For trafficking, a second violation of this section, a term of imprisonment in the Department of Corrections of not less than four (4) years nor more than life, for which the person shall serve fifty percent (50%) of the sentence before being eligible for parole consideration;

3. For trafficking, a third or subsequent violation of this section, a term of imprisonment in the custody of the Department of Corrections of not less than twenty (20) years nor more than life, of which the person shall serve fifty percent (50%) of the sentence before being eligible for parole consideration.

Persons convicted of trafficking shall not be eligible for earned credits or any other type of credits which have the effect of reducing the length of sentence to less than fifty percent (50%) of the sentence imposed; and

If the person is convicted of aggravated trafficking, the person shall serve eighty-five percent (85%) of such sentence before being eligible for parole consideration.

E. The penalties specified in subsections C and D of this section are subject to the enhancements enumerated in subsections E and F of Section 2-401 of this title.

F. Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this title and the assessment pursuant to Section 2-503.2 of this title.

SECTION 67. AMENDATORY 21 O.S. 2021, Section 446, is amended to read as follows:

Section 446. A. It shall be unlawful for any person to transport, move, or attempt to transport in the State of Oklahoma any alien knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of law, in furtherance of the illegal presence of the alien in the United States.

B. It shall be unlawful for any person to conceal, harbor, or shelter from detection any alien in any place within the State of Oklahoma, including any building or means of transportation, knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of law.

C. It shall be unlawful for any person to intentionally destroy, hide, alter, abscond with or keep documentation, including birth certificates, visas, passports, green cards or other documents utilized in the regular course of business to either verify or legally extend an individual's legal status within the United States for the purpose of trafficking a person in violation of Section 748 of this title.

D. Nothing in this section shall be construed so as to prohibit or restrict the provision of any state or local public benefit described in 8 U.S.C., Section 1621(b), or regulated public health services provided by a private charity using private funds.

E. Any person violating the provisions of subsections A, B or C of this section shall, upon conviction, be guilty of a Class B2 felony offense punishable by imprisonment in the custody of the Department of Corrections for not less than one (1) year, or by a

fine of not less than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 68. AMENDATORY 21 O.S. 2021, Section 532, is amended to read as follows:

Section 532. Any sheriff, coroner, clerk of a court, constable or other ministerial officer and any deputy or subordinate of any ministerial officer, who either:

1. Willfully or carelessly allows any person lawfully held by him in custody to escape or go at large, except as may be permitted by law; or

2. Receives any gratuity or reward, or any security or promise of one, to procure, assist, connive at or permit any prisoner in his custody to escape, whether such escape is attempted or not; or

3. Commits any unlawful act tending to hinder justice,

shall be guilty of a Class B2 felony offense.

SECTION 69. AMENDATORY 21 O.S. 2021, Section 741, is amended to read as follows:

Section 741. Any person who, without lawful authority, seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away another, with intent, either:

1. To cause such other person to be confined or imprisoned in this state against the will of the other person; or

2. To cause such other person to be sent out of this state against the will of the other person; or

3. To cause such person to be sold as a slave, or in any way held to service against the will of such person,

shall be guilty of a Class B2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding twenty (20) years. Upon any trial for a violation of this section, the consent thereto of the person kidnapped or confined, shall not be a defense, unless it appears

satisfactorily to the jury, that such person was above the age of twelve (12) years, and that such consent was not extorted by threat, or by duress.

Except for persons sentenced to life or life without parole, on and after the effective date of this act, any person sentenced to imprisonment for a violation of this section and the offense involved sexual abuse or sexual exploitation, shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 70. AMENDATORY 21 O.S. 2021, Section 856.1, is amended to read as follows:

Section 856.1. Every person who shall knowingly, intentionally or willfully cause, aid, abet or encourage a minor child to:

1. Distribute, dispense, possess or manufacture a controlled dangerous substance, as provided in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes;

2. Create, distribute, or possess a counterfeit controlled dangerous substance, as defined by Section 2-101 of Title 63 of the Oklahoma Statutes;

3. Distribute any imitation controlled substance as defined by Section 2-101 of Title 63 of the Oklahoma Statutes;

4. Conspire or participate in any scheme, plan or act for the purposes of avoiding, eluding or evading arrest or detection by law enforcement authorities for crimes involving controlled substances as defined by Section 2-101 of Title 63 of the Oklahoma Statutes; or

5. Violate any penal provisions of the Uniform Controlled Dangerous Substances Act,

shall be guilty of a Class B2 felony offense punishable by imprisonment in the State Penitentiary for a term not more than twenty (20) years and a fine of not more than Two Hundred Thousand Dollars (\$200,000.00). Said sentence shall not be subject to

statutory provisions for suspended sentences, or deferred sentences except when the conviction is for a first offense.

SECTION 71. AMENDATORY 21 O.S. 2021, Section 866, is amended to read as follows:

Section 866. A. 1. The crime of trafficking in children is defined to consist of any of the following acts or any part thereof:

- a. the acceptance, solicitation, offer, payment or transfer of any compensation, in money, property or other thing of value, at any time, by any person in connection with the acquisition or transfer of the legal or physical custody or adoption of a minor child, except as ordered by the court or except as otherwise provided by Section 7505-3.2 of Title 10 of the Oklahoma Statutes,
- b. the acceptance or solicitation of any compensation, in money, property or other thing of value, by any person or organization for services performed, rendered or purported to be performed to facilitate or assist in the adoption or foster care placement of a minor child, except by the Department of Human Services, a child-placing agency licensed in Oklahoma pursuant to the Oklahoma Child Care Facilities Licensing Act, or an attorney authorized to practice law in Oklahoma. The provisions of this paragraph shall not prohibit an attorney licensed to practice law in another state or an out-of-state licensed child-placing agency from receiving compensation when working with an attorney licensed in this state who is, or when working with a child-placing agency licensed in this state which is, providing adoption services or other services necessary for placing a child in an adoptive arrangement,
- c. bringing or causing to be brought into this state or sending or causing to be sent outside this state any child for the purpose of placing such child in a foster home or for the adoption thereof and thereafter refusing to comply upon request with the Interstate Compact on the Placement of Children. Provided, however, that this provision shall have no application to the parent or guardian of the child nor to a person

bringing said child into this state for the purpose of adopting the child into such person's own family,

- d. the solicitation or receipt of any money or any other thing of value for expenses related to the placement of a child for the purpose of an adoption by the birth parent of the child who at the time of the solicitation or receipt had no intent to consent to eventual adoption,
- e. the solicitation or receipt of any money or any other thing of value for expenses related to the placement of a child for adoption by a woman who knows she is not pregnant but who holds herself out to be pregnant and offers to place a child upon birth for adoption,
- f.
 - (1) the receipt of any money or any other thing of value for expenses related to the placement of a child for adoption by a birth parent, child-placing agency or attorney who receives, from one or more parties, any money or any other thing of value without disclosing to each prospective adoptive parent, child-placing agency, and attorney the receipt of any money or any other thing of value immediately upon receipt,
 - (2) the solicitation or receipt of any money or any other thing of value by a birth parent, an attorney or child-placing agency for expenses related to the placement of a child for the purpose of adoption from more than one prospective adoptive family for the adoption of one child. A birth parent, child-placing agency or attorney shall not represent that a child is, or will be, available for adoption to more than one prospective adoptive family at one time,
- g. advertising of services for compensation to assist with or effect the placement of a child for adoption or for care in a foster home by any person or organization except by the Department of Human Services, or a child-placing agency licensed in this state. Nothing in this paragraph shall prohibit an attorney authorized to practice law in Oklahoma from

the advertisement of legal services related to the adoption of children, and

- h. advertisements for and solicitation of a woman who is pregnant to induce her to place her child upon birth for adoption, except by a child-placing agency licensed in this state or an attorney authorized to practice law in Oklahoma. Nothing in this section shall prohibit a person from advertising to solicit a pregnant woman to consider adoptive placement with the person or to locate a child for an adoptive placement into the person's own home, provided that such person has received a favorable preplacement home study recommendation in accordance with Section 7505-5.1 of Title 10 of the Oklahoma Statutes, which shall be verified by the signed written statement of the person or agency which performed the home study, and provided that no money or other thing of value is offered as part of such an inducement except as ordered by the court or except as otherwise provided by Section 7505-3.2 of Title 10 of the Oklahoma Statutes.

- 2. a. Except as otherwise provided by this section, the violation of any of the subparagraphs in paragraph 1 of this subsection shall constitute a Class B2 felony offense and shall be punishable by imprisonment of up to ten (10) years or a fine of up to Ten Thousand Dollars (\$10,000.00) per violation or both such fine and imprisonment.
- b. Prospective adoptive parents who violate subparagraph a of paragraph 1 of this subsection, upon conviction thereof, shall be guilty of a misdemeanor and may be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00) per violation.

B. 1. No person shall knowingly publish for circulation within the borders of the State of Oklahoma an advertisement of any kind in any print, broadcast or electronic medium, including, but not limited to, newspapers, magazines, telephone directories, handbills, radio or television, which violates subparagraph g or h of paragraph 1 of subsection A of this section.

2. Any person violating the provisions of this subsection shall, upon conviction thereof, be guilty of a misdemeanor and shall

be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00) per violation.

C. The payment or acceptance of costs and expenses listed in Section 7505-3.2 of Title 10 of the Oklahoma Statutes shall not be a violation of this section as long as the petitioner or birth parent has complied with the applicable procedure specified in Section 7505-3.2 of Title 10 of the Oklahoma Statutes and such costs and expenses are approved by the court.

D. Any person knowingly failing to file an affidavit of all adoption costs and expenses before the final decree of adoption as required by Sections 7505-3.2 and 7505-6.2 of Title 10 of the Oklahoma Statutes shall be guilty of a misdemeanor.

SECTION 72. AMENDATORY 21 O.S. 2021, Section 1040.8, as amended by Section 18, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.8), is amended to read as follows:

Section 1040.8. A. No person shall knowingly photograph, act in, pose for, model for, print, sell, offer for sale, give away, exhibit, publish, offer to publish, or otherwise distribute, display, or exhibit any book, magazine, story, pamphlet, paper, writing, card, advertisement, circular, print, picture, photograph, motion picture film, electronic video game or recording, image, cast, slide, figure, instrument, statue, drawing, presentation, or other article which is obscene material or child sexual abuse material, as defined in Section 1024.1 of this title. In the case of any unsolicited mailing of any of the material listed in this section, the offense is deemed complete from the time such material is deposited in any post office or delivered to any person with intent that it shall be forwarded. Also, unless preempted by federal law, no unsolicited mail which is harmful to minors pursuant to Section 1040.75 of this title shall be mailed to any person. The party mailing the materials specified in this section may be indicted and tried in any county wherein such material is deposited or delivered, or in which it is received by the person to whom it is addressed.

B. Any person who violates any provision of this section involving obscene materials, upon conviction, shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not more than one (1) year, or by a fine of not less than Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

C. Any person who violates any provision of this section involving child sexual abuse material, upon conviction, shall be guilty of a Class B2 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for not less than three (3) years and not more than twenty (20) years, or by a fine of not less than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. Any person convicted of a second or subsequent violation shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not less than ten (10) years and not more than thirty (30) years, or by a fine of not less than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment. The violator, upon conviction, shall be required to register as a sex offender under the Sex Offenders Registration Act.

SECTION 73. AMENDATORY 21 O.S. 2021, Section 1081, is amended to read as follows:

Section 1081. Any person who shall procure any other person for prostitution, or who, by promise, threats, violence or by any device or scheme shall cause, induce, persuade or encourage another person to become a prostitute; or shall procure a place as inmate in a house of prostitution for another person; or who shall, by promise, threats, violence, or by any device or scheme cause, induce, persuade or encourage an inmate of a house of prostitution to remain therein as such inmate; or who shall, by fraud, or artifice, or by duress of person or goods, or by abuse of any position of confidence or authority procure any other person to become a prostitute, or to enter any place in which prostitution is encouraged or allowed within this state, or to come into this state or leave this state for the purpose of prostitution, or who shall procure any other person, who has not previously practiced prostitution to become a prostitute within this state, or to come into this state or leave this state for the purpose of prostitution; or shall receive or give or agree to receive or give any money or thing of value for procuring or attempting to procure any other person to become an inmate of a house of prostitution within this state, or to come into this state or leave this state for the purpose of prostitution, shall be guilty of pandering, and upon conviction for any offense under this article shall be guilty of a Class B2 felony offense and shall be punished by imprisonment in the State Penitentiary for a period of not less than two (2) years nor more than twenty (20) years and by fines as follows: a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Three Thousand Dollars (\$3,000.00) upon the first conviction for such offense, a fine of

not less than Three Thousand Dollars (\$3,000.00) and not more than Six Thousand Dollars (\$6,000.00) upon the second conviction, and a fine of not less than Six Thousand Dollars (\$6,000.00) and not more than Nine Thousand Dollars (\$9,000.00) for the third or subsequent convictions for such offense.

SECTION 74. AMENDATORY 21 O.S. 2021, Section 1085, is amended to read as follows:

Section 1085. Whoever shall by any means keep, hold, detain, or restrain against her will, any female person in a house of prostitution or other place where prostitution is practiced or allowed; or whoever shall, directly or indirectly keep, hold, detain or restrain or attempt to keep, hold, detain or restrain, in any house of prostitution or other place where prostitution is practiced or allowed, any female person by any means for the purpose of compelling such female person, directly or indirectly to pay, liquidate or cancel any debt, dues or obligations incurred or said to have been incurred by such female person, shall upon conviction be guilty of a Class B2 felony offense and shall be punished by imprisonment in the State Penitentiary for a period of not less than two (2) years nor more than twenty (20) years, and by a fine of not less than Three Hundred Dollars (\$300.00) and not more than One Thousand Dollars (\$1,000.00).

SECTION 75. AMENDATORY 21 O.S. 2021, Section 1116, is amended to read as follows:

Section 1116. Rape in the second degree is a Class B2 felony offense punishable by imprisonment in the State Penitentiary not less than one (1) year nor more than fifteen (15) years.

SECTION 76. AMENDATORY 21 O.S. 2021, Section 1402, is amended to read as follows:

Section 1402. Any person who willfully and maliciously sets fire to or burns or by the use of any explosive device or substance or while manufacturing or attempting to manufacture a controlled dangerous substance in violation of subsection G of Section 2-401 of Title 63 of the Oklahoma Statutes destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning or destruction of any uninhabited or unoccupied building or structure or contents thereof, whether the property of himself or another, shall be guilty of arson in the second degree, which is a Class B2 felony offense, and upon conviction thereof shall be

punished by a fine not to exceed Twenty Thousand Dollars (\$20,000.00) or be confined in the State Penitentiary for not more than twenty-five (25) years or both.

SECTION 77. AMENDATORY 57 O.S. 2021, Section 590, is amended to read as follows:

Section 590. A. It is unlawful for any person registered pursuant to the Sex Offenders Registration Act to reside, either temporarily or permanently, within a two-thousand-foot radius of any public or private school site, educational institution, property or campsite used by an organization whose primary purpose is working with children, a playground or park that is established, operated or supported in whole or in part by a homeowners' association or a city, town, county, state, federal or tribal government, a licensed child care center or family child care home as defined in the Oklahoma Child Care Facilities Licensing Act or the residence of his or her victim. Establishment of a licensed child care center, family child care home or park in the vicinity of the residence of a registered sex offender will not require the relocation of the sex offender or the sale of the property. On June 7, 2006, the distance indicated in this section shall be measured from the nearest property line of the residence of the person to the nearest property line of the public or private school site, educational institution, property or campsite used by an organization whose primary purpose is working with children, playground, park, licensed child care center, family child care home or residence of his or her victim; provided, any nonprofit organization established and housing sex offenders prior to the effective date of this provision shall be allowed to continue its operation.

Nothing in this provision shall require any person to sell or otherwise dispose of any real estate or home acquired or owned prior to the conviction of the person as a sex offender.

B. It shall be unlawful for any person who is required to register pursuant to the Sex Offenders Registration Act for any offense in which a minor child was the victim to reside with a minor child or establish any other living accommodation where a minor child resides. Provided, however, the person may reside with a minor child if the person is the parent, stepparent or grandparent of the minor child and the minor child was not the victim of the offense for which the person is required to register. Any person subject to the provisions of the Sex Offenders Registration Act who resides with a minor child must report to the statewide centralized

hotline of the Department of Human Services the name and date of birth of any and all minor children residing in the same household and the offenses for which the person is required to register pursuant to the Sex Offenders Registration Act within three (3) days of intent to reside with a minor child.

Nothing in the provisions of this subsection shall prevent the Department of Human Services from conducting and completing a safety evaluation when a registered sex offender resides in the home of a minor child.

C. The provisions of this section shall not apply to any registered sex offender residing in a hospital or other facility certified or licensed by the State of Oklahoma to provide medical services.

D. Any person willfully violating the provisions of this section by:

1. Intentionally moving into any neighborhood or to any real estate or home within the prohibited distance; or

2. Intentionally moving into a residence with a minor child or establishing any other living accommodation where a minor child resides as specified in subsection B of this section,

shall, upon conviction, be guilty of a Class B5 felony offense punishable by a fine not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than three (3) years, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of this section shall be guilty of a Class B2 felony offense and shall be punished by a fine not to exceed Three Thousand Dollars (\$3,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than three (3) years, or by both such fine and imprisonment.

SECTION 78. AMENDATORY 59 O.S. 2021, Section 1350.6, is amended to read as follows:

Section 1350.6. A. Notwithstanding any other provision of law, it shall be unlawful for a bail enforcer to break into and enter the dwelling house of any defendant or ~~third party~~ third party for purposes of recovery or attempted recovery of a defendant either:

1. By forcibly bursting or breaking the wall, or an outer door, window, or shutter of a window of such house or the lock or bolts of such door, or the fastening of such window or shutter;

2. By breaking in any other manner, being armed with a weapon or being assisted or aided by one or more persons then actually present; or

3. By unlocking an outer door by means of false keys or by picking the lock thereof, or by lifting a latch or opening a window.

B. A person violating the provisions of this section shall be guilty of burglary in the first degree, a Class B2 felony offense, and, upon conviction, punished as provided in Section 1436 of Title 21 of the Oklahoma Statutes. Provided, however, the offense and penalty stated in this section shall not apply to a licensed bail enforcer during an active attempt at recovery of a felony defendant under the following conditions:

- a. the bail enforcer has first-hand or eyes-on knowledge that the defendant entered the dwelling house during an attempt to recover the defendant and the defendant after reasonable request is refusing to surrender,
- b. the bail enforcer has first-hand or eyes-on knowledge that the defendant is actually within the dwelling house and after reasonable request is refusing to surrender, or
- c. the bail enforcer has obtained knowledge confirming beyond a reasonable doubt that the defendant is actually within the dwelling house and after reasonable request refuses to surrender.

For purposes of this subsection, "first-hand knowledge" means information received from direct eye-witness testimony, actual visual contact with and confirmed identification of the defendant by a person who knows the defendant or resides at the dwelling house, or other factual evidence provided directly to the licensed bail enforcer that confirms the identity and presence of the defendant within the dwelling house.

The exceptions to the offense and penalty in this section shall not limit or restrict another person within or without the dwelling

house, or owning the dwelling house, from taking any action in response to or to defend a forced entry into such dwelling house, including use of a firearm as may be authorized by law. The use of an exception provided in this subsection by a licensed bail enforcer shall be a fact to be determined by the district attorney in considering whether to prosecute an offense under this section. Any person exercising his or her right to respond or protect the dwelling house or its occupants shall not be liable for injury to another who was forcing entry into such dwelling house. An owner or occupant of a dwelling house may seek damages to his or her property in a civil action if such damage resulted from a forced entry by a licensed bail enforcer.

SECTION 79. AMENDATORY 63 O.S. 2021, Section 2-332, is amended to read as follows:

Section 2-332. A. It shall be unlawful for a person to knowingly and unlawfully possess a drug product containing ephedrine, pseudoephedrine or phenylpropanolamine, or their salts, isomers or salts of isomers with intent to use the product as a precursor to manufacture methamphetamine or another controlled substance.

B. Except as provided in this subsection, possession of a drug product containing more than seven and two-tenths (7.2) grams of ephedrine, pseudoephedrine or phenylpropanolamine, or their salts, isomers or salts of isomers shall constitute a rebuttable presumption of the intent to use the product as a precursor to methamphetamine or another controlled substance. The rebuttable presumption established by this subsection shall not apply to the following persons who are lawfully possessing drug products in the course of legitimate business:

1. A retail distributor of drug products or wholesaler;
2. A wholesale drug distributor, or its agents, licensed by the Board of Pharmacy;
3. A manufacturer of drug products, or its agents, licensed by the Board of Pharmacy;
4. A pharmacist licensed by the Board of Pharmacy; and
5. A licensed ~~healthcare~~ health care professional possessing the drug products in the course of carrying out his profession.

C. A violation of subsection A of this section shall be a Class B2 felony offense punishable as provided for in subsection G of Section 2-401 of this title.

D. Any wholesaler, manufacturer, or distributor of drug products containing pseudoephedrine or phenylpropanolamine, or their salts, isomers, or salts of isomers shall obtain a registration annually from the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. Any such wholesaler, manufacturer, or distributor shall keep complete records of all transactions involving such drug products including the names of all parties involved in the transaction and amount of the drug products involved. The records shall be kept readily retrievable and separate from all other invoices or records of transactions not involving such drug products, and shall be maintained for not less than three (3) years.

E. As used in this section:

1. "Manufacturer" means any person within this state who produces, compounds, packages, or in any manner initially prepares for sale or use any drug product described in subsection D of this section, or any such person in another state if they cause the products to be compounded, packaged, or transported into this state;

2. "Wholesaler" means any person within this state or another state, other than a manufacturer, who sells, transfers, or in any manner furnishes a drug product described in subsection A of this section to any other person in this state for the purpose of being resold;

3. "Distributor" means any person within this state or another state, other than a manufacturer or wholesaler, who sells, delivers, transfers, or in any manner furnishes a drug product described in subsection A of this section to any person who is not the ultimate user or consumer of the product; and

4. "Readily retrievable" means available for inspection without prior notice at the registration address if that address is within the State of Oklahoma. If the registration address is in a state other than Oklahoma, it means records must be furnished within three (3) working days by courier, facsimile, mail or electronic mail.

F. Any substances possessed without a registration as provided in subsection D of this section shall be subject to forfeiture upon conviction for a violation of this section.

G. In addition to any administrative penalties provided by law, any violation of subsection D of this section shall be a misdemeanor, punishable upon conviction by a fine only in an amount not more than Ten Thousand Dollars (\$10,000.00).

SECTION 80. AMENDATORY 21 O.S. 2021, Section 341, is amended to read as follows:

Section 341. Every public officer of the state or any county, city, town, or member or officer of the Legislature, and every deputy or clerk of any such officer and every other person receiving any money or other thing of value on behalf of or for account of this state or any department of the government of this state or any bureau or fund created by law and in which this state or the people thereof, are directly or indirectly interested, who either:

First: Receives, directly or indirectly, any interest, profit or perquisites, arising from the use or loan of public funds in the officer's or person's hands or money to be raised through an agency for state, city, town, district, or county purposes; or

Second: Knowingly keeps any false account, or makes any false entry or erasure in any account of or relating to any moneys so received by him, on behalf of the state, city, town, district or county, or the people thereof, or in which they are interested; or

Third: Fraudulently alters, falsifies, cancels, destroys or obliterates any such account,

shall, upon conviction, thereof, be deemed guilty of a Class B3 felony offense and shall be punished by a fine of not to exceed Five Hundred Dollars (\$500.00), and by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than twenty (20) years and, in addition thereto, the person shall be disqualified to hold office in this state, and the court shall issue an order of such forfeiture, and should appeal be taken from the judgment of the court, the defendant may, in the discretion of the court, stand suspended from such office until such cause is finally determined.

SECTION 81. AMENDATORY 21 O.S. 2021, Section 349, is amended to read as follows:

Section 349. Any person who willfully burns, destroys, or injures any public buildings or improvements in this state shall be guilty of a Class B3 felony offense, punishable by imprisonment in the State Penitentiary not exceeding twenty-five (25) years.

SECTION 82. AMENDATORY 21 O.S. 2021, Section 539, is amended to read as follows:

Section 539. Any person who, after proclamation issued by the Governor declaring any county to be in a state of insurrection, resists or aids in resisting the execution of process in the county declared to be in a state of insurrection, or who aids or attempts the rescue or escape of another from lawful custody or confinement, or who resists or aids in resisting a force ordered out by the government to quell or suppress an insurrection, shall be guilty of a Class B3 felony offense punishable by imprisonment in the State Penitentiary for not less than two (2) years.

SECTION 83. AMENDATORY 21 O.S. 2021, Section 644.1, is amended to read as follows:

Section 644.1. A. Any person who commits domestic abuse, as defined by subsection C of Section 644 of this title, and has a prior pattern of physical abuse shall be guilty of a Class B3 felony offense, upon conviction, punishable by imprisonment in the custody of the Department of Corrections for a term of not more than ten (10) years or by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by both such fine and imprisonment.

B. For purposes of this section, "prior pattern of physical abuse" means two or more separate incidences, including the current incident, occurring on different days and each incident relates to an act constituting assault and battery or domestic abuse committed by the defendant against a current or former spouse, a present spouse of a former spouse, parents, a foster parent, a child, a person otherwise related by blood or marriage, a person with whom the defendant is in a dating relationship, an individual with whom the defendant has had a child, a person who formerly lived in the same household as the defendant, a person living in the same household as the defendant, a current intimate partner or former intimate partner, or any combination of such persons, where proof of each incident prior to the present incident is established by the

sworn testimony of a third party who was a witness to the alleged physical abuse or by other admissible direct evidence that is independent of the testimony of the victim.

SECTION 84. AMENDATORY 21 O.S. 2021, Section 1289.26, is amended to read as follows:

Section 1289.26.

USE OF BODY ARMOR

Any person who commits or attempts to commit a felony while wearing body armor as defined in Section 1289.19 of this title, in addition to the penalty provided by statute for the felony committed or attempted, upon conviction shall be guilty of a Class B4 felony offense for wearing such body armor, which shall be a separate offense from the felony committed or attempted, and shall be punishable by imprisonment in the State Penitentiary for a period of not more than ten (10) years for the first offense, and shall be guilty of a Class B3 felony offense punishable by imprisonment for a period of not more than twenty (20) years for any second or subsequent offense.

SECTION 85. AMENDATORY 21 O.S. 2021, Section 1403, is amended to read as follows:

Section 1403. A. Any person who willfully and maliciously sets fire to or burns or by the use of any explosive device or substance destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels or procures the burning of any property whatsoever, including automobiles, trucks, trailers, motorcycles, boats, standing farm crops, pasture lands, forest lands, or any other property not herein specifically named, such property being worth not less than Fifty Dollars (\$50.00), whether the property of himself or another, shall be guilty of arson in the third degree, a Class C1 felony offense, and upon conviction thereof shall be punished by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or be confined in the State Penitentiary for not more than fifteen (15) years as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma Statutes.

B. Any person who willfully and maliciously, and with intent to injure or defraud the insurer, sets fire to or burns or by use of any explosive device or substance destroys in whole or in part, or causes to be burned or destroyed, or aids, counsels, or procures the

burning or destruction of any building, property, or other chattels, whether the property of himself or another, which shall at the time be insured against loss or damage by fire or explosion, shall be guilty of arson in the third degree, a Class B3 felony offense, and upon conviction thereof shall be punished by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or be confined in the State Penitentiary for not more than fifteen (15) years or both.

~~C. Arson in the third degree is a felony.~~

SECTION 86. AMENDATORY 21 O.S. 2021, Section 1561, is amended to read as follows:

Section 1561. Every person who, with intent to defraud, forges, counterfeits or falsely alters:

1st. Any will or codicil of real or personal property, or any deed or other instrument being or purporting to be the act of another, by which any right or interest in real property is, or purports to be, transferred, conveyed or in any way changed or affected; or,

2nd. Any certificate or endorsement of the acknowledgment by any person of any deed or other instrument which by law may be recorded or given in evidence, made or purporting to have been made by any officer duly authorized to make such certificate or endorsement; or,

3rd. Any certificate of the proof of any deed, will, codicil or other instrument which by law may be recorded or given in evidence, made or purporting to have been made by any court or officer duly authorized to make such certificate,

is guilty of forgery in the first degree, a Class B3 felony offense.

SECTION 87. AMENDATORY 21 O.S. 2021, Section 1562, is amended to read as follows:

Section 1562. Every person who, with intent to defraud, forges, counterfeits, or falsely alters:

1st. Any certificate or other public security, issued or purporting to have been issued under the authority of this state, by virtue of any law thereof, by which certificate or other public security, the payment of any money absolutely or upon any

contingency is promised, or the receipt of any money or property acknowledged; or

2nd. Any certificate of any share, right or interest in any public stock created by virtue of any law of this state, issued or purporting to have been issued by any public officer, or any other evidence of any debt or liability, of the people of this State, either absolute or contingent, issued or purporting to have been issued by any public officer; or,

3rd. Any endorsement or other instrument transferring or purporting to transfer the right or interest of any holder of any such certificate, public security, certificate of stock, evidence of debt or liability, or of any person entitled to such right or interest;

is guilty of forgery in the first degree, a Class B3 felony offense.

SECTION 88. AMENDATORY 21 O.S. 2021, Section 1622, is amended to read as follows:

Section 1622. Every person who, with intent to defraud, makes or subscribes any instrument in his own name, intended to create, increase, discharge, defeat or diminish any pecuniary obligation, right or interest, or to transfer or affect any property whatever, and utters or passes such instrument, under the pretense that it is the act of another who bears the same name, is guilty of forgery, a Class B3 felony offense, in the same degree as if he had forged the instrument of a person bearing a different name from his own.

SECTION 89. AMENDATORY 21 O.S. 2021, Section 1623, is amended to read as follows:

Section 1623. Every person who, with intent to defraud, endorses any negotiable instrument in his own name, and utters or passes such instrument, under the fraudulent pretense that it is endorsed by another person who bears the same name, is guilty of forgery, a Class B3 felony offense, in the same degree as if he had forged the endorsement of a person bearing a different name from his own.

SECTION 90. AMENDATORY 21 O.S. 2021, Section 1624, is amended to read as follows:

Section 1624. The total or partial erasure or obliteration of any instrument or writing, with intent to defraud, by which any pecuniary obligation, or any right, interest or claim to property is or is intended to be created, increased, discharged, diminished or in any manner affected, is forgery, a Class B3 felony offense, in the same degree as the false alteration of any part of such instrument or writing.

SECTION 91. AMENDATORY 21 O.S. 2021, Section 1626, is amended to read as follows:

Section 1626. The false making or forging of an evidence of debt purporting to have been issued by any corporation and bearing the pretended signature of any person as an agent or officer of such corporation, is forgery, a Class B3 felony offense, in the same degree as if such person was at the time an officer or agent of such corporation; notwithstanding such person may never have been an officer or agent of such corporation, or notwithstanding there never was any such person in existence.

SECTION 92. AMENDATORY 21 O.S. 2021, Section 1742.2, is amended to read as follows:

Section 1742.2. A. Whoever:

1. Knowingly procures, attempts to procure, solicits, or conspires with another to procure a telephone record of any resident of this state without the authorization of the customer to whom the record pertains or by fraudulent, deceptive, or false means;

2. Knowingly sells or attempts to sell a telephone record of any resident of this state without the authorization of the customer to whom the record pertains; or

3. Receives a telephone record of any resident of this state knowing that the record has been obtained without the authorization of the customer to whom the record pertains or by fraudulent, deceptive, or false means,

shall be punished in accordance with the provisions of subsection B of this section and shall be liable for restitution in accordance with subsection C of this section.

B. An offense under subsection A of this section ~~is a felony and the punishment is~~ shall be deemed a:

1. ~~Imprisonment for not more than five (5) years~~ Class D1 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes if the violation of subsection A of this section involves a single telephone record;

2. ~~Imprisonment~~ Class C2 felony offense punishable by imprisonment for not more than ten (10) years if the violation of subsection A of this section involves two to ten telephone records of a resident of this state;

3. ~~Imprisonment~~ Class B3 felony offense punishable by imprisonment for not more than twenty (20) years if the violation of subsection A of this section involves more than ten telephone records of a resident of this state; and

4. In all cases, forfeiture of any personal property used or intended to be used to commit the offense.

C. A person found guilty of an offense under subsection A of this section, in addition to any other punishment, shall be ordered to make restitution for any financial loss sustained by the customer or any other person who suffered financial loss as the direct result of the offense.

D. In a prosecution brought pursuant to subsection A of this section, the act of unauthorized or fraudulent procurement, sale, or receipt of telephone records shall be considered to have been committed in the county:

1. Where the customer whose telephone record is the subject of the prosecution resided at the time of the offense; or

2. In which any part of the offense took place, regardless of whether the defendant was ever actually present in the county.

E. A prosecution pursuant to subsection A of this section shall not prevent prosecution pursuant to any other provision of law when the conduct also constitutes a violation of some other provision of law.

F. Subsection A of this section shall not apply to any person acting pursuant to a valid court order, warrant, or subpoena.

G. Each violation of subsection A of this section shall be an unlawful practice pursuant to the provisions of the Oklahoma Consumer Protection Act.

SECTION 93. AMENDATORY 36 O.S. 2021, Section 4055.14, is amended to read as follows:

Section 4055.14. A. In addition to the penalties and other enforcement provisions of the Viatical Settlements Act of 2008, if any person violates the Viatical Settlements Act of 2008 or any regulation implementing the Viatical Settlements Act of 2008, the Insurance Commissioner may seek an injunction in a court of competent jurisdiction and may apply for temporary and permanent orders that the Commissioner determines are necessary to restrain the person from committing the violation.

B. Any person damaged by the acts of a person in violation of the Viatical Settlements Act of 2008 may bring a civil action against the person committing the violation in a court of competent jurisdiction.

C. The Commissioner may issue, in accordance with the Administrative Procedures Act, a cease and desist order upon a person that violates any provision of the Viatical Settlements Act of 2008, any regulation or order adopted by the Commissioner, or any written agreement entered into with the Commissioner.

D. When the Commissioner finds that an activity in violation of the Viatical Settlements Act of 2008 presents an immediate danger to the public that requires an immediate final order, the Commissioner may issue an emergency cease and desist order reciting with particularity the facts underlying the findings. The emergency cease and desist order is effective immediately upon service of a copy of the order on the respondent and remains effective for ninety (90) days. If the Commissioner begins nonemergency cease and desist proceedings, the emergency cease and desist order remains effective, absent an order by a court of competent jurisdiction pursuant to the Administrative Procedures Act.

E. In addition to the penalties and other enforcement provisions of the Viatical Settlements Act of 2008, any person who violates the Viatical Settlements Act of 2008 is subject to civil penalties of up to Ten Thousand Dollars (\$10,000.00) per violation. Imposition of civil penalties shall be pursuant to an order of the Commissioner issued under Section 313 of ~~Title 36 of the Oklahoma~~

~~Statutes~~ this title. The Commissioner's order may require a person found to be in violation of the Viatical Settlements Act of 2008 to make restitution to persons aggrieved by violations of the Viatical Settlements Act of 2008.

F. A person convicted of a violation of the Viatical Settlements Act by a court of competent jurisdiction shall be ~~guilty of a felony punishable as follows:~~

1. ~~To~~ Guilty of a Class B3 felony offense punishable by imprisonment for not more than twenty (20) years or to payment of a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both, if the value of the viatical settlement contract is more than Thirty-five Thousand Dollars (\$35,000.00);

2. ~~To~~ Guilty of a Class C2 felony offense punishable by imprisonment ~~for not more than ten (10) years as provided for in~~ subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or to payment of a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both, if the value of the viatical settlement contract is more than Two Thousand Five Hundred Dollars (\$2,500.00) but not more than Thirty-five Thousand Dollars (\$35,000.00);

3. ~~To~~ Guilty of a Class D1 felony offense punishable by imprisonment ~~for not more than five (5) years as provided for in~~ subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both, if the value of the viatical settlement contract is more than Five Hundred Dollars (\$500.00) but not more than Two Thousand Five Hundred Dollars (\$2,500.00); or

4. ~~To~~ Guilty of a Class D3 felony offense punishable by imprisonment ~~for not more than one (1) year as provided for in~~ subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or to payment of a fine of not more than Three Thousand Dollars (\$3,000.00), or both, if the value of the viatical settlement contract is Five Hundred Dollars (\$500.00) or less.

A person convicted of a violation of the Viatical Settlements Act of 2008 shall be ordered to pay restitution to persons aggrieved by the violation of the Viatical Settlements Act of 2008. Restitution shall be ordered in addition to a fine or imprisonment, but not in lieu of a fine or imprisonment.

G. Except for a fraudulent viatical settlement act committed by a viator, the enforcement provisions and penalties of this section shall not apply to a viator. A person convicted of a violation of the Viatical Settlements Act of 2008 by a court of competent jurisdiction may be sentenced in accordance with paragraph 1, 2, 3 or 4 of subsection F of this section based on the greater of (i) the value of property, services, or other benefit wrongfully obtained or attempted to obtain, or (ii) the aggregate economic loss suffered by any person as a result of the violation. A person convicted of a fraudulent viatical settlement act must be ordered to pay restitution to persons aggrieved by the fraudulent viatical settlement act. Restitution must be ordered in addition to a fine or imprisonment but not in lieu of a fine or imprisonment.

In any prosecution under paragraphs 1, 2, 3 and 4 of subsection F of this section the value of the viatical settlement contracts within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this section. The applicable statute of limitations provision under Section 93 of Title 12 of the Oklahoma Statutes shall not begin to run until the insurance company or law enforcement agency is aware of the fraud, but in no event may the prosecution be commenced later than seven (7) years after the act has occurred.

SECTION 94. AMENDATORY 52 O.S. 2021, Section 47.6, is amended to read as follows:

Section 47.6. A. Any person who has been determined by the Commission to have violated any provisions of the Hazardous Liquid Transportation System Safety Act or any rule, regulation or order issued pursuant to the provisions of the Hazardous Liquid Transportation System Safety Act shall be liable for an administrative penalty of not more than Two Hundred Thousand Dollars (\$200,000.00) for each day that the violation continues. The maximum administrative penalty shall not exceed Two Million Dollars (\$2,000,000.00) for any related series of violations.

B. 1. The amount of the penalty shall be assessed by the Commission pursuant to the provisions of subsection A of this section, after notice and hearing. In determining the amount of the penalty, the Commission shall include but not be limited to consideration of the nature, circumstances, and gravity of the

violation and, with respect to the person found to have committed the violation, the degree of culpability, the effect on ability of the person to continue to do business, and any show of good faith in attempting to achieve compliance with the provisions of the Hazardous Liquid Transportation System Safety Act.

2. All penalties collected pursuant to the provisions of this subsection shall be deposited in the Pipeline Enforcement Fund.

C. Any person who willfully and knowingly injures or destroys, or attempts to injure or destroy, any hazardous liquid transportation system, upon conviction thereof, shall be guilty of a Class B3 felony offense and shall be subject for each offense to a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), imprisonment for a term not less than five (5) years and not to exceed fifteen (15) years, or by both such fine and imprisonment.

SECTION 95. AMENDATORY 57 O.S. 2021, Section 21, is amended to read as follows:

Section 21. A. Any person who, without authority, brings into or has in his or her possession in any jail or state penal institution or other place where prisoners are located, any gun, knife, bomb or other dangerous instrument, any controlled dangerous substance as defined by the Uniform Controlled Dangerous Substances Act, any alcoholic beverage as defined by Section 1-103 of Title 37A of the Oklahoma Statutes, money or financial documents for a person other than the inmate or a spouse of the inmate, including but not limited to tax returns, shall be guilty of a Class B3 felony offense and, upon conviction, shall be punished by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than five (5) years, or by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Provided, the provisions of this subsection shall not prohibit any Department of Corrections employee who has a valid handgun license pursuant to the Oklahoma Self-Defense Act to keep a firearm in a vehicle on any property set aside for the parking of any vehicle, whether occupied or unoccupied, at any state-owned prison facility, provided the employee has provided annual notification to the Department of Corrections of the brand name, model, serial number, and owner identification information of the firearm, and the firearm is secured and stored in a locked metal storage container located in a locked vehicle. The storage container will be secured in the

vehicle by a lockable chain or cable or by utilizing hardware provided by the manufacturer.

B. If an inmate is found to be in possession of any item prohibited by this section, upon conviction, such inmate shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~for a term of not less than five (5) years nor more than twenty (20) years in the custody of the Department of Corrections~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

C. If the person found to be in possession of any item prohibited by this section has committed, prior to the commission of an offense in violation of this section, two or more felony offenses, and the possession of contraband in violation of this section is within ten (10) years of the completion of the execution of the sentence for any prior offense, such person, upon conviction, shall be guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for a term of not less than twenty (20) years. Felony offenses relied upon shall not have arisen out of the same transaction or occurrence or series of events closely related in time and location.

D. Any person who, without authority, brings into or has in his or her possession in any jail or state penal institution or other place where prisoners are located, cigarettes, cigars, snuff, chewing tobacco or any other form of tobacco product shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

E. Any person who knowingly, willfully and without authority brings into or has in his or her possession in any secure area of a jail or state penal institution or other secure place where prisoners are located any cellular phone or electronic device capable of sending or receiving any electronic communication shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not exceeding two (2) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

F. Any contraband item prohibited by the provisions of this section that is seized as a result of a violation of this section may be forfeited by the agency that seized the contraband item following the procedures outlined in Section 2-506 of Title 63 of the Oklahoma Statutes.

G. "Electronic communication" means any transfer of signs, signals, writings, images, sounds, data or intelligence of any nature transmitted in whole or part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, and includes, but is not limited to, the transfer of that communication through the Internet.

SECTION 96. AMENDATORY 63 O.S. 2021, Section 2-406, as last amended by Section 7, Chapter 308, O.S.L. 2024 (63 O.S. Supp. 2024, Section 2-406), is amended to read as follows:

Section 2-406. A. It shall be unlawful for any registrant or person applying for registration to knowingly or intentionally:

1. Distribute, other than by dispensing or as otherwise authorized by the Uniform Controlled Dangerous Substances Act, a controlled dangerous substance classified in Schedules I or II, in the course of his or her legitimate business, except pursuant to an order form as required by Section 2-308 of this title. Any registrant or person convicted of violating the provisions of this paragraph shall be guilty of a Class B3 felony offense;

2. Use in the course of the manufacture or distribution of a controlled dangerous substance a registration number which is fictitious, revoked, suspended or issued to another person. Any registrant or person convicted of violating the provisions of this paragraph shall be guilty of a Class B3 felony offense;

3. Acquire or obtain possession of a controlled dangerous substance by misrepresentation, fraud, forgery, deception or subterfuge. Any registrant or person convicted of violating the provisions of this paragraph shall be guilty of a Class C1 felony offense punishable as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma Statutes;

4. Furnish false or fraudulent material information in, or omit any material information from, any application, report, or other document required to be kept or filed under the Uniform Controlled Dangerous Substances Act, or any record required to be kept by the

Uniform Controlled Dangerous Substances Act. Any registrant or person convicted of violating the provisions of this paragraph shall be guilty of a Class B3 felony offense;

5. Make, distribute, or possess any punch, die, plate, stone, or other thing designed to print, imprint, or reproduce the trademark, trade name, or other identifying mark, imprint, or device of another or any likeness of any of the foregoing upon any drug or container or labeling thereof so as to render such drug a counterfeit controlled dangerous substance. Any registrant or person convicted of violating the provisions of this paragraph shall be guilty of a Class B3 felony offense; and

6. Purchase, or attempt, endeavor, or conspire to obtain or purchase, any license or registration required to distribute, possess, prescribe, or manufacture any controlled dangerous substance on behalf of, or at the request or demand of, any other person through the use of a straw person or straw party.

B. ~~Any~~ Except as provided for in paragraph 3 of subsection A of this section, any person who violates this section is guilty of a felony punishable shall, upon conviction, be punished by imprisonment for not more than twenty (20) years or a fine not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

C. Any person convicted of a second or subsequent violation of this section is punishable by a term of imprisonment twice that otherwise authorized and by twice the fine otherwise authorized. Convictions for second or subsequent violations of this section shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation.

D. Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this title.

SECTION 97. AMENDATORY 63 O.S. 2021, Section 2-419.1, is amended to read as follows:

Section 2-419.1. A. It shall be unlawful for any individual eighteen (18) years of age or older to solicit, employ, hire, or use an individual under eighteen (18) years of age to unlawfully

transport, carry, sell, give away, prepare for sale, or peddle any controlled dangerous substance.

B. A person who violates subsection A of this section shall be guilty of a Class C1 felony offense and, upon conviction, shall be punishable by a term of imprisonment, or fine, or both, not exceeding twice that authorized by Section 2-401 of ~~Title 63 of the Oklahoma Statutes~~ this title.

C. A person who violates subsection A of this section after a previous conviction pursuant to that subsection which has become final, shall be punishable by a term of imprisonment not exceeding three times that authorized by Section 2-401 of ~~Title 63 of the Oklahoma Statutes~~ this title.

D. A person who violates subsection A of this section by employing, hiring, or using an individual under fifteen (15) years of age shall, upon conviction, be guilty of a Class B3 felony offense and may be imprisoned for not more than twenty-five (25) years, fined not more than One Hundred Thousand Dollars (\$100,000.00), or both, in addition to any other punishment authorized by this section.

E. It shall not be a defense to this section that a person did not know the age of an individual.

SECTION 98. AMENDATORY 63 O.S. 2021, Section 4253, is amended to read as follows:

Section 4253. A. Any person who knowingly and with intent that a violation of this section be committed:

1. Owns, operates, or conducts a chop shop;
2. Transports any vessel or motor or vessel or motor part to or from a location knowing it to be a chop shop; or
3. Sells, transfers, purchases, or receives any vessel or motor or vessel or motor part either to or from a location knowing it to be a chop shop,

upon conviction, is guilty of a Class C1 felony offense, punishable by imprisonment ~~for not more than ten (10) years~~ as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma

Statutes, or by a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both such imprisonment and fine.

B. Any person who knowingly alters, counterfeits, defaces, destroys, disguises, falsifies, forges, obliterates, or knowingly removes a hull identification number, manufacturer's serial number or other identification number with the intent to misrepresent the identity or prevent the identification of a vessel or motor or vessel or motor part, upon conviction, is guilty of a Class C2 felony offense, punishable by imprisonment for not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both such imprisonment and fine.

C. 1. Any person who buys, disposes, sells, transfers, or possesses a vessel or motor or vessel or motor part, with knowledge that the hull identification number, manufacturer's serial number or other identification number of the vessel or motor or vessel or motor part has been altered, counterfeited, defaced, destroyed, disguised, falsified, forged, obliterated, or removed, upon conviction, is guilty of a Class D1 felony offense, punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both such imprisonment and fine.

2. The provisions of paragraph 1 of this subsection shall not apply to a vessel or motor scrap processor who, in the normal legal course of business and in good faith, processes a vessel or motor or vessel or motor part by crushing, compacting, or other similar methods, provided that any hull identification number, manufacturer's serial number or other identification number is not removed from the vessel or motor or vessel or motor part prior to or during any such processing.

3. The provisions of paragraph 1 of this subsection shall not apply to any owner or authorized possessor of a vessel or motor or vessel or motor part which has been recovered by law enforcement authorities after having been stolen or where the condition of the hull identification number, manufacturer's serial number or other identification number of the vessel or motor or vessel or motor part is known to or has been reported to law enforcement authorities. It shall be presumed that law enforcement authorities have knowledge of all hull identification numbers, manufacturer's serial numbers or

other identification numbers on a vessel or motor or vessel or motor part which are altered, counterfeited, defaced, disguised, falsified, forged, obliterated, or removed, when law enforcement authorities deliver or return the vessel or motor or vessel or motor part to its owner or authorized possessor after it has been recovered by law enforcement authorities after having been reported stolen.

D. A person commits an attempt when, with intent to commit a violation proscribed by subsection A, B or C of this section, the person does any act which constitutes a substantial step toward the commission of the violation proscribed by subsection A, B or C of this section, and upon conviction is guilty of a Class C2 felony offense, punishable by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both such imprisonment and fine.

E. A person commits conspiracy when, with an intent that a violation proscribed by subsection A, B or C of this section be committed, the person agrees with another to the commission of the violation proscribed by subsection A, B or C of this section, and upon conviction is guilty of a Class D3 felony offense, punishable by imprisonment ~~for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or both such imprisonment and fine. No person may be convicted of conspiracy under this section unless an act in furtherance of such agreement is alleged and proved to have been committed by that person or a coconspirator.

F. A person commits solicitation when, with intent that a violation proscribed by subsection A, B or C of this section be committed, the person commands, encourages, or requests another to commit the violation proscribed by subsection A, B or C of this section, and upon conviction is guilty of a Class D3 felony offense, punishable by imprisonment ~~for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both such imprisonment and fine.

G. A person commits aiding and abetting when, either before or during the commission of a violation proscribed by subsection A, B or C of this section, with the intent to promote or facilitate such commission, the person aids, abets, agrees or attempts to aid

another in the planning or commission of the violation proscribed by subsection A, B or C of this section, and upon conviction is guilty of a Class D3 felony offense, punishable by imprisonment ~~for not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or both such imprisonment and fine.

H. A person is an accessory after the fact who maintains, assists, or gives any other aid to an offender while knowing or having reasonable grounds to believe the offender to have committed a violation under subsection A, B, C, D, E, F or G of this section, and upon conviction is guilty of a Class D3 felony offense, punishable by imprisonment ~~for not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or both such imprisonment and fine.

I. No prosecution shall be brought and no person shall be convicted of any violation under this section, where acts of the person, otherwise constituting a violation, were done in good faith in order to comply with the laws or regulations of any state or territory of the United States, or of the federal government of the United States.

J. The sentence imposed upon a person convicted of any violation of this section shall not be reduced to less than one (1) year imprisonment for a second conviction of any violation, or less than five (5) years for a third or subsequent conviction of any violation of this section, and no sentence imposed upon a person for a second or subsequent conviction of any violation of this section shall be suspended or reduced, until such person shall have served the minimum period of imprisonment provided for herein. A person convicted of a second or subsequent violation of this section shall not be eligible for probation, parole, furlough or work release. A second conviction or any third or subsequent conviction of a violation of this section shall be deemed a Class B3 felony offense.

K. 1. In addition to any other punishment, a person who violates this section shall be ordered to make restitution to the lawful owner or owners of the stolen vessel or motor or the stolen vessel or motor part or parts, or to the owner's insurer to the extent that the owner has been compensated by the insurer, and to any other person for any financial loss sustained as a result of a violation of this section.

Financial loss shall include, but not be limited to, loss of earnings, out-of-pocket and other expenses, repair and replacement costs and claims payments. "Lawful owner" shall include an innocent bona fide purchaser for value of a stolen vessel or motor or stolen vessel or motor part who does not know that the vessel or motor or part is stolen; or an insurer to the extent that such insurer has compensated a bona fide purchaser for value.

2. The court shall determine the extent and method of restitution. In an extraordinary case, the court may determine that the best interests of the victim and justice would not be served by ordering restitution. In any such case, the court shall make and enter specific written findings on the record concerning the extraordinary circumstances presented which militated against restitution.

SECTION 99. AMENDATORY 21 O.S. 2021, Section 53, is amended to read as follows:

Section 53. Every woman who, having been convicted of endeavoring to conceal the birth of an issue of her body, which, if born alive, would be a bastard, or the death of any such issue under the age of two (2) years, subsequently to such conviction endeavors to conceal any such birth or death of issue of her body, shall be guilty of a Class B4 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years and not less than two (2) years.

SECTION 100. AMENDATORY 21 O.S. 2021, Section 645, is amended to read as follows:

Section 645. Every person who, with intent to do bodily harm and without justifiable or excusable cause, commits any assault, battery, or assault and battery upon the person of another with any sharp or dangerous weapon, or who, without such cause, shoots at another, with any kind of firearm, air gun, conductive energy weapon or other means whatever, with intent to injure any person, although without the intent to kill such person or to commit any felony, upon conviction is guilty of a Class B4 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years, or by imprisonment in a county jail not exceeding one (1) year.

SECTION 101. AMENDATORY 21 O.S. 2021, Section 799, is amended to read as follows:

Section 799. Any person guilty of robbery in the second degree shall be guilty of a Class B4 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years.

SECTION 102. AMENDATORY 21 O.S. 2021, Section 843.3, is amended to read as follows:

Section 843.3. A. Any person who engages in abuse, sexual abuse, or exploitation of a vulnerable adult, as defined in Section 10-103 of Title 43A of the Oklahoma Statutes, shall be guilty of a Class B4 felony offense. The person, upon conviction, shall be fined not more than Ten Thousand Dollars (\$10,000.00) or be imprisoned in the custody of the Department of Corrections for a term of not more than two (2) years, or both such fine and imprisonment.

B. Any person who has a responsibility to care for a vulnerable adult as defined by Section 10-103 of Title 43A of the Oklahoma Statutes who purposely, knowingly or recklessly neglects the vulnerable adult shall be guilty of a Class D1 felony offense. The person, upon conviction, shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned ~~in the custody of the Department of Corrections for a term of not more than two (2) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

C. In addition the court shall consider any provision of the Elderly and Incapacitated Victim's Protection Act when the victim is an elderly or incapacitated person as defined by Section 991a-15 of Title 22 of the Oklahoma Statutes.

SECTION 103. AMENDATORY 21 O.S. 2021, Section 850, is amended to read as follows:

Section 850. A. No person shall maliciously and with the specific intent to intimidate or harass another person because of that person's race, color, religion, ancestry, national origin or disability:

1. Assault or batter another person;
2. Damage, destroy, vandalize or deface any real or personal property of another person; or

3. Threaten, by word or act, to do any act prohibited by paragraph 1 or 2 of this subsection if there is reasonable cause to believe that such act will occur.

B. No person shall maliciously and with specific intent to incite or produce, and which is likely to incite or produce, imminent violence, which violence would be directed against another person because of that person's race, color, religion, ancestry, national origin or disability, make or transmit, cause or allow to be transmitted, any telephonic, computerized, or electronic message.

C. No person shall maliciously and with specific intent to incite or produce, and which is likely to incite or produce, imminent violence, which violence would be directed against another person because of that person's race, color, religion, ancestry, national origin or disability, broadcast, publish, or distribute, cause or allow to be broadcast, published or distributed, any message or material.

D. Any person convicted of violating any provision of subsections A, B or C of this section shall be guilty of a misdemeanor on a first offense and a Class B4 felony offense punishable by not more than ten (10) years incarceration in the custody of the Department of Corrections for a second or subsequent offense. The fine for a felony violation of this section shall not exceed Ten Thousand Dollars (\$10,000.00). Furthermore, said person shall be civilly liable for any damages resulting from any violation of this section.

E. Upon conviction, any person guilty of a misdemeanor in violation of this section shall be punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a period of not more than one (1) year, or by both such fine and imprisonment.

F. The Oklahoma State Bureau of Investigation shall develop a standard system for state and local law enforcement agencies to report incidents of crime which are apparently directed against members of racial, ethnic, religious groups or other groups specified by this section. The Oklahoma State Bureau of Investigation shall promulgate rules, regulations and procedures necessary to develop, implement and maintain a standard system for the collection and reporting of hate crime data. All state, county, city and town law enforcement agencies shall submit a monthly report to the Oklahoma State Bureau of Investigation on forms prescribed by

the Bureau. The report shall contain the number and nature of the offenses committed within their respective jurisdictions, the disposition of such matters and any other information the Bureau may require, respecting information relating to the cause and prevention of crime, recidivism, the rehabilitation of criminals and the proper administration of criminal justice.

G. No person, partnership, company or corporation that installs telephonic, computerized, or electronic message equipment shall be required to monitor the use of such equipment for possible violations of this section, nor shall such person, partnership, company or corporation be held criminally or civilly liable for the use by another person of the equipment in violation of this section, unless the person, partnership, company or corporation that installed the equipment had prior actual knowledge that the equipment was to be used in violation of this section.

SECTION 104. AMENDATORY 21 O.S. 2021, Section 851, is amended to read as follows:

Section 851. A. Any parent of any child or children under the age of ten (10) years, and every person to whom such child or children have been confided for nurture or education, who deserts such child or children within this state, or takes such child or children without this state, with the intent wholly to abandon it shall be deemed guilty of a Class B4 felony offense and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for any period of time not less than one (1) year nor more than ten (10) years.

B. It is an affirmative defense to a prosecution under this section that a parent voluntarily delivered a child under the age of thirty (30) days to and left the child with, or voluntarily arranged for another person to deliver a child to and leave the child with, a medical services provider or child rescuer as provided in Section 1-2-109 of Title 10A of the Oklahoma Statutes.

SECTION 105. AMENDATORY 21 O.S. 2021, Section 853, is amended to read as follows:

Section 853. Every person who shall without good cause abandon his wife in destitute or necessitous circumstances and neglect and refuse to maintain or provide for her, or who shall abandon his or her minor child or children under the age of fifteen (15) years and willfully neglect or refuse to maintain or provide for such child or

children, shall be deemed guilty of a Class B4 felony offense and, upon conviction thereof, shall be punished by imprisonment in the State Penitentiary for any period of time not less than one (1) year or more than ten (10) years.

SECTION 106. AMENDATORY 21 O.S. 2021, Section 856, is amended to read as follows:

Section 856. A. 1. Except as otherwise specifically provided by law, every person who shall knowingly or willfully cause, aid, abet or encourage a minor to be, to remain, or to become a delinquent child or a runaway child, upon conviction, shall, for the first offense, be guilty of a misdemeanor punishable by imprisonment in a county jail not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

2. For purposes of prosecution under this subsection, a "runaway child" means an unemancipated minor who is voluntarily absent from the home without a compelling reason, without the consent of a custodial parent or other custodial adult and without the parent or other custodial adult's knowledge as to the child's whereabouts. "Compelling reason" means imminent danger from incest, a life-threatening situation, or equally traumatizing circumstance. A person aiding a runaway child pursuant to paragraph (4) of subsection (a) of Section 5 of Title 76 of the Oklahoma Statutes or aiding a child based upon a reasonable belief that the child is in physical, mental or emotional danger and with notice to the Department of Human Services or a local law enforcement agency of the location of the child within twelve (12) hours of aiding the child shall not be subject to prosecution under this section.

B. Every person convicted of a second or any subsequent violation of this section shall be guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections not to exceed three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. Every person eighteen (18) years of age or older who shall knowingly or willfully cause, aid, abet, or encourage a minor to commit or participate in committing an act that would be a felony if committed by an adult shall, upon conviction, be guilty of a Class B5 felony offense punishable by the maximum penalty allowed for

conviction of the offense or offenses which the person caused, aided, abetted, or encouraged the minor to commit or participate in committing.

D. Every person who shall knowingly or willfully cause, aid, abet, encourage, solicit, or recruit a minor to participate, join, or associate with any criminal street gang, as defined by subsection F of this section, or any gang member for the purpose of committing any criminal act shall, upon conviction, be guilty of a Class B5 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not more than five (5) years, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

E. Every person convicted of a second or subsequent violation of subsection D of this section shall be guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than five (5) years nor more than ten (10) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

F. "Criminal street gang" means any ongoing organization, association, or group of five or more persons that specifically either promotes, sponsors, or assists in, or participates in, and requires as a condition of membership or continued membership, the commission of one or more of the following criminal acts:

1. Assault, battery, or assault and battery with a deadly weapon, as defined in Section 645 of this title;

2. Aggravated assault and battery as defined by Section 646 of this title;

3. Robbery by force or fear, as defined in Sections 791 through 797 of this title;

4. Robbery or attempted robbery with a dangerous weapon or imitation firearm, as defined by Section 801 of this title;

5. Unlawful homicide or manslaughter, as defined in Sections 691 through 722 of this title;

6. The sale, possession for sale, transportation, manufacture, offer for sale, or offer to manufacture controlled dangerous

substances, as defined in Section 2-101 et seq. of Title 63 of the Oklahoma Statutes;

7. Trafficking in illegal drugs, as provided for in the Trafficking in Illegal Drugs Act, Section 2-414 of Title 63 of the Oklahoma Statutes;

8. Arson, as defined in Sections 1401 through 1403 of this title;

9. The influence or intimidation of witnesses and jurors, as defined in Sections 388, 455 and 545 of this title;

10. Theft of any vehicle, as described in Section 1720 of this title;

11. Rape, as defined in Section 1111 of this title;

12. Extortion, as defined in Section 1481 of this title;

13. Transporting a loaded firearm in a motor vehicle, in violation of Section 1289.13 of this title;

14. Possession of a concealed weapon, as defined by Section 1289.8 of this title;

15. Shooting or discharging a firearm, as defined by Section 652 of this title;

16. Soliciting, inducing or enticing another to commit an act of prostitution, as defined by Section 1030 of this title;

17. Human trafficking, as defined by Section 748 of this title;
or

18. Possession of a firearm after former conviction of a felony, as defined by Section 1283 of this title.

SECTION 107. AMENDATORY 21 O.S. 2021, Section 885, is amended to read as follows:

Section 885. Persons who, being within the degrees of consanguinity within which marriages are by the laws of the state declared incestuous and void, intermarry with each other, or commit adultery or fornication with each other, shall be guilty of a Class

B4 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 108. AMENDATORY 21 O.S. 2021, Section 886, is amended to read as follows:

Section 886. Every person who is guilty of the detestable and abominable crime against nature, committed with mankind or with a beast, is guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 109. AMENDATORY 21 O.S. 2021, Section 891, is amended to read as follows:

Section 891. Whoever maliciously, forcibly or fraudulently takes or entices away any child under the age of sixteen (16) years, with intent to detain or conceal such child from its parent, guardian or other person having the lawful charge of such child or to transport such child from the jurisdiction of this state or the United States without the consent of the person having lawful charge of such child shall, upon conviction, be guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years.

Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section and the offense involved sexual abuse or sexual exploitation, shall be required to serve a term of post-

imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 110. AMENDATORY 21 O.S. 2021, Section 1028, as amended by Section 1, Chapter 267, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1028), is amended to read as follows:

Section 1028. A. It shall be unlawful in the State of Oklahoma:

1. To keep, set up, maintain, or operate any house, place, building, other structure, or part thereof, or vehicle, trailer, or other conveyance with the intent of committing an act of prostitution, lewdness, or assignation;

2. To knowingly own any house, place, building, other structure, or part thereof, or vehicle, trailer, or other conveyance used with the intent of committing an act of lewdness, assignation, or prostitution, or to let, lease, or rent, or contract to let, lease, or rent any such place, premises, or conveyance, or part thereof, to another with knowledge or reasonable cause to believe that the intention of the lessee or rentee is to use such place, premises, or conveyance for prostitution, lewdness, or assignation;

3. To offer, or to offer to secure, another with the intent of having such person commit an act of prostitution, or with the intent of having such person commit any other lewd or indecent act;

4. To receive or to offer or agree to receive any person into any house, place, building, other structure, vehicle, trailer, or other conveyance with the intent of committing an act of prostitution, lewdness, or assignation, or to permit any person to remain there with such intent;

5. To direct, take, or transport, or to offer or agree to take or transport, or aid or assist in transporting, any person to any house, place, building, other structure, vehicle, trailer, or other conveyance, or to any other person with knowledge or having reasonable cause to believe that the intent of such directing, taking or transporting is prostitution, lewdness or assignation;

6. To knowingly accept, receive, levy, or appropriate any money or other thing of value without consideration from a prostitute or from the proceeds of any person engaged in prostitution; or

7. To knowingly abet the crime of prostitution by allowing a house, place, building, or parking lot to be used or occupied by a person who is soliciting, inducing, enticing, or procuring another to commit an act of lewdness, assignation, or prostitution or who is engaging in prostitution, lewdness, or assignation on the premises of the house, place, building, or parking lot.

B. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class B4 felony offense punishable by imprisonment in the Department of Corrections for a term of not more than five (5) years, and by a fine as follows:

1. Not more than Five Thousand Dollars (\$5,000.00) upon the first conviction;

2. Not more than Ten Thousand Dollars (\$10,000.00) upon the second conviction; and

3. Not more than Fifteen Thousand Dollars (\$15,000.00) upon the third or subsequent conviction.

C. Any person who violates the provisions of this section where the victim of the offense is under eighteen (18) years of age at the time of the offense shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not more than fifteen (15) years, and by a fine as follows:

1. Not more than Ten Thousand Dollars (\$10,000.00) upon the first conviction;

2. Not more than Twenty Thousand Dollars (\$20,000.00) upon the second conviction; and

3. Not more than Thirty Thousand Dollars (\$30,000.00) upon the third or subsequent conviction.

SECTION 111. AMENDATORY 21 O.S. 2021, Section 1040.13, as amended by Section 21, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.13), is amended to read as follows:

Section 1040.13. Every person who, with knowledge of its contents, sends, brings, or causes to be sent or brought into this state for sale or commercial distribution, or in this state prepares, sells, exhibits, commercially distributes, gives away, offers to give away, or has in his or her possession with intent to sell, to commercially distribute, to exhibit, to give away, or to offer to give away any obscene material or child sexual abuse material or gives information stating when, where, how, or from whom, or by what means obscene material or child sexual abuse material can be purchased or obtained, upon conviction, is guilty of a Class B4 felony offense and shall be punished by imprisonment for not more than ten (10) years in prison or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

SECTION 112. AMENDATORY 21 O.S. 2021, Section 1040.13a, is amended to read as follows:

Section 1040.13a. A. It is unlawful for any person to facilitate, encourage, offer or solicit sexual conduct with a minor, or other individual the person believes to be a minor, by use of any technology, or to engage in any communication for sexual or prurient interest with any minor, or other individual the person believes to be a minor, by use of any technology. For purposes of this subsection, "by use of any technology" means the use of any telephone or cell phone, computer disk (CD), digital video disk (DVD), recording or sound device, CD-ROM, VHS, computer, computer network or system, Internet or World Wide Web address including any blog site or personal web address, e-mail address, Internet Protocol address (IP), text messaging or paging device, any video, audio, photographic or camera device of any computer, computer network or system, cell phone, any other electrical, electronic, computer or mechanical device, or any other device capable of any transmission of any written or text message, audio or sound message, photographic, video, movie, digital or computer-generated image, or any other communication of any kind by use of an electronic device.

B. A person is guilty of violating the provisions of this section if the person knowingly transmits any prohibited communication by use of any technology defined herein, or knowingly prints, publishes or reproduces by use of any technology described herein any prohibited communication, or knowingly buys, sells, receives, exchanges, or disseminates any prohibited communication or any information, notice, statement, website, or advertisement for communication with a minor or access to any name, telephone number,

cell phone number, e-mail address, Internet address, text message address, place of residence, physical characteristics or other descriptive or identifying information of a minor, or other individual the person believes to be a minor.

C. The fact that an undercover operative or law enforcement officer was involved in the detection and investigation of an offense pursuant to this section shall not constitute a defense to a prosecution under this section.

D. Any violation of the provisions of this section shall be a Class B4 felony offense, punishable by a fine in an amount not to exceed Ten Thousand Dollars (\$10,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not more than ten (10) years, or by both such fine and imprisonment. For purposes of this section, each communication shall constitute a separate offense. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

E. For purposes of any criminal prosecution pursuant to any violation of this section, the person violating the provisions of this section shall be deemed to be within the jurisdiction of this state by the fact of accessing any computer, cellular phone or other computer-related or satellite-operated device in this state, regardless of the actual jurisdiction where the violator resides.

SECTION 113. AMENDATORY 21 O.S. 2021, Section 1073, is amended to read as follows:

Section 1073. Any person who promotes a pyramid promotional scheme shall be guilty of a Class B4 felony offense and, upon conviction, shall be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment in the State Penitentiary for not more than ten (10) years, or by both such fine and imprisonment, for each violation of this act.

SECTION 114. AMENDATORY 21 O.S. 2021, Section 1086, is amended to read as follows:

Section 1086. Any owner, proprietor, keeper, manager, conductor, or other person, who knowingly permits or suffers the violation of any provision of this article, in any house, building, room, tent, lot or premises under his control or of which he has possession, upon conviction, shall be punished for the first offense by imprisonment within the county jail for a period of not less than six (6) months nor more than one (1) year, and by a fine of not more than Three Hundred Dollars (\$300.00), and upon conviction for any subsequent offense under this article shall be guilty of a Class B4 felony offense and shall be punished by imprisonment in the State Penitentiary for a period of not less than one (1) year nor more than ten (10) years.

SECTION 115. AMENDATORY 21 O.S. 2021, Section 1118, is amended to read as follows:

Section 1118. Any person who takes any woman unlawfully against her will, with the intent to compel her by force, menace or duress to marry him, or to marry any other person, shall be guilty of a Class B4 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years.

SECTION 116. AMENDATORY 21 O.S. 2021, Section 1119, is amended to read as follows:

Section 1119. Every person who takes away or induces to leave any person under the age of fifteen (15) years, from a parent, guardian or other person having the legal charge of the person, without the consent of said parent, guardian, or other person having legal charge, for the purpose of marriage or concubinage, or any crime involving moral turpitude shall be guilty of a Class B4 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or by imprisonment in the county jail not exceeding one (1) year, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 117. AMENDATORY 21 O.S. 2021, Section 1161.1, is amended to read as follows:

Section 1161.1. A. It is unlawful for any person to knowingly and willfully desecrate a human corpse for any purpose of:

1. Tampering with the evidence of a crime;

2. Camouflaging the death of human being;
3. Disposing of a dead body;
4. Impeding or prohibiting the detection, investigation or prosecution of a crime;
5. Altering, inhibiting or concealing the identification of a dead body, a crime victim, or a criminal offender; or
6. Disrupting, prohibiting or interfering with any law enforcement agency or the Office of the State Medical Examiner in detecting, investigating, examining, determining, identifying or processing a dead body, cause of death, the scene where a dead body is found, or any forensic examination or investigation relating to a dead body or a crime.

B. Upon conviction, the violator of any provision of this section shall be guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not more than seven (7) years, by a fine not exceeding Eight Thousand Dollars (\$8,000.00), or by both such fine and imprisonment.

C. This offense may be prosecuted in addition to any prosecution pursuant to Section 1161 of Title 21 of the Oklahoma Statutes for removal of a dead body or any other criminal offense.

D. For purposes of this section, "desecration of a human corpse" means any act committed after the death of a human being including, but not limited to, dismemberment, disfigurement, mutilation, burning, or any act committed to cause the dead body to be devoured, scattered or dissipated; except, those procedures performed by a state agency or licensed authority in due course of its duties and responsibilities for forensic examination, gathering or removing crime scene evidence, presentation or preservation of evidence, dead body identification, cause of death, autopsy, cremation or burial, organ donation, use of a cadaver for medical educational purposes, or other necessary procedures to identify, remove or dispose of a dead body by the proper authority.

SECTION 118. AMENDATORY 21 O.S. 2021, Section 1173, as amended by Section 2, Chapter 318, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1173), is amended to read as follows:

Section 1173. A. Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that:

1. Would cause a reasonable person or a member of the immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and

2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested,

shall, upon conviction, be guilty of the crime of stalking, which is a felony punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed three (3) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Any person convicted of a second violation of the provisions of this subsection shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed six (6) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. Any person convicted of a third or subsequent violation of the provisions of this subsection shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed twelve (12) years, or by a fine not to exceed Fifteen Thousand Dollars (\$15,000.00), or by both such fine and imprisonment.

B. Any person who violates the provisions of subsection A of this section when:

1. There is a permanent or temporary restraining order, a protective order, an emergency ex parte protective order, or an injunction in effect prohibiting the behavior described in subsection A of this section against the same party, when the person violating the provisions of subsection A of this section has actual notice of the issuance of such order or injunction;

2. Said person is on probation or parole, a condition of which prohibits the behavior described in subsection A of this section against the same party or under the conditions of a community or alternative punishment; or

3. Said person, within ten (10) years preceding the violation of subsection A of this section, completed the execution of sentence for a conviction of a crime involving the use or threat of violence

against the same party, or against any member of the immediate family of such party,

shall, upon conviction, be guilty of a Class B5 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed fifteen (15) years, or by a fine not to exceed Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.

C. Any person who:

1. Commits a second act of stalking within ten (10) years of the completion of sentence for a prior conviction of stalking; or

2. Has a prior conviction of stalking and, after being served with a protective order that prohibits contact with an individual, knowingly makes unconsented contact with the same individual,

shall, upon conviction, be guilty of a Class B5 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed twenty (20) years, or by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

D. Any person who commits an act of stalking within ten (10) years of the completion of execution of sentence for a prior conviction under subsection B or C of this section shall, upon conviction, be guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed twenty-five (25) years, or by a fine not to exceed Thirty Thousand Dollars (\$30,000.00), or by both such fine and imprisonment.

E. Evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact, as defined in subsection F of this section, with the victim after having been requested by the victim to discontinue the same or any other form of unconsented contact, and to refrain from any further unconsented contact with the victim, shall give rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

F. For purposes of determining the crime of stalking, the following definitions shall apply:

1. "Harasses" means a pattern or course of conduct directed toward another individual that includes, but is not limited to, repeated or continuing unconsented contact, that would cause a reasonable person to suffer emotional distress, and that actually causes emotional distress to the victim. Harassment shall include harassing or obscene phone calls as prohibited by Section 1172 of this title and conduct prohibited by Section 850 of this title. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose;

2. "Course of conduct" means a series of two or more separate acts over a period of time, however short or long, evidencing a continuity of purpose, including any of the following:

- a. maintaining a visual or physical proximity to the victim,
- b. approaching or confronting the victim in a public place or on private property,
- c. appearing at the workplace of the victim or contacting the employer or coworkers of the victim,
- d. appearing at the home of the victim or contacting the neighbors of the victim,
- e. entering onto or remaining on property owned, leased, or occupied by the victim,
- f. contacting the victim by telephone, text message, electronic message, electronic mail, or other means of electronic communication or causing the telephone or electronic device of the victim or the telephone or electronic device of any other person to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues,
- g. photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subparagraph applies regardless of where the act occurs,
- h. sending to the victim any physical or electronic material or contacting the victim by any means,

including any message, comment, or other content posted on any Internet site or web application,

- i. sending to a family member or member of the household of the victim, or any current or former employer of the victim, or any current or former coworker of the victim, or any friend of the victim, any physical or electronic material or contacting such person by any means, including any message, comment, or other content posted on any Internet site or web application, for the purpose of obtaining information about, disseminating information about, or communicating with the victim,
- j. placing an object on or delivering an object to property owned, leased, or occupied by the victim,
- k. delivering an object to a family member or member of the household of the victim, or an employer, coworker, or friend of the victim, or placing an object on, or delivering an object to, property owned, leased, or occupied by such a person with the intent that the object be delivered to the victim, or
- l. causing a person to engage in any of the acts described in subparagraphs a through k of this paragraph.

Constitutionally protected activity is not included within the meaning of "course of conduct";

3. "Emotional distress" means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling;

4. "Unconsented contact" means any contact with another individual that is initiated or continued without the consent of the individual, or in disregard of that individual's expressed desire that the contact be avoided or discontinued. Constitutionally protected activity is not included within the meaning of unconsented contact. Unconsented contact includes but is not limited to any of the following:

- a. following or appearing within the sight of that individual,

- b. approaching or confronting that individual in a public place or on private property,
- c. appearing at the workplace or residence of that individual,
- d. entering onto or remaining on property owned, leased, or occupied by that individual,
- e. contacting that individual by telephone,
- f. sending mail or electronic communications to that individual, and
- g. placing an object on, or delivering an object to, property owned, leased, or occupied by that individual;

5. "Member of the immediate family", for the purposes of this section, means any spouse, parent, child, person related within the third degree of consanguinity or affinity or any other person who regularly resides in the household or who regularly resided in the household within the prior six (6) months; and

6. "Following" shall include the tracking of the movement or location of an individual through the use of a Global Positioning System (GPS) device or other monitoring device by a person, or person who acts on behalf of another, without the consent of the individual whose movement or location is being tracked; provided, this shall not apply to the lawful use of a GPS device or other monitoring device or to the use by a new or used motor vehicle dealer or other motor vehicle creditor of a GPS device or other monitoring device, including a device containing technology used to remotely disable the ignition of a motor vehicle, in connection with lawful action after default of the terms of a motor vehicle credit sale, loan or lease, and with the express written consent of the owner or lessee of the motor vehicle.

SECTION 119. AMENDATORY 21 O.S. 2021, Section 1217, is amended to read as follows:

Section 1217. Any person or persons acting in concert with each other who knowingly and willfully interfere with, molest, or assault firemen in the performance of their duties, or who knowingly and

willfully obstruct, interfere with or impede the progress of firemen to reach the destination of a fire, shall be deemed guilty of a Class B4 felony offense and shall be punished therefor by imprisonment in the State Penitentiary for a term not exceeding ten (10) years nor less than two (2) years.

SECTION 120. AMENDATORY 21 O.S. 2021, Section 1230.7, is amended to read as follows:

Section 1230.7. Any person commits ~~the~~ a Class B4 felony offense of unlawful concealment of hazardous waste who knowingly and willfully subjects any other person, including but not limited to peace officers, emergency responders or clean-up crews, to the potential for immediate or long-term risk to their health or safety by exposure to chemical wastes, by knowingly and willfully:

1. Concealing or causing other persons to conceal the unlawful abandonment or disposal of hazardous waste;

2. Concealing or causing other persons to conceal that hazardous waste is being transported; or

3. Misrepresenting or causing other persons to misrepresent the type of hazardous waste being transported.

SECTION 121. AMENDATORY 21 O.S. 2021, Section 1230.8, is amended to read as follows:

Section 1230.8. Any person convicted of the offense of:

1. Unlawful hazardous waste transportation shall be guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of this title, or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or both such fine and imprisonment;

2. Unlawful waste management with respect to:

a. waste other than hazardous waste shall be guilty of a misdemeanor punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00), and

b. hazardous waste shall be guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B

through F of Section 20N of this title, or a fine of not more than Fifty Thousand Dollars (\$50,000.00), or both such fine and imprisonment;

3. Unlawful waste misrepresentation with respect to:

- a. waste other than hazardous waste shall be guilty of a misdemeanor punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), and
- b. hazardous waste shall be guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of this title, or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or both such fine and imprisonment;

4. Unlawful disposal of hazardous waste shall be guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of this title, or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or both such fine and imprisonment; and

5. Unlawful concealment of hazardous waste shall be guilty of a Class B4 felony offense punishable by imprisonment for not less than two (2) years nor more than ten (10) years and a fine of not more than One Hundred Thousand Dollars (\$100,000.00).

SECTION 122. AMENDATORY 21 O.S. 2021, Section 1263, is amended to read as follows:

Section 1263. Any person who, by word of mouth or writings, advocates, affirmatively suggests or teaches the duty, necessity, propriety or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest or teach the duty, necessity, propriety or expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit; or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, affirmatively suggesting, or teaching crime, criminal syndicalism, sabotage, the

doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting or bringing about any industrial or political ends, or change, or as a means of accomplishing, effecting or bringing about any industrial or political revolution, or for profit; or who shall openly, or at all attempt to justify by word of mouth or writing, the commission or the attempt to commit sabotage, any act of physical violence, the destruction of or damage to any property, the injury to any person or the commission of any crime or unlawful act, with the intent to exemplify, spread or teach or affirmatively suggest criminal syndicalism; or who organizes, or helps to organize or becomes a member of or voluntarily assembles with any society or assemblage of persons which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change or revolution, or for profit, is guilty of a Class B4 felony offense, and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for a term not to exceed ten (10) years, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Provided, that none of the provisions of Sections 1261 through 1264 of this title shall be construed to modify or affect Section 166 of Title 40 of the Oklahoma Statutes.

SECTION 123. AMENDATORY 21 O.S. 2021, Section 1265.2, is amended to read as follows:

Section 1265.2. Whoever destroys, impairs, injures, interferes or tampers with real or personal property with intent to hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, shall be guilty of a Class B4 felony offense punishable by imprisonment for not more than ten (10) years, or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both; provided, if such person so acts with the intent to hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, the minimum punishment shall be imprisonment for not less than one (1) year.

SECTION 124. AMENDATORY 21 O.S. 2021, Section 1265.3, is amended to read as follows:

Section 1265.3. Whoever intentionally makes or causes to be made any defect in any article or thing with reasonable grounds to believe that such article or thing is intended to be used in connection with the preparation of the United States or any of the states for defense or for war, or for the prosecution of war by the United States, or that such article or thing is one of a number of similar articles or things, some of which are intended so to be used, shall be guilty of a Class B4 felony offense punishable by imprisonment for not more than ten (10) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00) or both; provided, if such person so acts with the intent to hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, the minimum punishment shall be imprisonment for not less than one (1) year.

SECTION 125. AMENDATORY 21 O.S. 2021, Section 1265.5, is amended to read as follows:

Section 1265.5. If two or more persons conspire to commit any crime defined by Sections 1265.1 through 1265.14 of this title, each of such persons is guilty of conspiracy, a Class B4 felony offense, and subject to the same punishment as if he had committed the crime which he conspired to commit, whether or not any act be done in furtherance of the conspiracy. It shall not constitute any defense or ground of suspension of judgment, sentence or punishment on behalf of any person prosecuted under this section, that any of his fellow conspirators has been acquitted, has not been arrested or convicted, is not amenable to justice or has been pardoned or otherwise discharged before or after conviction.

SECTION 126. AMENDATORY 21 O.S. 2021, Section 1268.4, is amended to read as follows:

Section 1268.4. A. Terrorism hoax is a felony.

B. A person convicted of terrorism hoax shall be guilty of a Class B4 felony offense and shall be punished by imprisonment in the State Penitentiary for a term of not more than ten (10) years. In addition to any punishment imposed for the act of terrorism hoax, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act.

SECTION 127. AMENDATORY 21 O.S. 2021, Section 1268.6, is amended to read as follows:

Section 1268.6. A. It shall be unlawful for any person to manufacture, send, deliver or possess any toxic, noxious, or lethal substance, chemical, biological or nuclear material with the intent of engaging in terrorist activity.

B. A person convicted of a violation of this section shall be guilty of a Class B4 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than eight (8) years. In addition to any term of imprisonment imposed for a violation of this section, the person shall be ordered to make restitution to victims and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to the crime.

SECTION 128. AMENDATORY 21 O.S. 2021, Section 1268.7, is amended to read as follows:

Section 1268.7. A. No person, knowing that property is the proceeds of an act of terrorism or a monetary instrument given, received, or intended to be used in support of an act of terrorism, shall conduct or attempt to conduct any financial transaction involving that property or transport, transmit or transfer that monetary instrument with the intent to do any of the following:

1. Commit or further the commission of an act of terrorism;

2. Conceal or disguise the nature, location, source, ownership, or control of either the proceeds of an act of terrorism or a monetary instrument given, received, or intended to be used to support an act of terrorism; or

3. Conceal or disguise the intent to avoid a financial transaction reporting requirement as provided in 31 U.S.C., Section 5311 et seq., 31 C.F.R., Part 103, Title 6 of the Oklahoma Statutes, or other federal monetary reporting requirements under law.

B. Any person convicted of violating any provision of subsection A of this section shall be guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00) or an amount equal to twice the dollar amount

of each transaction, whichever is greater, or by both such fine and imprisonment.

SECTION 129. AMENDATORY 21 O.S. 2021, Section 1268.8, is amended to read as follows:

Section 1268.8. Any person who knowingly or intentionally uses a money services business, as defined by the Oklahoma Financial Transaction Reporting Act, or an electronic funds transfer network for any purpose in violation of the Oklahoma Antiterrorism Act, or with intent to facilitate any violation of the Oklahoma Antiterrorism Act shall, upon conviction, be guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00) or an amount equal to twice the dollar amount of each transaction, whichever is greater, or by both such fine and imprisonment.

SECTION 130. AMENDATORY 21 O.S. 2021, Section 1283, as amended by Section 1, Chapter 299, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1283), is amended to read as follows:

Section 1283.

CONVICTED FELONS AND DELINQUENTS

A. Except as provided in subsection B of this section, it shall be unlawful for any person convicted of any felony in any court of this state or of another state or of the United States to have in his or her possession or under his or her immediate control, or in any vehicle which the person is operating, or at the residence where the convicted person resides, any pistol, imitation or homemade pistol, altered air or toy pistol, machine gun, sawed-off shotgun or sawed-off rifle, or any other firearm. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class B4 felony offense.

B. Any person who has previously been convicted of a nonviolent felony in any court of this state or of another state or of the United States, and who has received a full and complete pardon from the proper authority and has not been convicted of any other felony offense which has not been pardoned, shall have restored the right to possess any firearm or other weapon prohibited by subsection A of this section, the right to apply for and carry a handgun, concealed

or unconcealed, pursuant to the provisions of the Oklahoma Self-Defense Act or as otherwise permitted by law, and have the right to perform the duties of a peace officer, gunsmith, and for firearms repair.

C. It shall be unlawful for any person serving a term of probation for any felony in any court of this state or of another state or of the United States or under the jurisdiction of any alternative court program to have in his or her possession or under his or her immediate control, or at his or her residence, or in any passenger vehicle which the person is operating, any pistol, shotgun or rifle including any imitation or homemade pistol, altered air or toy pistol, toy shotgun or toy rifle, while such person is subject to supervision, probation, parole or inmate status. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class B4 felony offense.

D. It shall be unlawful for any person previously adjudicated as a delinquent child or a youthful offender for the commission of an offense, which would have constituted a felony offense if committed by an adult, to have in the possession of the person or under the immediate control of the person, or have in any vehicle which he or she is driving, or at the residence of the person, any pistol, imitation or homemade pistol, altered air or toy pistol, machine gun, sawed-off shotgun or sawed-off rifle, or any other dangerous or deadly firearm within ten (10) years after such adjudication; provided, that nothing in this subsection shall be construed to prohibit the placement of the person in a home with a full-time duly appointed peace officer who is certified by the Council on Law Enforcement Education and Training (CLEET) pursuant to the provisions of Section 3311 of Title 70 of the Oklahoma Statutes. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class B4 felony offense.

E. It shall be unlawful for any person who is an alien illegally or unlawfully in the United States to have in the possession of the person or under the immediate control of the person, or in any vehicle the person is operating, or at the residence where the person resides, any pistol, imitation or homemade pistol, altered air or toy pistol, shotgun, rifle or any other dangerous or deadly firearm; provided, that nothing in this subsection applies to prohibit the transport or detention of the person by law enforcement officers or federal immigration authorities. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a ~~misdemeanor~~ Class

B4 felony offense punishable by a fine of Two Hundred Fifty Dollars (\$250.00).

F. Any person having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act and who knowingly or intentionally allows a convicted felon or adjudicated delinquent or a youthful offender as prohibited by the provisions of subsection A, C, or D of this section to possess or have control of any firearm authorized by the Oklahoma Self-Defense Act shall, upon conviction, be guilty of a Class B4 felony offense punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). In addition, the person shall have the handgun license revoked by the Oklahoma State Bureau of Investigation after a hearing and determination that the person has violated the provisions of this section.

G. Any convicted or adjudicated person violating the provisions of this section shall, upon conviction, be guilty of a felony punishable as provided in Section 1284 of this title.

H. For purposes of this section, "sawed-off shotgun" or "sawed-off rifle" shall mean any shotgun or rifle which the barrel or barrels have been illegally shortened in length.

I. For purposes of this section, "altered toy pistol" shall mean any toy weapon which has been altered from its original manufactured state to resemble a real weapon.

J. For purposes of this section, "altered air pistol" shall mean any air pistol manufactured to propel projectiles by air pressure which has been altered from its original manufactured state.

K. For purposes of this section, "alternative court program" shall mean any drug court, Anna McBride or mental health court, DUI court or veterans court.

SECTION 131. AMENDATORY 21 O.S. 2021, Section 1289.16, is amended to read as follows:

Section 1289.16.

FELONY POINTING FIREARMS

Except for an act of self-defense, it shall be unlawful for any person to willfully or without lawful cause point a shotgun, rifle

or pistol, or any deadly weapon, whether loaded or not, at any person or persons for the purpose of threatening or with the intention of discharging the firearm or with any malice or for any purpose of injuring, either through physical injury or mental or emotional intimidation or for purposes of whimsy, humor or prank, or in anger or otherwise, but not to include the pointing of shotguns, rifles or pistols by law enforcement authorities in the performance of their duties, armed security guards licensed by the Council on Law Enforcement Education and Training pursuant to the Oklahoma Security Guard and Private Investigator Act in the performance of their duties, members of the state military forces in the performance of their duties, members of the federal military reserve and active military components in the performance of their duties, or any federal government law enforcement officer in the performance of any duty, or in the performance of a play on stage, rodeo, television or on film, or in defense of any person, one's home or property. Any person convicted of a violation of the provisions of this section shall be guilty of a Class B4 felony offense and shall be punished as provided in Section 1289.17 of this title.

Any person convicted of a violation of the provisions of this section after having been issued a handgun license pursuant to the Oklahoma Self-Defense Act shall have the license revoked and shall be subject to an administrative fine of One Thousand Dollars (\$1,000.00), upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

SECTION 132. AMENDATORY 21 O.S. 2021, Section 1289.17,
is amended to read as follows:

Section 1289.17.

PENALTIES FOR 1289.16

Any violation of Section 1289.16 of this title shall constitute a Class B4 felony offense, for which a person convicted thereof shall be sentenced to imprisonment in the State Penitentiary for not less than one (1) year nor more than ten (10) years.

SECTION 133. AMENDATORY 21 O.S. 2021, Section 1289.20,
is amended to read as follows:

Section 1289.20.

MANUFACTURE OF RESTRICTED BULLETS

A. Except for the purpose of public safety or national security, it shall be unlawful to manufacture, cause to be manufactured, import, advertise for sale or sell within this state any restricted bullet as defined in Section 1289.19 of this title.

B. Any person convicted of violating subsection A of this section shall be guilty of a Class B4 felony offense and shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the State Penitentiary for not more than ten (10) years, or by both such fine and imprisonment.

SECTION 134. AMENDATORY 21 O.S. 2021, Section 1289.21,
is amended to read as follows:

Section 1289.21.

POSSESSION OR USE OF RESTRICTED BULLETS

A. It shall be unlawful for any person to possess, carry upon his person, use or attempt to use against another person any restricted bullet as defined in Section 1289.19 of this title.

B. Any person convicted of violating subsection A of this section shall be guilty of a Class B4 felony offense and shall be punished by imprisonment in the State Penitentiary for not less than two (2) years nor more than ten (10) years. The sentence so imposed shall not be suspended.

SECTION 135. AMENDATORY 21 O.S. 2021, Section 1290.21,
is amended to read as follows:

Section 1290.21.

REPLACEMENT LICENSE

A. In the event a handgun license becomes missing, lost, stolen or destroyed, the license shall be invalid, and the person to whom the license was issued shall notify the Oklahoma State Bureau of Investigation within thirty (30) days of the discovery of the fact that the license is not in the possession of the licensee. The person may obtain a substitute license upon furnishing a notarized statement to the Bureau that the license is missing, lost, stolen or

destroyed and paying a fifteen-dollar replacement fee. During any period when a license is missing, lost, stolen or destroyed, the person shall have no authority to carry a concealed or unconcealed handgun pursuant to the provisions of the Oklahoma Self-Defense Act. The Bureau shall, upon receipt of the notarized statement and fee from the licensee, issue a substitute license with the same expiration date within ten (10) days of the receipt of the notarized statement and fee.

B. Any person who knowingly or intentionally carries a concealed or unconcealed handgun pursuant to a handgun license authorized and issued pursuant to the provisions of the Oklahoma Self-Defense Act which is stolen shall, upon conviction, be guilty of a Class B4 felony offense punishable by a fine of Five Thousand Dollars (\$5,000.00).

C. Any person having a valid handgun license pursuant to the Oklahoma Self-Defense Act may carry any make or model of an authorized pistol listed on the license, provided the type of pistol shall not be other than the type or types listed on the license. A person may complete additional firearms training for an additional type of pistol during any license period and upon successful completion of the training may request the additional type of pistol be included on the license. The person shall submit to the Bureau a fifteen-dollar replacement fee, the original certificate of training and qualification for the additional type of firearm, and a statement requesting the license be updated to include the additional type of pistol. The Bureau shall issue an updated license with the same expiration date within ten (10) days of the receipt of the request. The person shall have no authority to carry any additional type of pistol pursuant to the provisions of the Oklahoma Self-Defense Act until the updated license has been received by the licensee. The original license shall be destroyed upon receipt of an updated handgun license.

D. A person may request during any license period an update for a change of address or change of name by submitting to the Bureau a fifteen-dollar replacement fee, and a notarized statement that the address or name of the licensee has changed. The Bureau shall issue an updated license with the same expiration date within ten (10) days of receipt of the request. The original license shall be destroyed upon the receipt of the updated handgun license.

SECTION 136. AMENDATORY 21 O.S. 2021, Section 1320.2, is amended to read as follows:

Section 1320.2. It shall be unlawful and shall constitute incitement to riot, a Class B4 felony offense, for a person or persons, intending to cause, aid, or abet the institution or maintenance of a riot, to do an act or engage in conduct that urges other persons to commit acts of unlawful force or violence, or the unlawful burning or destroying of property, or the unlawful interference with a police officer, peace officer, fireman or a member of the Oklahoma National Guard or any unit of the armed services officially assigned to riot duty in the lawful performance of his duty.

SECTION 137. AMENDATORY 21 O.S. 2021, Section 1320.4, is amended to read as follows:

Section 1320.4. Any person guilty of the crime, as set forth in Section 1320.2 of this title, shall be deemed guilty of a Class B4 felony offense, punishable by not more than ten (10) years in prison, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

SECTION 138. AMENDATORY 21 O.S. 2021, Section 1321.7, is amended to read as follows:

Section 1321.7. A. During a state of emergency, any person who maliciously destroys or damages any real or personal property or maliciously injures another shall be guilty of a Class B4 felony offense.

B. Any person guilty of violating this section shall, upon conviction thereof, be imprisoned for not less than two (2) years, nor more than ten (10) years.

C. Any person sixteen (16) years of age or over who violates the provisions of this section shall be prosecuted as an adult.

D. A person is guilty of an offense under this section committed by another person when:

1. Acting with the state of mind that is sufficient for commission of the offense, he causes an innocent or irresponsible person to engage in conduct constituting the offense; or

2. Intending to promote or facilitate the commission of the offense he:

- a. solicits, requests, commands, importunes, or otherwise attempts to cause the other person to commit it,
- b. aids, counsels, or agrees or attempts to aid the other person in planning or committing it, or
- c. having a legal duty to prevent the commission of the offense, fails to make a proper effort to do so.

E. In any prosecution for an offense under this section in which the criminal liability of the accused is based upon the conduct of another person pursuant to this section, it is no defense that:

1. The other person is not guilty of the offense in question because of irresponsibility or other legal incapacity or exemption, or because of unawareness of the criminal nature of the conduct in question or of the accused's criminal purpose, or because of other factors precluding the mental state required for the commission of the offense; or

2. The other person has not been prosecuted for or convicted of any offense based on the conduct in question, or has previously been acquitted thereof, or has been convicted of a different offense or in a different degree, or has legal immunity from prosecution for the conduct in question.

SECTION 139. AMENDATORY 21 O.S. 2021, Section 1321.8, is amended to read as follows:

Section 1321.8. The following provisions shall apply during a state of emergency.

A. A person is guilty of riot when he participates with two or more persons in a course of disorderly conduct:

1. With intent to commit or facilitate the commission of a felony or misdemeanor;

2. With intent to prevent or coerce official action; or

3. When the accused or any other participant to the knowledge of the accused uses or plans to use a firearm or other deadly weapon.

B. Any person upon any public way within the described area who is directed by the authorities to leave the public way but refuses to do so shall be guilty of a misdemeanor.

C. Any person who violates the provisions of this section, except subsection B of this section, shall be guilty of a Class B4 felony offense, and upon conviction thereof shall be imprisoned for not less than two (2) years nor more than ten (10) years.

D. Any person sixteen (16) years of age or over who violates the provisions of this section shall be prosecuted as an adult.

E. A person is guilty of ~~an~~ a Class B4 felony offense under this section committed by another person when:

1. Acting with the state of mind that is sufficient for commission of the offense, he causes an innocent or irresponsible person to engage in conduct constituting the offense;

2. Intending to promote or facilitate the commission of the offense he:

- a. solicits, requests, commands, importunes, or otherwise attempts to cause the other person to commit it,
- b. aids, counsels, or agrees or attempts to aid the other person in planning or committing it, or
- c. having a legal duty to prevent the commission of the offense, fails to make a proper effort to do so; or

3. The person's conduct is expressly declared by a statute of this state to establish the person's complicity.

F. In any prosecution for an offense under this section in which the criminal liability of the accused is based upon the conduct of another person pursuant to this section, it is no defense that:

1. The other person is not guilty of the offense in question because of irresponsibility or other legal incapacity or exemption, or because of unawareness of the criminal nature of the conduct in question or of the accused's criminal purpose, or because of other

factors precluding the mental state required for the commission of the offense; or

2. The other person has not been prosecuted for or convicted of any offense based on the conduct in question, or has previously been acquitted thereof, or has been convicted of a different offense or in a different degree, or has legal immunity from prosecution for the conduct in question.

G. "Disorderly conduct" as used in this section means a course of conduct by a person who:

1. Causes public inconvenience, annoyance, or alarm, or recklessly creates a risk thereof, by:

- a. engaging in fighting or in violent, tumultuous, or threatening behavior,
- b. making an unreasonable noise or an offensively coarse utterance, gesture, or display, or addressing abusive language to any person present,
- c. dispersing any lawful procession or meeting of persons, not being a peace officer of this state and without lawful authority, or
- d. creating a hazardous or physically offensive condition which serves no legitimate purpose; or

2. Engages with at least one other person in a course of disorderly conduct as defined in paragraph 1 of this subsection which is likely to cause substantial harm or serious inconvenience, annoyance, or alarm, and refuses or knowingly fails to obey an order to disperse, made by a peace officer to the participants.

SECTION 140. AMENDATORY 21 O.S. 2021, Section 1368, is amended to read as follows:

Section 1368. A. Any person who has been convicted of a felony under the laws of this or any other state or the laws of the United States who, with an unlawful intent, is in possession of any explosives, upon conviction, shall be guilty of a Class B4 felony offense and shall be punished by a fine of not to exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in the State

Penitentiary for a term not to exceed ten (10) years, or by both such fine and imprisonment.

B. For purposes of this section, the term "explosive" shall have the same definition as the term "explosive" as defined by Chapter 8 of Title 63 of the Oklahoma Statutes.

SECTION 141. AMENDATORY 21 O.S. 2021, Section 1378, is amended to read as follows:

Section 1378. A. Any person who shall attempt, conspire or endeavor to perform an act of violence involving or intended to involve serious bodily harm or death of another person shall be guilty of a Class B4 felony offense, punishable upon conviction thereof by imprisonment for a period of not more than ten (10) years.

B. Any person who shall threaten to perform an act of violence involving or intended to involve serious bodily harm or death of another person shall be guilty of a misdemeanor, punishable upon conviction thereof by imprisonment in the county jail for a period of not more than six (6) months.

C. Any person who shall devise any plan, scheme or program of action to cause serious bodily harm or death of another person with intent to perform such malicious act of violence, whether alone or by conspiring with others, shall be guilty of a Class B4 felony offense, punishable upon conviction thereof by imprisonment for a period of not more than ten (10) years.

SECTION 142. AMENDATORY 47 O.S. 2021, Section 10-102.1, is amended to read as follows:

Section 10-102.1. The driver of any vehicle involved in an accident resulting in the death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 10-104 of this title. Every such stop shall be made without obstructing traffic more than is necessary.

B. Any person willfully, maliciously, or feloniously failing to stop to avoid detection or prosecution, or to comply with said requirements under such circumstances, shall upon conviction be guilty of a Class B4 felony offense punishable by imprisonment for

not less than one (1) year nor more than ten (10) years, or by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

C. The Commissioner of Public Safety shall revoke the license or permit to drive and any nonresident operating privilege of the person so convicted.

SECTION 143. AMENDATORY 47 O.S. 2021, Section 11-905, is amended to read as follows:

Section 11-905. A. Any person who, while operating a vehicle in this state without a valid driver license for the class of vehicle being operated, or while knowingly disqualified to operate a motor vehicle in this state, or while such person knows or should have known that his or her driver license is canceled, denied, suspended or revoked, causes an accident which results in personal injury to any other person, may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a misdemeanor punishable by imprisonment in the county jail for a term not more than one (1) year, or by a fine in an amount not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

B. 1. Any person who, while operating a vehicle in this state without a valid driver license for the class of vehicle being operated, or while knowingly disqualified to operate a motor vehicle in this state, or while such person knows or should have known that his or her driver license is canceled, denied, suspended or revoked, causes an accident resulting in great bodily injury to any other person, may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not more than five (5) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine in an amount not exceeding Three Thousand Dollars (\$3,000.00), or by both such fine and imprisonment.

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which

causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

C. Any person who, while operating a vehicle in this state without a valid driver license for the class of vehicle being operated, or while knowingly disqualified to operate a motor vehicle in this state, or while such person knows or should have known that his or her driver license is canceled, denied, suspended or revoked, causes an accident resulting in the death of any other person, may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a Class B4 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not more than five (5) years, or by a fine in an amount not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

D. The provisions of this section may be charged in addition to any other chargeable offense allowed by law.

SECTION 144. AMENDATORY 47 O.S. 2021, Section 11-1111, is amended to read as follows:

Section 11-1111. A. No person shall willfully throw or drop any substance at a moving vehicle or any occupant thereof.

B. No person shall willfully throw or drop any object from a bridge or overpass with intent to damage any property or injure any person.

C. Any violation of subsection A or B of this section shall be deemed a Class B4 felony offense and, upon conviction, shall be punishable by imprisonment in the Department of Corrections for a term of not more than ten (10) years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

SECTION 145. AMENDATORY 63 O.S. 2021, Section 2-328, is amended to read as follows:

Section 2-328. A. A person or business who manufactures, sells, transfers, furnishes, or receives a precursor substance defined in Section 2-322 of this title commits an offense if the person:

1. Does not comply with the requirements of Section 2-322, 2-323 or 2-326 of this title; or

2. Knowingly makes a false statement in a report or record required by Section 2-323 or 2-326 of this title.

B. Except as provided by subsection C of this section, an offense under subsection A of this section is a misdemeanor and punishable by imprisonment in the county jail for a term not to exceed one (1) year or by a fine not to exceed Ten Thousand Dollars (\$10,000.00).

C. A person who manufactures, sells, transfers, or otherwise furnishes a precursor substance defined in Section 2-322 of this title commits ~~an~~ a Class B4 felony offense if the person manufactures, sells, transfers, or furnishes the substance with the knowledge or intent that the recipient shall use the substance to unlawfully manufacture a controlled substance or a controlled substance analog.

D. A second or subsequent violation of subsection A of this section shall be a Class B4 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than ten (10) years or by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment. Any imprisonment imposed shall not run concurrent with other imprisonment sentences for violations of other provisions of Title 63 of the Oklahoma Statutes.

E. A person who is required by Section 2-322 or 2-324 of this title to have a permit for precursor substances commits an offense if the person:

1. Purchases, obtains, or possesses a precursor substance without having first obtained a permit;

2. Has in his possession or immediate control a precursor substance with no attached permit;

3. Knowingly makes a false statement in an application or report required by Section 2-324 or 2-326 of this title; or

4. ~~Manufacturers~~ Manufactures, sells, transfers, or otherwise furnishes any person or business a precursor substance defined in Section 2-322 of this title, who does not have a permit.

F. An offense under subsection C or E of this section is a Class B4 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than ten (10) years or by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment. Any imprisonment imposed shall not run concurrent with other imprisonment sentences for violations of other provisions of Title 63 of the Oklahoma Statutes.

SECTION 146. AMENDATORY 63 O.S. 2021, Section 2-333, is amended to read as follows:

Section 2-333. A. It shall be unlawful for any person to knowingly sell, transfer, distribute, or dispense any product containing ephedrine, pseudoephedrine or phenylpropanolamine, or their salts, isomers or salts of isomers if the person knows that the purchaser will use the product as a precursor to manufacture methamphetamine or another controlled illegal substance or if the person sells, transfers, distributes or dispenses the product with reckless disregard as to how the product will be used.

B. A violation of this section shall be a Class B4 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than ten (10) years.

C. Any person who sells, transfers, distributes, dispenses, or in any manner furnishes any product containing pseudoephedrine or phenylpropanolamine, or their salts, isomers, or salts of isomers in a negligent manner, with knowledge or reason to know that the product will be used as a precursor to manufacture methamphetamine or any other illegal controlled substance, or with reckless disregard as to how the product will be used, shall be liable for all damages, whether directly or indirectly caused by the sale, transfer, distribution, dispensation, or furnishing.

1. Such damages may include, but are not limited to, any and all costs of detecting, investigating, and cleaning up or remediating clandestine or other unlawfully operated or maintained laboratories where controlled dangerous substances are manufactured, any and all costs of prosecuting criminal cases arising from such manufacture, and any and all consequential and punitive damages otherwise allowed by law.

2. A civil action to recover damages against persons, corporations or other entities violating this subsection may be

brought only by the Attorney General, the Director of the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control or by any district attorney in whose jurisdiction such person may be shown to have committed such violation. Any funds recovered from such an action shall be used for payment or reimbursement of costs arising from investigating or prosecuting criminal or civil cases involving the manufacture of controlled dangerous substances, for drug education programs, or for payment or reimbursement of remediating contaminated methamphetamine laboratory sites.

D. Violation of subsection A or C of this section shall be considered to affect at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal and is subject to the provisions of Section 2 of Title 50 of the Oklahoma Statutes and Section 1397 of Title 12 of the Oklahoma Statutes.

SECTION 147. AMENDATORY 63 O.S. 2021, Section 2-509, is amended to read as follows:

Section 2-509. A. All species of plants from which controlled dangerous substances in Schedules I and II may be derived are hereby declared inimical to health and welfare of the public, and the intent of the Legislature is to control and eradicate these species of the plants in the State of Oklahoma.

B. It shall be unlawful for any person to cultivate or produce, or to knowingly permit the cultivation, production, or wild growing of any species of such plants, on any lands owned or controlled by such person, and it is hereby declared the duty of every such person to destroy all such plants found growing on lands owned or controlled by the person.

C. 1. Whenever any peace officer of the state shall receive information that any species of any such plants has been found growing on any private lands in the State of Oklahoma, the peace officer shall notify the sheriff and county commissioners of the county wherein such plants are found growing. Within five (5) days of receipt of such notice, the county commissioners shall notify the owner or person in possession of such lands that such plants have been found growing on the ~~the~~ lands and that the same must be destroyed or eradicated within fifteen (15) days. When the fifteen (15) days have elapsed, the reporting peace officer shall cause an investigation to be made of the aforesaid lands, and if any such

plants be found growing thereon, the county commissioners shall cause the same to be destroyed or eradicated by either cutting and burning or by applications of herbicides approved for such purpose and registered for use in Oklahoma by the Oklahoma Department of Agriculture, Food, and Forestry in accordance with Section 2-505 of this title.

2. Whenever any such plants are destroyed or eradicated by order of the county commissioners as provided herein, the cost of the same shall, if the work or labor be furnished by the county commissioners, be taxed against the lands whereon the work was performed, and shall be a lien upon such land in all manner and respects as a lien of judgment, if the owner is charged with a violation of subsection B of this section. If the violation of subsection B of this section is by a person other than the owner of the land, without the knowledge of the owner, the costs shall be paid by the initiating law enforcement agency.

D. Knowingly violating the provisions of subsection B or subsection H of this section is hereby declared, as to the owner, or person in possession of such lands, to be a felony and upon conviction punishable as such by a fine not to exceed Fifty Thousand Dollars (\$50,000.00) and imprisonment in the custody of the Department of Corrections for not more than ten (10) years. The fine provided for in this subsection shall be in addition to other punishments provided by law and shall not be in lieu of other punishment. Any person convicted of a second violation of subsection B or subsection H of this section is, upon conviction, punishable by a term of imprisonment in the custody of the Department of Corrections for not less than two (2) years nor more than twenty (20) years and by twice the fine otherwise authorized. Any person convicted of a third or subsequent violation of subsection B or subsection H of this section is punishable by a term of imprisonment in the custody of the Department of Corrections for not less than ten (10) years nor more than life.

E. It shall be the duty of any peace officer of the State of Oklahoma who receives information of such plants growing in the State of Oklahoma, to make notice, in writing, to the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control and the future destruction or eradication of the annual growth of such plants shall be supervised by the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control. Any destruction or eradication of the annual growth of such plants supervised by the Bureau shall be by cutting and burning the same or by destruction and eradication

through applications of herbicides approved for such purpose and registered for use in Oklahoma by the Oklahoma Department of Agriculture, Food, and Forestry.

F. Any application of herbicides authorized by this section shall be made pursuant to the provisions of Section 2-505 of this title.

G. In lieu of the eradication procedures provided for in subsections B and C of this section, all species of plants from which controlled dangerous substances in Schedules I and II of the Uniform Controlled Dangerous Substances Act may be derived, may be disposed of pursuant to the provisions of subsection C of Section 2-505 of this title.

H. Except as authorized by the Uniform Controlled Dangerous Substances Act, it shall be unlawful, and a Class B4 felony offense, for any person to manufacture or attempt to manufacture any controlled dangerous substance by cooking, burning, or extracting and converting or attempting to extract and convert marihuana or marihuana oil into hashish, hashish oil or hashish powder.

SECTION 148. AMENDATORY 63 O.S. 2021, Section 2-701, is amended to read as follows:

Section 2-701. A. There is hereby created within the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control a registry of persons who, after November 1, 2010, have been convicted, whether upon a verdict or plea of guilty or upon a verdict or plea of nolo contendere, or received a suspended sentence or any deferred or probationary term, or are currently serving a sentence or any form of probation or parole for a crime or attempt to commit a crime including, but not limited to, unlawful possession, conspiring, endeavoring, manufacturing, distribution or trafficking of a precursor or methamphetamines under the provisions of Section 2-322, 2-332, 2-401, 2-402, 2-408 or 2-415 of this title, or any crime including, but not limited to, crimes involving the possession, distribution, manufacturing or trafficking of methamphetamines or illegal amounts of or uses of pseudoephedrine in any federal court, Indian tribal court, or any court of another state if the person is a resident of the State of Oklahoma or seeks to remain in the State of Oklahoma in excess of ten (10) days.

B. It shall be unlawful for any person who knows that he or she is subject to the registry created in subsection A of this section

to purchase, possess or have control of any Schedule V compound, mixture, or preparation containing any detectable quantity of pseudoephedrine, its salts or optical isomers, or salts of optical isomers. A prescription for pseudoephedrine shall not provide an exemption for any person to this law. Any person convicted of violating the provisions of this subsection shall be guilty of a Class B4 felony offense, punishable by imprisonment in the custody of the Department of Corrections for not less than two (2) years and not more than ten (10) years, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. The registry created in subsection A of this section shall be maintained by the Bureau. The registry shall be made available for registrants who sell or dispense pseudoephedrine-related products and to law enforcement agencies for law enforcement purposes through the electronic methamphetamine precursor tracking service. The electronic methamphetamine precursor tracking service shall generate a stop-sale alert on any sale of pseudoephedrine to any individual listed on the methamphetamine offender registry in real time.

D. The registry shall consist of the following information:

1. Name and address of the person;

2. Date of birth of the person;

3. The offense or offenses which made the person eligible for inclusion on the registry;

4. The date of conviction or the date that a plea of guilty or nolo contendere was accepted by the court for any violation of an offense provided for in subsection A of this section;

5. The county where the offense or offenses occurred; and

6. Such other identifying data as the Bureau determines is necessary to properly identify the person.

E. Beginning November 1, 2010, all district court clerks shall forward a copy of the judgment and sentence or other applicable information relating to the disposition of the criminal case and date of birth of all persons who are subject to the provisions of the Oklahoma Methamphetamine Offender Registry Act for a violation of the offenses described in subsection A of this section to the

Bureau. The information shall be sent in an electronic format in a manner prescribed by the Bureau within ten (10) days of the date of final disposition of the case. Any person subject to the registry pursuant to subsection A of this section, having received a deferred sentence or conviction in a federal court, Indian tribal court, or any court of another state, shall be required to register and submit a methamphetamine offender registration form in a format prescribed by the Bureau within ten (10) days of entering the State of Oklahoma or if incarcerated in a federal institution within the boundaries of Oklahoma, within ten (10) days of release from the institution. Knowingly failing to submit the form required by this subsection shall constitute a misdemeanor.

F. Upon receipt of the information provided by the district court clerk, the Bureau shall transmit in an electronic format to the electronic methamphetamine precursor tracking service at least every seven (7) days the name of any person placed on the methamphetamine offender registry as provided in this section. The information transmitted to the electronic tracking service shall include the first, middle, and last name of the person, and the address and the date of birth of the person. The electronic methamphetamine precursor tracking service shall be designed to generate a stop-sale alert for any person who is on the methamphetamine offender registry and whose name, address and date of birth have been transmitted by the Bureau to the electronic tracking service.

G. The Bureau shall remove from the methamphetamine offender registry the name and other identifying information of a person who has been convicted of a violation of any of the offenses described in subsection A of this section ten (10) years after the date of the most recent judgment and sentence. Any person having received a deferred sentence that expires prior to the ten-year time limitation may apply to the Bureau to be removed from the registry upon the completion of the deferred sentence by providing to the Bureau a certified copy of the dismissal of the case by certified mail. The Bureau may remove the person from the methamphetamine offender registry upon expiration of the deferred sentence. The Bureau shall also be required to notify the provider of the electronic methamphetamine precursor tracking service when a person is removed from the methamphetamine offender registry. Upon notification from the Bureau, the provider of the electronic tracking service shall remove the name of the person from the electronic methamphetamine precursor tracking service and the person shall thereafter be permitted to purchase pseudoephedrine-related products.

H. It shall be a violation for any person to assist another, with knowledge that the person is subject to the registry, in the purchase of any pseudoephedrine products. Any person convicted of violating the provisions of this subsection shall, for a first offense, be guilty of a misdemeanor, punishable by incarceration in the county jail for not more than one (1) year, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Any second or subsequent conviction for a violation of this subsection shall be a Class D2 felony offense, punishable by incarceration ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 200 of Title 21 of the Oklahoma Statutes, or by a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

I. On or prior to November 1, 2011, the Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall maintain a methamphetamine offender registry website available for viewing by the public.

J. For the purposes of this section, knowledge that a person was subject to the methamphetamine offender registry may be proven through court testimony or any other public notice or publicly available record including, but not limited to, court records maintained by the Oklahoma Supreme Court Network and the Oklahoma Court Information System.

K. The Oklahoma State Bureau of Narcotics and Dangerous Drugs Control shall take necessary actions through the promulgation of rules and cooperation with pharmacies and the courts to ensure that notice of the provisions of this section is provided to those persons subject to the methamphetamine offender registry as listed in subsection A of this section.

SECTION 149. AMENDATORY 21 O.S. 2021, Section 647, is amended to read as follows:

Section 647. Aggravated assault and battery shall be a Class B5 felony offense and shall be punished by imprisonment in the State Penitentiary not exceeding five (5) years, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

SECTION 150. AMENDATORY 21 O.S. 2021, Section 649, is amended to read as follows:

Section 649. A. Every person who, without justifiable or excusable cause, knowingly commits any assault upon the person of a police officer, sheriff, deputy sheriff, highway patrolman, corrections personnel, or state peace officer employed or duly appointed by any state governmental agency to enforce state laws while the officer is in the performance of his or her duties is punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

B. Every person who, without justifiable or excusable cause knowingly commits battery or assault and battery upon the person of a police officer, sheriff, deputy sheriff, highway patrolman, corrections personnel, or other state peace officer employed or duly appointed by any state governmental agency to enforce state laws while the officer is in the performance of his or her duties, upon conviction, shall be guilty of a Class B5 felony offense punishable by imprisonment in the custody of the Department of Corrections of not more than five (5) years or county jail for a period not to exceed one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

C. As used in this section and in Section 650 of this title, "corrections personnel" means any person, employed or duly appointed by the state or by a political subdivision, who has direct contact with inmates of a jail or state correctional facility, and includes but is not limited to, Department of Corrections personnel in job classifications requiring direct contact with inmates, persons providing vocational-technical training to inmates, education personnel who have direct contact with inmates because of education programs for inmates, and persons employed or duly appointed by county or municipal jails to supervise inmates or to provide medical treatment or meals to inmates of jails.

D. For the purposes of this section, assault and battery upon law officers includes any attempt to reach for or gain control of the firearm of any police officer, sheriff, deputy sheriff, highway patrol, corrections personnel as defined in Section 649 of this title, or any peace officer employed by any state or federal governmental agency to enforce state laws.

E. For purposes of this section, if an officer is off duty and the nature of the assault or assault and battery relates back to, or in any manner or circumstances has to do with, his or her official position as a law enforcement officer then it shall fall within the meaning of "in the performance of his or her duties" as an officer.

F. This section shall not supersede any other act or acts, but shall be cumulative thereto.

SECTION 151. AMENDATORY 21 O.S. 2021, Section 649.1, is amended to read as follows:

Section 649.1. A. No person shall willfully strike, torment, administer a nonpoisonous desensitizing substance to, or otherwise mistreat a police dog or police horse owned, or the service of which is employed, by a law enforcement agency of the state or a political subdivision of the state.

B. No person shall willfully interfere with the lawful performance of any police dog or police horse.

C. Except as provided in subsection D of this section, any person convicted of violating any of the provisions of this section shall be guilty of a ~~misdemeanor~~ Class B6 felony offense, punishable by the imposition of a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment. In addition, the person shall be ordered to pay restitution, which shall be paid to the law enforcement agency or political subdivision of the state which employed the service of the police dog or horse.

D. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a Class B5 felony offense, punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the custody of the Department of Corrections not exceeding two (2) years, or by both such fine and imprisonment. In addition, the person shall be ordered to pay restitution, which shall be paid to the law enforcement agency or political subdivision of the state which employed the service of the police dog or horse.

SECTION 152. AMENDATORY 21 O.S. 2021, Section 649.2, is amended to read as follows:

Section 649.2. A. No person shall willfully kill; beat; torture; injure so as to disfigure or disable; administer poison to; set a booby trap device for the purpose of injury so as to disfigure, disable or kill; or pay or agree to pay bounty for purposes of injury so as to disfigure, disable or kill any police dog or police horse owned, or the service of which is employed, by a law enforcement agency of the state or a political subdivision of the state.

B. Except as provided in subsection C of this section, any person convicted of violating the provisions of this section is guilty of a misdemeanor punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment. In addition, the person shall be ordered to pay restitution, which shall be paid to the law enforcement agency or political subdivision of the state which employed the service of the police dog or horse.

C. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a Class B5 felony offense, punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the custody of the Department of Corrections not exceeding five (5) years, or by both such fine and imprisonment. In addition, the person shall be ordered to pay restitution, which shall be paid to the law enforcement agency or political subdivision of the state which employed the service of the police dog or horse.

D. The provisions of this section shall not apply:

1. To a peace officer or veterinarian who terminates the life of a police dog or a police horse for the purpose of relieving the dog or horse of undue pain or suffering; or

2. If a police dog is off duty and is running loose without supervision of a police officer and gets run over by a motor vehicle or is perceived to be a threat to the public.

SECTION 153. AMENDATORY 21 O.S. 2021, Section 650.2, is amended to read as follows:

Section 650.2. A. Every person in the custody of the Oklahoma Department of Corrections who, without justifiable or excusable

cause, knowingly commits any assault, battery or assault and battery upon the person of a Department of Corrections employee while said employee is in the performance of his or her duties shall, upon conviction thereof, be guilty of a Class B6 felony offense.

B. Every person incarcerated in an institution operated by a private prison contractor, pursuant to Section 561, 563.1 or 563.2 of Title 57 of the Oklahoma Statutes, who, without justifiable or excusable cause, knowingly commits any assault, battery or assault and battery upon the person of an employee of the contractor while said employee is in the performance of duties shall, upon conviction thereof, be guilty of a Class B6 felony offense.

C. Every person in the custody of the Department of Human Services who, without justifiable or excusable cause, knowingly commits any aggravated assault and battery upon the person of a Department of Human Services employee, or a person contracting with the Department to provide services, while the employee or contractor is in the performance of his or her duties shall, upon conviction thereof, be guilty of a Class B6 felony offense.

D. Every person in the custody of the Office of Juvenile Affairs who, without justifiable or excusable cause, knowingly commits any assault, battery or assault and battery upon the person of an Office of Juvenile Affairs employee while said employee is in the performance of his or her duties shall, upon conviction thereof, be guilty of a Class B6 felony offense.

E. Every person in the custody of the Office of Juvenile Affairs who, without justifiable or excusable cause, knowingly commits any battery or assault and battery resulting in bodily injury to any employee of the Office of Juvenile Affairs or employee of any residential facility while said employee is in the performance of duties of employment shall, upon conviction thereof, be guilty of a Class B5 felony offense. The fine for a violation of this subsection shall not be less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), which may be imposed whether or not a period of incarceration is imposed.

SECTION 154. AMENDATORY 21 O.S. 2021, Section 653, is amended to read as follows:

Section 653. Any person who is guilty of an assault with intent to kill any person, the punishment for which is not prescribed by Section 652 of this title, shall be guilty of a Class B5 felony

offense punishable by imprisonment in the State Penitentiary for a term not exceeding five (5) years, or in a county jail not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 155. AMENDATORY 21 O.S. 2021, Section 681, is amended to read as follows:

Section 681. A. Any person who is guilty of an assault with intent to commit any felony, except an assault with intent to kill, the punishment for which assault is not otherwise prescribed in this code, shall be guilty of a Class B5 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding five (5) years, or in a county jail not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

B. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of subsection A of this section and the offense involved sexual assault, shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment.

SECTION 156. AMENDATORY 21 O.S. 2021, Section 716, is amended to read as follows:

Section 716. Every killing of one human being by the act, procurement or culpable negligence of another, which, under the provisions of this chapter, is not murder, nor manslaughter in the first degree, nor excusable nor justifiable homicide, is manslaughter in the second degree, a Class B5 felony offense.

SECTION 157. AMENDATORY 21 O.S. 2021, Section 717, is amended to read as follows:

Section 717. If the owner of a mischievous animal, knowing its propensities, wilfully suffers it to go at large, or keeps it without ordinary care, and such animal, while so at large or not confined, kills any human being who has taken all the precautions which the circumstances permitted, to avoid such animal, the owner

is deemed guilty of manslaughter in the second degree, a Class B5 felony offense.

SECTION 158. AMENDATORY 21 O.S. 2021, Section 722, is amended to read as follows:

Section 722. Any person guilty of manslaughter in the second degree shall be guilty of a Class B5 felony offense punishable by imprisonment in the State Penitentiary not more than four (4) years and not less than two (2) years, or by imprisonment in a county jail not exceeding one (1) year, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both fine and imprisonment.

SECTION 159. AMENDATORY 21 O.S. 2021, Section 856.3, is amended to read as follows:

Section 856.3. Any person who attempts or commits a gang-related offense as a condition of membership in a criminal street gang or while in association with any criminal street gang or gang member shall be guilty of a Class B5 felony offense. Upon conviction, the violator shall be punished by incarceration in the custody of the Department of Corrections for a term of five (5) years, which shall be in addition to any other penalty imposed. For purposes of this section, "criminal street gang" is defined by subsection F of Section 856 of Title 21 of the Oklahoma Statutes and "gang-related offense" means those offenses enumerated in paragraphs 1 through 16 of subsection F of Section 856 of Title 21 of the Oklahoma Statutes.

SECTION 160. AMENDATORY 21 O.S. 2021, Section 1192.1, is amended to read as follows:

Section 1192.1. A. It shall be unlawful for any person knowing that he or she has Acquired Immune Deficiency Syndrome (AIDS) or is a carrier of the human immunodeficiency virus (HIV) and with intent to infect another, to engage in conduct reasonably likely to result in the transfer of the person's own blood, bodily fluids containing visible blood, semen, or vaginal secretions into the bloodstream of another, or through the skin or other membranes of another person, except during in utero transmission of blood or bodily fluids, and:

1. The other person did not consent to the transfer of blood, bodily fluids containing blood, semen, or vaginal secretions; or

2. The other person consented to the transfer but at the time of giving consent had not been informed by the person that the person transferring such blood or fluids had AIDS or was a carrier of HIV.

B. Any person convicted of violating the provisions of this section shall be guilty of a Class B5 felony offense, punishable by imprisonment in the custody of the Department of Corrections for not more than five (5) years.

SECTION 161. AMENDATORY 21 O.S. 2021, Section 1302, is amended to read as follows:

Section 1302. Any person, masked or in disguise, who shall enter upon the premises of another or demand admission into the house or enclosure of another with intent to inflict bodily injury, or injury to property shall be deemed guilty of assault with intent to commit a felony and such entrance or demand for admission shall be prima facie evidence of such intent, and upon conviction thereof, such person shall be guilty of a Class B5 felony offense and shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), and by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years.

SECTION 162. AMENDATORY 21 O.S. 2021, Section 1303, is amended to read as follows:

Section 1303. Any person, while masked or in disguise, who shall assault another with a dangerous weapon, or other instrument of punishment, shall be deemed guilty of a Class B5 felony offense, and upon conviction thereof shall be punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and by imprisonment in the State Penitentiary for a term of not less than five (5) years nor more than twenty (20) years.

SECTION 163. AMENDATORY 21 O.S. 2021, Section 1320.3, is amended to read as follows:

Section 1320.3. It shall be unlawful and shall constitute an unlawful assembly, a Class B5 felony offense, for a person to assemble or act in concert with four (4) or more persons for the purpose of engaging in conduct constituting the crime of riot, or to

remain at the scene of a riot after being instructed to disperse by law authorities.

SECTION 164. AMENDATORY 21 O.S. 2021, Section 1320.5, is amended to read as follows:

Section 1320.5. Any person guilty of the crime, as set forth in Section 1320.3 of this title, shall be deemed guilty of a Class B5 felony offense, punishable by not more than five (5) years in prison, or a fine of not more than Five Thousand Dollars (\$5,000.00), or both.

SECTION 165. AMENDATORY 21 O.S. 2021, Section 1685, is amended to read as follows:

Section 1685. Any person who shall willfully or maliciously torture, destroy or kill, or cruelly beat or injure, maim or mutilate any animal in subjugation or captivity, whether wild or tame, and whether belonging to the person or to another, or deprive any such animal of necessary food, drink, shelter, or veterinary care to prevent suffering; or who shall cause, procure or permit any such animal to be so tortured, destroyed or killed, or cruelly beaten or injured, maimed or mutilated, or deprived of necessary food, drink, shelter, or veterinary care to prevent suffering; or who shall willfully set on foot, instigate, engage in, or in any way further any act of cruelty to any animal, or any act tending to produce such cruelty, shall be guilty of a Class B5 felony offense and shall be punished by imprisonment in the State Penitentiary not exceeding five (5) years, or by imprisonment in the county jail not exceeding one (1) year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00). Any animal so maltreated or abused shall be considered an abused or neglected animal.

SECTION 166. AMENDATORY 21 O.S. 2021, Section 1692.2, is amended to read as follows:

Section 1692.2. Every person who willfully instigates or encourages any cockfight, upon conviction, shall be guilty of a Class B5 felony offense. The penalty for a violation of this section shall be as provided in Section 8 of this act.

SECTION 167. AMENDATORY 21 O.S. 2021, Section 1692.3, is amended to read as follows:

Section 1692.3. Every person who keeps any pit or other place, or knowingly provides any equipment or facilities to be used in permitting any cockfight, upon conviction, shall be guilty of a Class B5 felony offense. The penalty for a violation of this section shall be as provided in Section 8 of this act.

SECTION 168. AMENDATORY 21 O.S. 2021, Section 1692.4, is amended to read as follows:

Section 1692.4. Every person who does any act or performs any service in the furtherance of or to facilitate any cockfight, upon conviction, shall be guilty of a Class B5 felony offense. Such activities and services specifically prohibited by this section include, but are not limited to: promoting or refereeing of birds at a cockfight, advertising a cockfight, or serving as a stakes holder of any money wagered on any cockfight. The penalty for a violation of this section shall be as provided in Section 8 of this act.

SECTION 169. AMENDATORY 21 O.S. 2021, Section 1692.5, is amended to read as follows:

Section 1692.5. Every person who owns, possesses, keeps, or trains any bird with the intent that such bird shall be engaged in a cockfight, upon conviction, shall be guilty of a Class B5 felony offense. The penalty for a violation of this section shall be as provided in Section 8 of this act.

SECTION 170. AMENDATORY 21 O.S. 2021, Section 1692.8, is amended to read as follows:

Section 1692.8. A. Every person who is guilty of a felony under any of the provisions of Sections 2, 3, 4, or 5 of this act shall be guilty of a Class B5 felony offense and shall be punished by imprisonment in the state penitentiary for not less than one (1) year nor more than ten (10) years, or shall be fined not less than Two Thousand Dollars (\$2,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

B. Every person who upon conviction is guilty of any of the provisions of Section 6 of this act shall be punished by imprisonment in the county jail for not more than one (1) year, or shall be fined not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 171. AMENDATORY 21 O.S. 2021, Section 1694, is amended to read as follows:

Section 1694. Every person who willfully or for any bet, stake or reward, instigates or encourages any fight between dogs, or instigates or encourages any dog to attack, bite, wound or worry another dog, except in the course of protection of life and property, upon conviction, shall be guilty of a Class B5 felony offense, punishable as provided in Section 1699.1 of this title.

SECTION 172. AMENDATORY 21 O.S. 2021, Section 1695, is amended to read as follows:

Section 1695. Every person who keeps any house, pit or other place, or provides any equipment or facilities to be used in permitting any fight between dogs or in furtherance of any activity described in Section 1693 of this title, upon conviction, shall be guilty of a Class B5 felony offense, punishable as provided in Section 1699.1 of this title.

SECTION 173. AMENDATORY 21 O.S. 2021, Section 1696, is amended to read as follows:

Section 1696. Every person who does any act or performs any service in the furtherance of or to facilitate any dogfight, upon conviction, shall be guilty of a Class B5 felony offense. Such activities and services specifically prohibited by this section include, but are not limited to: Promotion, refereeing, handling of dogs at a fight, transportation of spectators to or from a dogfight, providing concessions at a dogfight, advertising a dogfight, or serving as a stakes holder of any money wagered on any dogfight, punishable as provided in Section 1699.1 of this title.

SECTION 174. AMENDATORY 21 O.S. 2021, Section 1697, is amended to read as follows:

Section 1697. Every person who owns, possesses, keeps or trains any dog with the intent that such dog shall be engaged in an exhibition of fighting with another dog, upon conviction, shall be guilty of a Class B5 felony offense, punishable as provided in Section 1699.1 of this title.

SECTION 175. AMENDATORY 21 O.S. 2021, Section 1699.1, is amended to read as follows:

Section 1699.1. A. Every person who is guilty of a Class B5 felony offense under any of the provisions of Sections 1694, 1695, 1696 and 1697 of this title shall be punished by imprisonment in the State Penitentiary for not less than one (1) year nor more than ten (10) years, or a fine not less than Two Thousand Dollars (\$2,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

B. Every person who upon conviction is guilty of any of the provisions of Section 1698 of this title shall be punished by imprisonment in the county jail for not more than one (1) year, or shall be fined not more than Five Hundred Dollars (\$500.00).

SECTION 176. AMENDATORY 47 O.S. 2021, Section 10-102, is amended to read as follows:

Section 10-102. A. The driver of any vehicle involved in an accident resulting in a nonfatal injury to any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 10-104 of this title. Every such stop shall be made without obstructing traffic more than is necessary.

B. Any person willfully, maliciously, or feloniously failing to stop to avoid detection or prosecution or to comply with said requirements under such circumstances, shall upon conviction be guilty of a Class B5 felony offense punishable by imprisonment for not less than ten (10) days nor more than two (2) years, or by a fine of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

C. The Commissioner of Public Safety shall revoke the license or permit to drive and any nonresident operating privilege of the person so convicted.

SECTION 177. AMENDATORY 57 O.S. 2021, Section 586, is amended to read as follows:

Section 586. No person subject to the provisions of the Sex Offenders Registration Act, ~~Sections~~ Section 581 et seq. of this title, shall furnish any false or misleading information in the registration required by said act. Any person violating the

provisions of this section shall, upon conviction, be guilty of a Class B5 felony offense.

SECTION 178. AMENDATORY 57 O.S. 2021, Section 587, is amended to read as follows:

Section 587. A. Any person required to register pursuant to the provisions of the Sex Offenders Registration Act who violates any provision of said act shall, upon conviction, be guilty of a Class B5 felony offense. Any person convicted of a violation of this section shall be punished by imprisonment in the custody of the Department of Corrections for not more than five (5) years, a fine not to exceed Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

B. Any person required to register pursuant to the Sex Offenders Registration Act who fails to comply with the established guidelines for ~~global position system~~ Global Positioning System (GPS) monitoring shall, upon conviction, be guilty of a Class B5 felony offense punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the custody of the county jail for not more than one (1) year, or by both such fine and imprisonment.

SECTION 179. AMENDATORY 57 O.S. 2021, Section 590.1, is amended to read as follows:

Section 590.1. A. 1. It is unlawful for two or more persons required to register as sex offenders to reside together in any individual dwelling during the term of registration as a sex offender. Every person violating this provision shall be guilty, upon conviction, of a misdemeanor punishable by imprisonment in the county jail for a term not more than one (1) year and a fine in an amount not to exceed One Thousand Dollars (\$1,000.00). Every person convicted of a second or subsequent violation of this section shall be guilty of a Class B5 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not more than five (5) years and a fine in an amount not to exceed Two Thousand Dollars (\$2,000.00).

2. The provisions of paragraph 1 of this subsection shall not be construed to prohibit a registered sex offender from residing in any properly zoned and established boarding house, apartment building or other multi-unit structure; provided the individual dwellings are separate for each registered person. Nothing in this

subsection shall prohibit the sharing of living quarters, jail or prison space, or any multi-person or dormitory-style housing of sex offenders in the custody of any jail or correctional facility or any properly zoned facility under contract with a jail or correctional agency for the purpose of housing prisoners, or any properly established treatment or nonprofit facility located in a properly zoned area determined by the local governing authority and housing persons for purposes of sex offender services and treatment. Nothing in this subsection shall prohibit married persons, both of whom are required to register as sex offenders, or two or more blood relatives who are required to register as sex offenders, from residing in any individual dwelling during the term of registration as a sex offender.

3. For purposes of this subsection, "individual dwelling" means:

- a. a private residential property, whether owned, leased or rented, including all real property zoned as single-family residential property or zoned as multi-family residential property due to any adjacent, detached or separate living quarters of any kind on such property,
- b. any room available within any boarding house or group home as such term is defined by subsection D of this section,
- c. any single apartment for rent or lease within an apartment building, or
- d. any separate residential unit made available for sale, rent or lease within a multi-unit structure, including a condominium, duplex, triplex, quadriplex or any unit that is constructed together with other separate units into one structure.

4. For purposes of this section, "multi-unit structure" means a structure with multiple residential units that provide independent living facilities for living, sleeping, cooking, eating, and sanitation within each individual unit. Manufactured homes, mobile homes, trailers, and recreational vehicles that do not meet the descriptions of this paragraph are not multi-unit structures.

B. The Department of Corrections is prohibited from contracting for the housing of any person required to register as a sex offender in any individual dwelling, as defined by paragraph 3 of subsection A of this section, where another person required to register as a sex offender also resides.

C. No halfway house, nonprofit organization, or private entity shall contract with the Department of Corrections or any jail to house any person required to register as a sex offender or offer housing independently to any person required to register as a sex offender if such housing facility is located within a single-family zoned residential neighborhood or is not properly zoned as a multi-unit housing structure, jail or correctional facility.

D. No person or entity shall knowingly establish or operate a boarding house or group home, or otherwise knowingly rent or lease rooms, for the residency of persons required to register pursuant to the Sex Offenders Registration Act unless treatment services are provided. Said facility must also be in a properly zoned area determined by the local governing authority. For purposes of this subsection, "boarding house or group home" means a dwelling that is used for the residency of two or more unrelated persons.

E. No person or entity shall knowingly establish, lease, operate, or own any structure or portion of a structure where persons required to register pursuant to the Sex Offenders Registration Act are allowed to reside together in violation of this section or knowingly allow any other violation of this section.

F. Every person convicted of a first violation of subsection E of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second violation shall be guilty of a misdemeanor and shall be punished by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a third or subsequent violation shall be guilty of a Class B5 felony offense and shall be punished by a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the custody of the Department of Corrections for not more than five (5) years, or by both such fine and imprisonment.

SECTION 180. AMENDATORY 21 O.S. 2021, Section 649.3, is amended to read as follows:

Section 649.3. A. No person shall willfully harm, including torture, torment, beat, mutilate, injure, disable, or otherwise mistreat or kill a service animal that is used for the benefit of any handicapped person in the state.

B. No person including, but not limited to, any municipality or political subdivision of the state, shall willfully interfere with the lawful performance of any service animal used for the benefit of any handicapped person in the state.

C. Except as provided in subsection D of this section, any person convicted of violating any of the provisions of this section shall be guilty of a misdemeanor, punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail not exceeding one (1) year, or by both such fine and imprisonment.

D. Any person who knowingly and willfully and without lawful cause or justification violates the provisions of this section, during the commission of a misdemeanor or felony, shall be guilty of a Class B6 felony offense, punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the Department of Corrections not exceeding two (2) years, or by both such fine and imprisonment.

E. Any person who encourages, permits or allows an animal owned or kept by such person to fight, injure, disable or kill a service animal used for the benefit of any handicapped person in this state, or to interfere with a service animal in any place where the service animal resides or is performing, shall, upon conviction, be guilty of a misdemeanor punishable as provided in subsection C of this section. In addition to the penalty imposed, the court shall order the violator to make restitution to the owner of the service animal for actual costs and expenses incurred as a direct result of any injury, disability or death caused to the service animal, including but not limited to costs of replacing and training any new service animal when a service animal is killed, disabled or unable to perform due to injury. For purpose of this subsection, when a person informs the owner of an animal that the animal is a threat and requests the owner to control or contain the animal and the owner disregards the request, the owner shall be deemed to have

encouraged, permitted or allowed any resulting injury to or interference with a service animal.

F. Notwithstanding any ordinance in effect as of the effective date of this act, no municipality or political subdivision of the state, or any official thereof, may enact or enforce any ordinance or rule that requires any registration or licensing fee for any service animal as defined in this section that is used for the purpose of guiding or assisting a disabled person who has a sensory, mental, or physical impairment. Any official violating the provisions of this paragraph shall be guilty of a misdemeanor punishable by a fine of not less than Fifty Dollars (\$50.00).

G. As used in this section, "service animal" means an animal that is trained for the purpose of guiding or assisting a disabled person who has a sensory, mental, or physical impairment.

SECTION 181. AMENDATORY 21 O.S. 2021, Section 650.4, as amended by Section 1, Chapter 140, O.S.L. 2023 (21 O.S. Supp. 2024, Section 650.4), is amended to read as follows:

Section 650.4. A. Every person who, without justifiable or excusable cause and with intent to do bodily harm, commits any assault, battery or assault and battery upon the person of a medical care provider who is performing medical care duties, upon conviction, is guilty of a Class B6 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding two (2) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

B. As used in this section, "medical care provider" means doctors, residents, interns, nurses, nurses' aides, ambulance attendants and operators, paramedics, emergency medical technicians, laboratory technicians, radiologic technologists, physical therapists, physician assistants, chaplains, volunteers, pharmacists, nursing students, medical students, members of a hospital security force, and any other employees working in or for a health care facility or independent contractors in one of the listed categories.

SECTION 182. AMENDATORY 21 O.S. 2021, Section 650.6, as amended by Section 1, Chapter 136, O.S.L. 2023 (21 O.S. Supp. 2024, Section 650.6), is amended to read as follows:

Section 650.6. A. Every person who commits any assault upon any county commissioner, county clerk, county assessor, county treasurer, or any officer of a state district or appellate court, or the Workers' Compensation Court, including but not limited to judges, bailiffs, court reporters, court clerks or deputy court clerks, or upon any witnesses or juror, because of said person's service in such capacity or within six (6) months of said person's service in such capacity, shall be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. Every person who commits any battery or assault and battery upon any county commissioner, county clerk, county assessor, county treasurer, or officer of a state district or appellate court, or the Workers' Compensation Court, including but not limited to judges, bailiffs, court reporters, court clerks or deputy court clerks, or upon any witnesses or juror, because of said person's service in such capacity or within six (6) months of said person's service in such capacity, shall be guilty of a Class B6 felony offense punishable by imprisonment in the custody of the Department of Corrections for not more than five (5) years, by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

C. Every person who knowingly commits any assault, battery or assault and battery upon a process server licensed in this state while the person is in the performance of his or her duties shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

SECTION 183. AMENDATORY 21 O.S. 2021, Section 650.7, is amended to read as follows:

Section 650.7. A. As used in this section, "school employee" means a teacher, principal, or any duly appointed person employed by a school system or employees of a firm contracting with a school system for any purpose, including any personnel not directly related to the teaching process and school board members during school board meetings.

B. Any person who, without justifiable or excusable cause, commits any assault, battery, or assault and battery upon the person

of a school employee while such employee is in the performance of any duties as a school employee or upon any student while such student is participating in any school activity or attending classes on school property during school hours shall, upon conviction, be guilty of a misdemeanor. The convicted person shall be punished by a term of imprisonment in the county jail for a period not exceeding one (1) year, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

C. Any person who, without justifiable or excusable cause, commits any aggravated battery or aggravated assault and battery upon the person of a school employee while such employee is in the performance of any duties as a school employee shall, upon conviction, be guilty of a Class B6 felony offense punishable by a term of imprisonment in the State Penitentiary for a period not exceeding two (2) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

D. Every school site shall post in a prominent place a notice having the following or similar language: "FELONY CHARGES MAY BE FILED AGAINST ANY PERSON(S) COMMITTING AN AGGRAVATED ASSAULT OR BATTERY UPON ANY SCHOOL EMPLOYEE."

E. For purposes of this section, "assault" shall be defined by Section 641 of Title 21 of the Oklahoma Statutes, "battery" shall be defined by Section 642 of Title 21 of the Oklahoma Statutes, and "aggravated assault and battery" shall be defined by Section 646 of Title 21 of the Oklahoma Statutes.

SECTION 184. AMENDATORY 21 O.S. 2021, Section 650.8, is amended to read as follows:

Section 650.8. A. Every person who, without justifiable or excusable cause, knowingly commits any assault, battery or assault and battery upon the person of an employee of a facility maintained by the Office of Juvenile Affairs, a facility maintained by a private contractor pursuant to a contract with the Office of Juvenile Affairs primarily for delinquent children, a juvenile detention center, or a juvenile bureau, while the employee is in the performance of his duties, shall upon conviction thereof be guilty of a Class B6 felony offense.

B. This section shall not supersede any other act or acts, but shall be cumulative thereto.

SECTION 185. AMENDATORY 21 O.S. 2021, Section 650.9, is amended to read as follows:

Section 650.9. Every person in the custody of the state, a county or city or a contractor of the state, a county or a city who throws, transfers or in any manner places feces, urine, semen, saliva or blood upon the person of an employee of the state, a county or a city or an employee of a contractor of the state, a county or a city shall, upon conviction thereof, be guilty of a Class B6 felony offense.

SECTION 186. AMENDATORY 21 O.S. 2021, Section 650.11, is amended to read as follows:

Section 650.11. A. Medical battery is a Class B6 felony offense, upon conviction, punishable by imprisonment in the county jail for a term of not more than one (1) year, or imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years, and a fine in an amount not more than Five Thousand Dollars (\$5,000.00). In addition, the defendant shall be ordered to make restitution to the victim in an amount as determined by the court.

B. For purposes of this section, "medical battery" means:

1. The defendant has been found guilty of practicing dentistry, medicine, osteopathic medicine, or surgery, without a license or authority as prohibited by the provisions of the State Dental Act, the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, or the Oklahoma Osteopathic Medicine Act;

2. The treatment, or course of treatment, practiced in violation of the provisions of the State Dental Act, the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, or the Osteopathic Medicine Act resulted in the victim having permanent physical injury or disfigurement;

3. The victim consented to such treatment, or course of treatment, under a belief that the defendant was licensed and authorized to diagnose and perform the treatment; and

4. The defendant willfully performed the act knowing that such act was prohibited pursuant to law.

SECTION 187. AMENDATORY 21 O.S. 2021, Section 852.1, is amended to read as follows:

Section 852.1. A. A person who is the parent, guardian, or person having custody or control over a child as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, commits child endangerment when the person:

1. Knowingly permits physical or sexual abuse of a child;
2. Knowingly permits a child to be present at a location where a controlled dangerous substance is being manufactured or attempted to be manufactured as defined in Section 2-101 of Title 63 of the Oklahoma Statutes;
3. Knowingly permits a child to be present in a vehicle when the person knows or should have known that the operator of the vehicle is impaired by or is under the influence of alcohol or another intoxicating substance; or
4. Is the driver, operator, or person in physical control of a vehicle in violation of Section 11-902 of Title 47 of the Oklahoma Statutes while transporting or having in the vehicle such child or children.

However, it is an affirmative defense to this paragraph if the person had a reasonable apprehension that any action to stop the physical or sexual abuse or deny permission for the child to be in the vehicle with an intoxicated person would result in substantial bodily harm to the person or the child.

Nothing in this subsection shall prohibit the prosecution of a person pursuant to the provisions of Section 11-902 or 11-904 of Title 47 of the Oklahoma Statutes.

B. The provisions of this section shall not apply to any parent, guardian or other person having custody or control of a child for the sole reason that the parent, guardian or other person in good faith selects and depends upon spiritual means or prayer for the treatment or cure of disease or remedial care for such child. This subsection shall in no way limit or modify the protections afforded said child in Section 852 of this title or Section 1-4-904 of Title 10A of the Oklahoma Statutes.

C. Any person convicted of violating any provision of this section shall be guilty of a Class B6 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 188. AMENDATORY 21 O.S. 2021, Section 437, is amended to read as follows:

Section 437. Any person who willfully by any means whatever, assists any prisoner confined in any prison to escape therefrom, is punishable as follows:

1. If such prisoner was confined upon a charge or conviction of a felony, such person shall be guilty of a Class C1 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through E of Section 20L of this title.

2. If such prisoner was confined otherwise than upon a charge or conviction of a felony, such person shall be guilty of a Class D3 felony offense punishable by imprisonment in the county jail not exceeding one (1) year as provided for in subsections B through F of Section 20P of this title, or by fine, not exceeding Five Hundred Dollars (\$500.00), or both.

SECTION 189. AMENDATORY 21 O.S. 2021, Section 438, is amended to read as follows:

Section 438. Any person who carries or sends into any prison anything useful to aid any prisoner in making his escape, with intent thereby to facilitate the escape of any prisoner confined therein, is punishable as follows:

1. If such prisoner was confined upon any charge or conviction of felony, the person shall be guilty of a Class C1 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through E of Section 20L of this title.

2. If such prisoner was confined otherwise than upon a charge or conviction of felony, the person shall be guilty of a Class D3 felony offense punishable by imprisonment in the county jail not exceeding one (1) year as provided for in subsections B through F of

Section 20P of this title, or by a fine of Five Hundred Dollars (\$500.00), or both.

SECTION 190. AMENDATORY 21 O.S. 2021, Section 440, is amended to read as follows:

Section 440. A. Any person who shall knowingly feed, lodge, clothe, arm, equip in whole or in part, harbor, aid, assist or conceal in any manner any person guilty of any felony, or outlaw, or fugitive from justice, or any person seeking to escape arrest for any felony committed within this state or any other state or territory, shall be guilty of a Class C1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a period not exceeding ten (10) years as provided for in subsections B through E of Section 20L of this title.

B. It shall be unlawful for any person who has reason to believe that a sex offender is in violation of the registration requirements of the Sex Offenders Registration Act and who has the intent to assist the sex offender in eluding arrest, to do any of the following:

1. Withhold information from, or fail to notify, a law enforcement agency about the noncompliance of the sex offender with the registration requirements of the Sex Offenders Registration Act, and, if known, the whereabouts of the offender;

2. Harbor, attempt to harbor, or assist another person in harboring or attempting to harbor, the sex offender;

3. Conceal, or attempt to conceal, or assist another person in concealing or attempting to conceal, the sex offender; or

4. Provide information to a law enforcement agency regarding the sex offender that the person knows to be false information.

C. Any person convicted of violating the provisions of subsection B of this section shall be guilty of a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a term not to exceed one (1) year, or by both such fine and imprisonment.

SECTION 191. AMENDATORY 21 O.S. 2021, Section 455, is amended to read as follows:

Section 455. A. Every person who willfully prevents or attempts to prevent any person from giving testimony or producing any record, document or other object, who has been duly summoned or subpoenaed or endorsed on the criminal information or juvenile petition as a witness, or who makes a report of abuse or neglect pursuant to Section 1-2-101 of Title 10A of the Oklahoma Statutes or Section 10-104 of Title 43A of the Oklahoma Statutes, or who is a witness to any reported crime, or threatens or procures physical or mental harm through force or fear with the intent to prevent any witness from appearing in court to give his or her testimony or produce any record, document or other object, or to alter his or her testimony is, upon conviction, guilty of a Class C1 felony offense punishable by not less than one (1) year nor more than ten (10) years in the custody of the Department of Corrections by imprisonment as provided for in subsections B through E of Section 20L of this title.

B. Every person who threatens physical harm through force or fear or causes or procures physical harm to be done to any person or harasses any person or causes a person to be harassed because of testimony given by such person in any civil or criminal trial or proceeding, or who makes a report of abuse or neglect pursuant to Section 1-2-101 of Title 10A of the Oklahoma Statutes or Section 10-104 of Title 43A of the Oklahoma Statutes, is, upon conviction, guilty of a Class C1 felony offense punishable by not less than one (1) year nor more than ten (10) years in the custody of the Department of Corrections by imprisonment as provided for in subsections B through E of Section 20L of this title.

SECTION 192. AMENDATORY 21 O.S. 2021, Section 540A, is amended to read as follows:

Section 540A. A. Any operator of a motor vehicle who has received a visual and audible signal, a red light and a siren from a peace officer driving a motor vehicle showing the same to be an official police, sheriff, highway patrol or state game ranger vehicle directing the operator to bring the vehicle to a stop and who willfully increases the speed or extinguishes the lights of the vehicle in an attempt to elude such peace officer, or willfully attempts in any other manner to elude the peace officer, or who does elude such peace officer, is guilty of a misdemeanor. The peace officer, while attempting to stop a violator of this section, may communicate a request for the assistance of other peace officers from any office, department or agency. Any peace officer within this state having knowledge of such request is authorized to render

such assistance in stopping the violator and may effect an arrest under this section upon probable cause. Violation of this subsection shall constitute a misdemeanor and shall be punishable by not more than one (1) year imprisonment in the county jail or by a fine of not less than One Hundred Dollars (\$100.00) nor more than Two Thousand Dollars (\$2,000.00) or by both such fine and imprisonment. A second or subsequent violation of this subsection shall be punishable by not more than one (1) year in the county jail or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) or both such fine and imprisonment.

B. Any person who violates the provisions of subsection A of this section in such manner as to endanger any other person shall be deemed guilty of a Class C1 felony offense punishable by imprisonment ~~in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years as provided for in subsections B through E of Section 20L of this title,~~ or by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. 1. Any person who causes an accident, while eluding or attempting to elude an officer, resulting in great bodily injury to any other person while driving or operating a motor vehicle within this state and who is in violation of the provisions of subsection A of this section may be charged with a violation of the provisions of this subsection. Any person who is convicted of a violation of the provisions of this subsection shall be deemed guilty of a Class C1 felony offense punishable by imprisonment ~~in a state correctional institution for not less than one (1) year and not more than five (5) years,~~ as provided for in subsections B through E of Section 20L of this title, and a fine of not more than Five Thousand Dollars (\$5,000.00).

2. As used in this subsection, "great bodily injury" means bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement or protracted loss or impairment of the function of any bodily member or organ.

SECTION 193. AMENDATORY 21 O.S. 2021, Section 662, is amended to read as follows:

Section 662. Any person guilty of fighting any duel, although no death or wound ensues, shall be guilty of a Class C1 felony offense punishable by imprisonment ~~in the State Penitentiary not~~

exceeding ten (10) years as provided for in subsections B through E of Section 20L of this title.

SECTION 194. AMENDATORY 21 O.S. 2021, Section 843.4, is amended to read as follows:

Section 843.4. A. As used in this section, "exploitation of an elderly person or disabled adult" means:

1. Knowingly, by deception or intimidation, obtaining or using, or endeavoring to obtain or use, an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who:

- a. stands in a position of trust and confidence with the elderly person or disabled adult, or
- b. has a business relationship with the elderly person or disabled adult, or

2. Obtaining or using, endeavoring to obtain or use, or conspiring with another to obtain or use an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who knows or reasonably should know that the elderly person or disabled adult lacks the capacity to consent.

B. 1. If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult are valued at One Hundred Thousand Dollars (\$100,000.00) or more, the violator commits a Class C1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not more than fifteen (15) years as provided for in subsections B through E of Section 20L of this title,~~ and by a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00).

2. If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult are valued at less than One Hundred Thousand Dollars (\$100,000.00), the violator commits a Class C2 felony offense punishable by imprisonment ~~in the~~

~~custody of the Department of Corrections for a term not more than ten (10) years as provided for in subsections B through F of Section 20M of this title and by a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00).~~

C. For purposes of this section, "elderly person" means any person sixty-two (62) years of age or older.

SECTION 195. AMENDATORY 21 O.S. 2021, Section 1404, is amended to read as follows:

Section 1404. A. Any person who willfully and maliciously attempts to set fire to or burn or attempts by use of any explosive device or substance to destroy in whole or in part, or causes to be burned or destroyed, or attempts to counsel or procure the burning or destruction of any building or property mentioned in Sections 1401, 1402 or 1403 of this title shall be guilty of arson in the fourth degree, a Class C2 felony offense, and upon conviction thereof shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), or be confined in the State Penitentiary for not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or both.

B. The placing or distributing of any flammable, explosive or combustible material or substance or any device in any building or property mentioned in Sections 1401, 1402 or 1403 of this title, in an arrangement or preparation with intent to eventually willfully and maliciously set fire to or burn or to procure the setting fire to or burning of same, shall for the purposes of this section constitute an attempt to burn such building or property, and shall be guilty of arson in the fourth degree, a Class C1 felony offense, and upon conviction thereof shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), or be confined in the State Penitentiary for not more than ten (10) years as provided for in subsections B through E of Section 20L of this title, or both.

~~C. Arson in the fourth degree is a felony.~~

SECTION 196. AMENDATORY 21 O.S. 2021, Section 1435, as amended by Section 1, Chapter 245, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1435), is amended to read as follows:

Section 1435. A. Every person who breaks and enters the dwelling house of another, in which there is at the time no human being present, or any commercial building or any part of any

building, room, booth, tent, railroad car or other structure or erection in which any property is kept or breaks into or forcibly opens, any coin-operated or vending machine or device with intent to steal any property therein or to commit any felony, is guilty of burglary in the second degree, a Class C1 felony offense, punishable by imprisonment as provided for in subsections B through E of Section 20L of this title.

B. Every person who breaks and enters, climbs under, or uses any jack stands or any other item to raise any automobile, truck, trailer or vessel of another, in which any property is kept, with intent to:

1. Steal any property therein;
2. Steal any property attached thereto; or
3. Commit any felony,

is guilty of burglary in the third degree, a Class D1 felony offense, punishable by imprisonment as provided for in subsections B through F of Section 20N of this title.

C. As used in subsection B of this section, the term "property attached thereto" includes, but is not limited to, tires, wheels, and catalytic converters.

SECTION 197. AMENDATORY 21 O.S. 2021, Section 1708, is amended to read as follows:

Section 1708. When it appears upon such trial, that such larceny was committed by stealing in the night time, from the person of another, the offender shall be guilty of a Class C1 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through E of Section 20L of this title.

SECTION 198. AMENDATORY 47 O.S. 2021, Section 6-302, is amended to read as follows:

Section 6-302. Any person who makes any false affidavit, or knowingly swears or affirms falsely to any matter or thing required by the terms of this chapter to be sworn to or affirmed, is guilty of perjury, a Class C1 felony offense, and upon conviction shall be punishable by fine or imprisonment ~~as other persons committing~~

perjury are punishable as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma Statutes.

SECTION 199. AMENDATORY 63 O.S. 2021, Section 2-503.1f, is amended to read as follows:

Section 2-503.1f. A. No person shall, for the purpose of evading the reporting requirements set forth in 31 U.S.C., Section 5311, 31 C.F.R., Part 103, Title 6 or Sections 2-101 through 2-608 of Title 63 of the Oklahoma Statutes, or other federal laws pertaining to money laundering:

1. Cause or attempt to cause the failure to file a report required under Title 6 or Title 63 of the Oklahoma Statutes, or federal monetary reporting requirements under law; or

2. Cause or attempt to cause the filing of a report required under Title 6 or Title 63 of the Oklahoma Statutes, or federal monetary reporting requirements under law, that contains a material omission or misstatement of fact.

B. Any person convicted of violating the provisions of this section shall be guilty of a Class C1 felony offense punishable by imprisonment as provided for in subsections B through E of Section 20L of Title 21 of the Oklahoma Statutes.

SECTION 200. AMENDATORY 2 O.S. 2021, Section 11-10, is amended to read as follows:

Section 11-10. A. 1. Except for necessary repairs to anhydrous ammonia equipment conducted by a registered distributor, supplier, dealer, or the owner of the equipment or designee of the owner, it shall be unlawful for any person to tamper with or attempt to tamper with any anhydrous ammonia pipeline, equipment, container, or storage device.

2. Any person violating this provision shall, upon conviction thereof, be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for a term not exceeding five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, by a fine of not more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

B. Theft or attempted theft of any amount of anhydrous ammonia shall be a Class C2 felony offense punishable, upon conviction thereof, by imprisonment ~~for not less than two (2) years nor more than ten (10) years in the State Penitentiary as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes~~, by a fine not exceeding Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

C. Any person who commits or attempts theft of anhydrous ammonia or who unlawfully tampers with or attempts to unlawfully tamper with any anhydrous ammonia pipeline, equipment, container, or storage device, and as a result of unlawful conduct is injured shall be barred from commencing any civil action against the following persons:

1. Any owners of anhydrous ammonia or anhydrous ammonia pipeline, equipment, containers, or storage devices;

2. Any persons responsible for the installation, repair, or operation of anhydrous ammonia pipeline, equipment, containers, or storage devices;

3. Any person lawfully selling, transporting, transferring, or delivering anhydrous ammonia or anhydrous ammonia equipment, containers, or storage devices;

4. Any persons purchasing or storing anhydrous ammonia for agricultural purposes; or

5. Any persons operating anhydrous ammonia equipment or pipeline or using anhydrous ammonia for agricultural purposes.

D. For purposes of this section, "tampering" means any unauthorized adjustment, opening, removal, transfer, alteration, change, or interference with any part of the anhydrous ammonia pipeline, equipment, container, or storage device.

SECTION 201. AMENDATORY 4 O.S. 2021, Section 268, is amended to read as follows:

Section 268. A. Any person who shall with intent to defraud, brand or misbrand, mark or mismark any neat domestic animal, not his own; or shall intentionally brand over a previous brand or shall cut out or obliterate a previous mark or brand on any neat domestic animal, not his own, shall be guilty of a Class C2 felony offense

and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for a term not less than three (3) years nor more than ten (10) years or by imprisonment in the county jail for one (1) year or by a fine not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00).

B. For purposes of this section:

1. "Domestic animal" means cattle, equinae, sheep, goat, hog, poultry and exotic livestock; and

2. "Exotic livestock" means commercially raised exotic livestock including animals of the families bovidae, cervidae and antilocapridae or birds of the ratite group.

SECTION 202. AMENDATORY 17 O.S. 2021, Section 6.1, is amended to read as follows:

Section 6.1. A. Any person who has been determined by the Commission to have violated any provision of any rule, regulation or order issued pursuant to the provisions of the Commission related to pipeline safety shall be liable for a civil penalty of not more than Two Hundred Thousand Dollars (\$200,000.00) for each day that the violation continues. The maximum civil penalty shall not exceed Two Million Dollars (\$2,000,000.00) for any related series of violations.

B. The amount of the penalty shall be assessed by the Commission pursuant to the provisions of subsection A of this section, after notice and hearing. In determining the amount of the penalty, the Commission shall include but not be limited to consideration of the nature, circumstances and gravity of the violation and, with respect to the person found to have committed the violation, the degree of culpability, the effect on ability of the person to continue to do business, and any show of good faith in attempting to achieve compliance with the provisions of the rules and regulations of the Commission.

All penalties collected pursuant to the provisions of this section shall be deposited into the Pipeline Enforcement Fund.

C. Any person who willfully and knowingly injures or destroys, or attempts to injure or destroy, any pipeline transportation system, upon conviction, shall be guilty of a Class C2 felony offense and shall be subject for each offense to a fine of not more

than Twenty-five Thousand Dollars (\$25,000.00), or imprisonment for a term not to exceed fifteen (15) years, or both such fine and imprisonment.

SECTION 203. AMENDATORY 19 O.S. 2021, Section 641, is amended to read as follows:

Section 641. If any county treasurer or other officer or person charged with the collection, receipt, safekeeping, transfer or disbursement of the public money, or any part thereof, belonging to the state or to any county, precinct, district, city, town or school district of the state shall convert to the officer's or person's own use or to the use of any other person, body corporate or other association, in any way whatever, any of such public money, or any other funds, property, bonds, securities, assets or effects of any kind received, controlled or held by such officer or person by virtue of such office or public trust for safekeeping, transfer or disbursement, or in any other way or manner, or for any other purpose; or shall use the same by way of investment in any kind of security, stocks, loan property, land or merchandise, or in any other manner or form whatever; or shall loan the same, with or without interest, to any person, firm or corporation, except when authorized by law; or if any person shall advise, aid, or in any manner knowingly participate in such act, such county treasurer, or other officer or person shall be guilty of an embezzlement. Upon conviction thereof, such county treasurer or other officer or person shall be guilty of a Class C2 felony offense and shall be punished by imprisonment as provided for in subsection C of Section 1451 of Title 21 of the Oklahoma Statutes subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 204. AMENDATORY 21 O.S. 2021, Section 265, is amended to read as follows:

Section 265. Any person who gives or offers any bribe to any executive officer, with intent to influence him in respect to any act, decision, vote, opinion, or other proceedings of such officer, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary, not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00) ~~+~~ or both.

SECTION 205. AMENDATORY 21 O.S. 2021, Section 266, is amended to read as follows:

Section 266. Any executive officer or person elected or appointed to executive office who asks, receives or agrees to receive any bribe upon any agreement or understanding that his vote, opinion or action upon any matter then pending, or which may by law be brought before him in his official capacity, shall be influenced thereby, shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding ten (10) years~~ as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or both; and in addition thereto, any such person forfeits office and is forever disqualified from holding any public office under the laws of the state.

SECTION 206. AMENDATORY 21 O.S. 2021, Section 282, is amended to read as follows:

Section 282. A. It shall be unlawful for any person or group of persons to:

1. Willfully and knowingly enter or remain in any posted, cordoned off, or otherwise restricted area of a building or grounds where the Governor, any member of the immediate family of the Governor, the Lieutenant Governor, or other state official being provided protection by the Department of Public Safety is or will be temporarily visiting;

2. Willfully and knowingly enter or remain in any posted, cordoned off, or otherwise restricted area of a building or grounds the use of which is restricted in conjunction with an event designated as a special event of national or state significance;

3. Willfully and knowingly, enter with the intent to impede or to disrupt the orderly conduct of government business or official functions in or within close proximity to any building or grounds, as described in paragraph 1 or 2 of this subsection, or to engage in disorderly or disruptive conduct in or within close proximity to any building or grounds, as described in paragraph 1 or 2 of this subsection, which results in the impeding or disruption of the orderly conduct of government business or official functions;

4. Willfully and knowingly obstruct or to impede ingress or egress to or from any building or grounds, as described in paragraph 1 or 2 of this subsection; or

5. Willfully and knowingly engage in any act or acts of physical violence against any person or property in any building or grounds, as described in paragraph 1 or 2 of this subsection.

B. Violation of this section and attempts or conspiracies to commit such violations shall, upon conviction, be ~~punishable by~~:

1. A Class C2 felony offense punishable by a fine of One Thousand Dollars (\$1,000.00), or imprisonment for not more than ten (10) years with the Department of Corrections as provided for in subsections B through F of Section 20M of this title, or by both fine and imprisonment, if:

- a. the person, during and in relation to the offense, uses or carries a deadly or dangerous weapon or firearm, or
- b. the offense results in great bodily injury, as defined by Section 646 of Title 21 of the Oklahoma Statutes this title, to any other person; or

2. A Class D3 felony offense punishable by a fine of Five Hundred Dollars (\$500.00), or imprisonment in the county jail for not more than one (1) year as provided for in subsections B through F of Section 20P of this title, or by both fine and imprisonment, in any other case.

C. Violation of this section, and attempts or conspiracies to commit such violations, shall be prosecuted by the district attorney in the district court having jurisdiction of the place where the offense occurred.

D. As used in this section, the term "other person for whom the Oklahoma Highway Patrol Division of the Department of Public Safety is charged with providing protection" means any person the Oklahoma Highway Patrol - Executive Security Division is authorized to protect pursuant to Section 2-101 or Section 2-105.3a of Title 47 of the Oklahoma Statutes when the person has not declined protection.

SECTION 207. AMENDATORY 21 O.S. 2021, Section 301, is amended to read as follows:

Section 301. Any person who willfully and by force or fraud prevents the State Legislature or either of the houses composing it, or any of the members thereof, from meeting or organizing shall be

guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not less than five (5) years nor more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Dollars (\$2,000.00), or both.

SECTION 208. AMENDATORY 21 O.S. 2021, Section 303, is amended to read as follows:

Section 303. Every person who willfully and by force or fraud compels or attempts to compel the State Legislature, or either of the houses composing it, to adjourn or disperse shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not less than five (5) years nor more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), or both.

SECTION 209. AMENDATORY 21 O.S. 2021, Section 305, is amended to read as follows:

Section 305. Any person who willfully compels or attempts to compel either of the houses composing the Legislature to pass, amend or reject any bill or resolution, or to grant or refuse any petition, or to perform or omit to perform any other official act, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not less than five (5) years nor more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Dollars (\$2,000.00), or both.

SECTION 210. AMENDATORY 21 O.S. 2021, Section 308, is amended to read as follows:

Section 308. Any person who gives or offers to give a bribe to any member of the Legislature, or attempts directly or indirectly, by menace, deceit, suppression of truth or any other corrupt means, to influence a member in giving or withholding his vote, or in not attending the house of which he is a member, or any committee thereof, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this

title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or both.

SECTION 211. AMENDATORY 21 O.S. 2021, Section 309, is amended to read as follows:

Section 309. Any member of either of the houses composing the Legislature, who asks, receives or agrees to receive any bribe upon any understanding that his official vote, opinion, judgment or action shall be influenced thereby, or shall be given in any manner or upon any particular side of any question or matter upon which he may be required to act in his official capacity, or who gives, or offers or promises to give any official vote in consideration that another member of the Legislature shall give any such vote, either upon the same or another question, is guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or both.

SECTION 212. AMENDATORY 21 O.S. 2021, Section 350, is amended to read as follows:

Section 350. Any person who enters any fort, magazine, arsenal, armory, arsenal yard or encampment and seizes or takes away any arms, ammunition, military stores or supplies belonging to the people of this state, and every person who enters any such place with intent so to do, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title.

SECTION 213. AMENDATORY 21 O.S. 2021, Section 374, is amended to read as follows:

Section 374. Any person in this state, who shall carry or cause to be carried, or publicly display any red flag or other emblem or banner, indicating disloyalty to the Government of the United States or a belief in anarchy or other political doctrines or beliefs, whose objects are either the disruption or destruction of organized government, or the defiance of the laws of the United States or of the State of Oklahoma, shall be deemed guilty of a Class C2 felony offense, and upon conviction shall be punished by imprisonment ~~in the Penitentiary of the State of Oklahoma for a term not exceeding ten (10) years~~ as provided for in subsections B through F of Section

20M of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00) or by both such imprisonment and fine.

SECTION 214. AMENDATORY 21 O.S. 2021, Section 380, is amended to read as follows:

Section 380. A. Any fiduciary who, with a corrupt intent and without the consent of his beneficiary, intentionally or knowingly solicits, accepts, or agrees to accept any bribe from another person with the agreement or understanding that the bribe as defined by law will influence the conduct of the fiduciary in relation to the affairs of his beneficiary, upon conviction, is guilty of a Class C2 felony offense punishable by imprisonment in a state correctional institution for a term not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00) or an amount fixed by the court not to exceed twice the value of the benefit gained from the bribe, or by both said imprisonment and fine.

B. Any person who offers, confers, or agrees to confer any bribe the acceptance of which is an offense pursuant to the provisions of subsection A of this section, upon conviction, is guilty of a Class C2 felony offense punishable by imprisonment in a state correctional institution for a term not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or both.

C. As used in subsection A of this section:

1. "Beneficiary" means any person for whom a fiduciary is acting;

2. "Fiduciary" means:

- a. an agent or employee, or
- b. a trustee, guardian, custodian, administrator, executor, conservator, receiver, or similar fiduciary, or
- c. a lawyer, physician, accountant, appraiser, or other professional advisor, or

- d. an officer, director, partner, manager, or other participant in the direction of the affairs of a corporation or association.

SECTION 215. AMENDATORY 21 O.S. 2021, Section 380.1, is amended to read as follows:

Section 380.1. A person commits the offense of commercial bribery involving an insured depository institution or credit union when the person gives, offers, promises, confers or agrees to confer any benefit to any employee, agent or fiduciary without the consent of the employer or principal and with intent to influence such person's conduct in relation to the affairs of the employer or principal.

Any person convicted of commercial bribery involving an insured depository institution shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not more than one (1) year; or, if there was intent to defraud, the violator, upon conviction, shall be guilty of a Class C2 felony offense punishable by imprisonment in the Department of Corrections for a term not more than ten (10) years as provided for in subsections B through F of Section 20M of this title.

SECTION 216. AMENDATORY 21 O.S. 2021, Section 382, is amended to read as follows:

Section 382. Every executive, legislative, county, municipal, judicial, or other public officer, or any employee of the State of Oklahoma or any political subdivision thereof, including peace officers and any other law enforcement officer, or any person assuming to act as such officer, who corruptly accepts or requests a gift or gratuity, or a promise to make a gift, or a promise to do an act beneficial to such officer, or that judgment shall be given in any particular manner, or upon a particular side of any question, cause or proceeding, which is or may be by law brought before him in his official capacity, or as a consideration for any speech, work, or service in connection therewith, or that in such capacity he shall make any particular nomination or appointment, shall forfeit his office, be forever disqualified to hold any public office, trust, or appointment under the laws of this state, and be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine

not exceeding Five Thousand Dollars (\$5,000.00) and imprisonment in jail not exceeding one (1) year.

SECTION 217. AMENDATORY 21 O.S. 2021, Section 383, is amended to read as follows:

Section 383. Any person who gives or offers to give a bribe to any judicial officer, juror, referee, arbitrator, umpire or assessor, or to any person who may be authorized by law or agreement of parties interested to hear or determine any question or controversy, with intent to influence his vote, opinion or decision upon any matter or question which is or may be brought before him for decision, is guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or both.

SECTION 218. AMENDATORY 21 O.S. 2021, Section 388, is amended to read as follows:

Section 388. Every person who attempts to influence a juror, or any person summoned or drawn as a juror, or chosen as arbitrator or appointed a referee, in respect to his or her verdict, or decision of any cause or matter pending, or about to be brought before him or her, either:

1. By means of any communication oral or written had with him or her, except in the regular course of proceedings upon the trial of the cause;

2. By means of any book, paper, or instrument, exhibited otherwise than in the regular course of proceedings, upon the trial of the cause;

3. By means of any threat or intimidation; or

4. By means of any assurance or promise of any pecuniary or other advantage,

is guilty of a Class C2 felony offense punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary not to exceed ten (10) years as provided for in subsections B through F of Section 20M of this title, or by both such fine and imprisonment.

SECTION 219. AMENDATORY 21 O.S. 2021, Section 421, is amended to read as follows:

Section 421. A. If two or more persons conspire, either:

1. To commit any crime; or
 2. Falsely and maliciously to indict another for any crime, or to procure another to be charged or arrested for any crime; or
 3. Falsely to move or maintain any suit, action or proceeding; or
 4. To cheat and defraud any person of any property by any means which are in themselves criminal, or by any means which, if executed, would amount to a cheat or to obtaining money or property by false pretenses; or
 5. To commit any act injurious to the public health, to public morals, or to trade or commerce, or for the perversion or obstruction of justice or the due administration of the laws,
- they are guilty of a conspiracy.

B. Except in cases where a different punishment is prescribed by law the punishment for conspiracy shall be a misdemeanor unless the conspiracy is to commit a felony.

C. Conspiracy to commit a felony shall be a Class C2 felony offense and is punishable by payment of a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State Penitentiary for a period not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title,~~ or by both such fine and imprisonment.

SECTION 220. AMENDATORY 21 O.S. 2021, Section 422, is amended to read as follows:

Section 422. If two or more persons, being out of this state, conspire to commit any act against the peace of this state, the commission or attempted commission of which, within this state, would be treason against the state, they shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the State~~

Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title.

SECTION 221. AMENDATORY 21 O.S. 2021, Section 424, is amended to read as follows:

Section 424. If two or more persons conspire either to commit any offense against the State of Oklahoma, any county, school district, municipality or subdivision thereof, or to defraud the State of Oklahoma, any county, school district, municipality or subdivision thereof, in any manner or for any purpose, and if one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be guilty of a Class C2 felony offense punishable by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or imprisonment for not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by both such fine and imprisonment.

SECTION 222. AMENDATORY 21 O.S. 2021, Section 540B, is amended to read as follows:

Section 540B. A peace officer may set up one or more roadblocks to apprehend any person riding upon or within a motor vehicle traveling upon a highway, street, turnpike, or area accessible to motoring public, when the officer has probable cause to believe such person is committing or has committed:

1. A violation of Section 540A of this title;
2. Escape from the lawful custody of any peace officer;
3. A felony under the laws of this state or the laws of any other jurisdiction.

A roadblock is defined as a barricade, sign, standing motor vehicle, or similar obstacle temporarily placed upon or adjacent to a public street, highway, turnpike or area accessible to the motoring public, with one or more peace officers in attendance thereof directing each operator of approaching motor vehicles to stop or proceed.

Any operator of a motor vehicle approaching such roadblock has a duty to stop at the roadblock unless directed otherwise by a peace officer in attendance thereof and the willful violation hereof shall constitute a separate offense from any other offense committed. Any

person who willfully attempts to avoid such roadblock or in any manner willfully fails to stop at such roadblock or who willfully passes by or through such roadblock without receiving permission from a peace officer in attendance thereto is guilty of a Class C2 felony offense and shall be punished by imprisonment ~~in the State Penitentiary for not less than one (1) year, nor more than five (5) years~~ as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 223. AMENDATORY 21 O.S. 2021, Section 578, is amended to read as follows:

Section 578. Any person who fraudulently produces an infant, falsely pretending it to have been born of any parent whose child would be entitled to inherit any real estate or to receive a share of any personal estate, with intent to intercept the inheritance of any such real estate, or the distribution of any such personal estate, from any person lawfully entitled thereto, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title.

SECTION 224. AMENDATORY 21 O.S. 2021, Section 752, is amended to read as follows:

Section 752. Every person who with design to disable himself from performance of any legal duty, existing or anticipated, inflicts upon himself any injury whereby he is so disabled, is guilty of maiming, a Class C2 felony offense.

SECTION 225. AMENDATORY 21 O.S. 2021, Section 759, is amended to read as follows:

Section 759. Any person guilty of maiming another, as defined in Section 751 of this title, shall be guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding life as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both such fine and imprisonment.

SECTION 226. AMENDATORY 21 O.S. 2021, Section 941, is amended to read as follows:

Section 941. Except as provided in the Oklahoma Charity Games Act, every person who opens, or causes to be opened, or who conducts, whether for hire or not, or carries on either poker, roulette, craps or any banking or percentage, or any gambling game played with dice, cards or any device, for money, checks, credits, or any representatives of value, or who either as owner or employee, whether for hire or not, deals for those engaged in any such game, shall be guilty of a Class C2 felony offense, and upon conviction thereof, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), and by imprisonment ~~in the State Penitentiary for a term of not less than one (1) year nor more than ten (10) years as provided for in subsections B through F of Section 20M of this title.~~

SECTION 227. AMENDATORY 21 O.S. 2021, Section 946, is amended to read as follows:

Section 946. Any house, room or place where any of the games prohibited by Section 941 of this title are opened, conducted or carried on, or where persons congregate to play at any such games is a public nuisance and the keepers and managers of any such nuisance, and persons aiding or assisting any such keepers or managers in keeping or managing any such nuisance shall be guilty of a Class C2 felony offense and, upon conviction, shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than ten (10) years as provided for in subsections B through F of Section 20M of this title.

SECTION 228. AMENDATORY 21 O.S. 2021, Section 948, is amended to read as follows:

Section 948. Any state, district, city, town, county or township officer who shall engage or participate in, or who shall assist or encourage any other person or persons in any kind of illegal gambling, whether the same be by cards, dice, dominoes, billiards or any game of chance or a gambling device, by betting money, property or other things of value in such game of chance, or gambling device, such officer shall be deemed guilty of a Class C2 felony offense, and upon conviction shall be punished by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than ten (10) years as provided for in subsections B through F of Section

20M of this title, and such judgment of conviction shall carry with it an immediate removal from office and a disqualification to hold any office of profit or trust in the State of Oklahoma.

SECTION 229. AMENDATORY 21 O.S. 2021, Section 982, is amended to read as follows:

Section 982. A. Commercial gambling is:

1. Operating or receiving all or part of the earnings of a gambling place;
2. Receiving, recording or forwarding bets or offers to bet or, with intent to receive, record or forward bets or offers to bet, possessing facilities to do so;
3. For gain, becoming a custodian of anything of value bet or offered to be bet;
4. Conducting a lottery or with intent to conduct a lottery possessing facilities to do so;
5. Setting up for use or collecting the proceeds of any gambling device; or
6. Alone or with others, owning, controlling, managing or financing a gambling business.

B. Any person found guilty of commercial gambling shall be guilty of a Class C2 felony offense and punished by imprisonment ~~for not more than ten (10) years as provided for in subsections B through F of Section 20M of this title~~, or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

SECTION 230. AMENDATORY 21 O.S. 2021, Section 991, is amended to read as follows:

Section 991. A. Except as provided for in the Oklahoma Horse Racing Act, it shall be unlawful for any person, association, or corporation:

1. To bet or wager upon the result of any trial of speed or power of endurance of animals or beasts; or

2. To occupy any room, shed, tenement or building, or any part thereof, or to occupy any place upon any grounds with books, apparatus, or paraphernalia for the purpose of recording or registering bets or wagers or of selling pools, or making books or mutuels upon the result of any trial of speed or power of endurance of animals or beasts; or

3. Being the owner or lessee or occupant of any room, tent, tenement, shed, booth, or building, or part thereof at any place knowingly to permit the same to be used or occupied to keep, exhibit, or employ any device or apparatus for the purpose of recording or registering such bets or wagers or the selling or making of such books, pools or mutuels, or to become the custodian or depository for gain, hire or reward of any money, property or thing of value, bet or wagered or to be wagered or bet upon the result of any trial of speed or power of endurance of animals or beasts; or

4. To receive, register, record, forward or purport or pretend to forward to or for any racetrack within or without this state, any money, thing or consideration of value offered for the purpose of being bet or wagered upon the result of any trial of speed or power of endurance of any animal or beast; or

5. To occupy any place, or building or part thereof with books, papers, apparatus, or paraphernalia for the purpose of receiving or pretending to receive or for recording or for registering or for forwarding or pretending or attempting to forward in any manner whatever, any money, thing or consideration of value, bet or wagered or to be bet or wagered by any person, or to receive or offer to receive any money, thing, or consideration of value bet or to be bet upon the result of any trial of speed or power of endurance of any animal or beast; or

6. To aid or assist or abet at any racetrack or other place in any manner in any of the acts forbidden by this section.

B. Any person, association, or corporation convicted of violating the provisions of paragraph 1 of subsection A of this section shall be guilty of a Class D3 felony offense and shall be fined not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00) and be imprisoned ~~not more than ninety (90) days~~ as provided for in subsections B through F of Section 20P of this title. Any person, association, or corporation convicted of violating any provision of paragraphs 2, 3, 4, 5 or 6 of subsection

A of this section shall be guilty of a Class C2 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned for a period of not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or both said fine and imprisonment.

C. Any personal property used for the purpose of violating any of the provisions of this section shall be disposed of as provided for in Section 1261 of Title 22 of the Oklahoma Statutes.

SECTION 231. AMENDATORY 21 O.S. 2021, Section 996.3, is amended to read as follows:

Section 996.3. A. It is unlawful for any person to use the term "prize" or "gift" or other similar term in any manner that would be untrue or misleading.

B. It is unlawful to notify any person by any means, as a part of an advertising plan or program, that the person has won a prize and that as a condition of receiving such prize the person must pay any money or rent any goods or services.

C. It is unlawful to notify any person by any means that the person will receive a gift and that as a condition of receiving the gift the person must pay any money, or purchase, lease or rent any goods or services, if any one or more of the following exists:

1. The shipping charge, depending on the method of shipping used, exceeds:

- a. the average cost of postage or the average charge of a delivery service in the business of delivering goods of like size, weight, and kind for shippers other than the offeror of the gift for the geographic area in which the gift is being distributed, or
- b. the exact amount for shipping paid to an independent supplier, who is in the business of shipping goods for shippers other than the offeror of the gift.

2. The handling charge:

- a. is not reasonable, or
- b. exceeds the actual cost of handling, or

- c. exceeds the greater of Three Dollars (\$3.00) in any transaction or eighty percent (80%) of the actual cost of the gift item to the offeror or its agent, or
- d. in the case of a merchandise retailer, exceeds the actual amount for handling paid to an independent supplier, who is in the business of handling goods for businesses other than the offeror of the gift.

3. Any goods or services which must be purchased or leased by the offeree of the gift in order to obtain the gift could have been purchased through the same marketing channel in which the gift was offered for a lower price without the gift items at or proximate to the time the gift was offered.

4. The majority of the gift offeror's sales or leases within the preceding year, through the marketing channel in which the gift is offered or through in-person sales at retail outlets, of the type of goods or services which must be purchased or leased in order to obtain the gift item was made in conjunction with the offer of a gift. This paragraph does not apply to a gift offer made by a retail merchant in conjunction with the sale or lease through mail order of goods or services if:

- a. the goods or services are of a type unlike any other type of goods or services sold or leased by the retail merchant at any time during the period beginning six (6) months before and continuing six (6) months after the gift offer,
- b. the gift offer does not extend for a period more than two (2) months, and
- c. the gift offer is not untrue or misleading in any manner.

5. The gift offeror represents that the offeree has been specially selected in any manner unless the representation is true.

D. The provisions of subsection C of this section shall not apply to the sale or purchase, or solicitation or representation in connection therewith, of goods from a catalog or of books, recordings, videocassettes, periodicals and similar goods through a membership group or club which is regulated by the Federal Trade

Commission trade regulation rule concerning use of negative option plans by sellers in commerce or through a contractual plan or arrangement such as a continuity plan, subscription arrangement, or a single sale or purchase series arrangement under which the seller ships goods to a consumer who has consented in advance to receive such goods and the recipient of such goods is given the opportunity, after examination of the goods, to receive a full refund of charges for the goods, or unused portion thereof, upon return of the goods, or unused portion thereof, undamaged.

E. Each violation of the provisions of this section shall be an unlawful practice pursuant to the provisions of the Oklahoma Consumer Protection Act, Section 751 et seq. of Title 15 of the Oklahoma Statutes.

F. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class C2 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20M of this title.

SECTION 232. AMENDATORY 21 O.S. 2021, Section 1416, is amended to read as follows:

Section 1416. Any person mentioned in Section 1412 of this title, who delivers to another any merchandise for which any bill of lading, receipt or voucher has been issued, unless such receipt or voucher bore upon its face the words "Not negotiable", plainly written or stamped, or unless such receipt is surrendered to be canceled at the time of delivery or unless, in the case of partial delivery, a memorandum thereof is endorsed upon such receipt or voucher, shall be punishable as follows:

1. If the value of the property is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the value of the property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections not to exceed two (2) years, or in the county jail not to exceed one (1) year as provided for in subsections B through F of

Section 20P of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

3. If the value of the property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections not to exceed five (5) years , or in the county jail not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; and

4. If the value of the property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

SECTION 233. AMENDATORY 21 O.S. 2021, Section 1451, as amended by Section 1, Chapter 63, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1451), is amended to read as follows:

Section 1451. A. Embezzlement is the fraudulent appropriation of property of any person or legal entity, legally obtained, to any use or purpose not intended or authorized by its owner, or the secretion of the property with the fraudulent intent to appropriate it to such use or purpose, under any of the following circumstances:

1. Where the property was obtained by being entrusted to that person for a specific purpose, use, or disposition and shall include, but not be limited to, any funds "held in trust" for any purpose;

2. Where the property was obtained by virtue of a power of attorney being granted for the sale or transfer of the property;

3. Where the property is possessed or controlled for the use of another person;

4. Where the property is to be used for a public or benevolent purpose;

5. Where any person diverts any money appropriated by law from the purpose and object of the appropriation;

6. Where any person fails or refuses to pay over to the state, or appropriate authority, any tax or other monies collected in accordance with state law, and who appropriates the tax or monies to the use of that person, or to the use of any other person not entitled to the tax or monies;

7. Where the property is possessed for the purpose of transportation, without regard to whether packages containing the property have been broken;

8. Where any person removes crops from any leased or rented premises with the intent to deprive the owner or landlord interested in the land of any of the rent due from that land, or who fraudulently appropriates the rent to that person or any other person; or

9. Where the property is possessed or controlled by virtue of a lease or rental agreement, and the property is willfully or intentionally not returned within five (5) days after the expiration of the agreement or forty-eight (48) hours for heavy equipment.

Embezzlement does not require a distinct act of taking, but only a fraudulent appropriation, conversion or use of property.

B. Except as provided in subsection C of this section, embezzlement shall be punished as follows:

1. If the value of the property embezzled is less than One Thousand Dollars (\$1,000.00), any person convicted shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), by imprisonment in the county jail for a term not to exceed one (1) year or, at the discretion of the court, by imprisonment in the county jail for one or more nights or weekends pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, or by both such fine and imprisonment;

2. If the value of the property embezzled is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), any person convicted shall be guilty of a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year as provided~~

for in subsections B through F of Section 20P of this title, shall be subject to a fine not exceeding Five Thousand Dollars (\$5,000.00), and ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes;

3. If the value of the property embezzled is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), any person convicted shall be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of this title, shall be subject to a fine not exceeding Five Thousand Dollars (\$5,000.00), and ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes; or

4. If the value of the property embezzled is Fifteen Thousand Dollars (\$15,000.00) or more, any person convicted shall be guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title, subject to a fine not exceeding Ten Thousand Dollars (\$10,000.00), and ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes.

For purposes of this subsection, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

C. Any county or state officer, deputy or employee of such officer, who shall divert any money appropriated by law from the purpose and object of the appropriation shall, upon conviction, be guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than one (1) year nor more than ten (10) years as provided for in subsections B through F of Section 20M of this title, and a fine equal to triple the amount of money so embezzled and ordered to pay restitution to the victim as provided in Section 991f of Title 22 of

the Oklahoma Statutes. The fine shall operate as a judgment lien at law on all estate of the party so convicted and sentenced, and shall be enforced by execution or other process for the use of the person whose money or other funds or property were embezzled. In all cases the fine, so operating as a judgment lien, shall be released or entered as satisfied only by the person in interest.

D. Any executor, administrator, trustee, beneficiary or other person benefiting from, acting in a fiduciary capacity for, or otherwise administering a probate, intestate, or trust estate, whether the trust is inter vivos or testamentary, upon conviction of embezzlement from the estate shall not receive any portion, share, gift or otherwise benefit from the estate.

SECTION 234. AMENDATORY 21 O.S. 2021, Section 1531, is amended to read as follows:

Section 1531. Any person who falsely personates another, and in such assumed character:

1. Marries or pretends to marry, or to sustain the marriage relation toward another, with or without the connivance of such other person; or

2. Becomes bail or surety for any party, in any proceeding whatever, before any court or officer authorized to take such bail or surety; or

3. Subscribes, verifies, publishes, acknowledges or proves, in the name of another person, any written instrument, with intent that the same may be delivered or used as true; or

4. Does any other act whereby, if it were done by the person falsely personated, he might in any event become liable to any suit or prosecution, or to pay any sum of money, or to incur any charge, forfeiture or penalty, or whereby any benefit might accrue to the party personating, or to any other person~~+~~,

shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title.

SECTION 235. AMENDATORY 21 O.S. 2021, Section 1532, is amended to read as follows:

Section 1532. Any person who falsely personates another, and in such assumed character receives any money or property, that knowing it is intended to be delivered to the individual so personated, with intent to convert the same to his own use, or to that of another person who is not entitled thereto, shall be punishable as follows:

1. If the value of the money or property is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the value of the money or property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections not to exceed two (2) years, or in the county jail not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title,~~ or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine;

3. If the value of the money or property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections not to exceed five (5) years, or in the county jail not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title,~~ or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine; and

4. If the value of the money or property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title,~~ or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

SECTION 236. AMENDATORY 21 O.S. 2021, Section 1533, is amended to read as follows:

Section 1533. A. Except as provided in subsection B of this section, every person who falsely personates any public officer,

civil or military, any firefighter, any law enforcement officer, any emergency medical technician or other emergency medical care provider, or any private individual having special authority by law to perform any act affecting the rights or interests of another, or who assumes, without authority, any uniform or badge by which such officers or persons are usually distinguished, and in such assumed character does any act whereby another person is injured, defrauded, harassed, vexed or annoyed, upon conviction, is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

B. Every person who falsely personates any public officer or any law enforcement officer in connection with or relating to any sham legal process shall, upon conviction, be guilty of a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of this title, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

C. Every person who falsely asserts authority of law not provided for by federal or state law in connection with any sham legal process shall, upon conviction, be guilty of a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of this title, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

D. Every person who, while acting falsely in asserting authority of law, attempts to intimidate or hinder a public official or law enforcement officer in the discharge of official duties by means of threats, harassment, physical abuse, or use of sham legal process shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of this title, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

E. Any person who, without authority under federal or state law, acts as a supreme court justice, a district court judge, an associate district judge, a special judge, a magistrate, a clerk of the court or deputy, a notary public, a juror or other official

holding authority to determine a controversy or adjudicate the rights or interests of others, or signs a document in such capacity, shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years as provided for in subsections B through F of Section 20P of this title, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

F. Every person who uses any motor vehicle or motor-driven cycle usually distinguished as a law enforcement vehicle or equips any motor vehicle or motor-driven cycle with any spot lamps, audible sirens, or flashing lights, in violation of Section 12-217, 12-218 or 12-227 of Title 47 of the Oklahoma Statutes, or in any other manner uses any motor vehicle or motor-driven cycle:

1. Which, by markings that conform to or imitate the markings required or authorized in subsection B of Section 151 of Title 47 of the Oklahoma Statutes and used by the Oklahoma Highway Patrol Division of the Department of Public Safety, conveys to any person the impression or appearance that it is a vehicle of the Oklahoma Highway Patrol shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or both fine and imprisonment; provided, nothing in this paragraph shall be construed to prohibit the use of such a vehicle for exhibitions, club activities, parades, and other functions of public interest and which is not used on the public roads, streets, and highways for regular transportation; or

2. For the purpose of falsely personating a law enforcement officer and who in such assumed character commits any act whereby another person is injured, defrauded, harassed, vexed or annoyed shall, upon conviction, be guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

G. 1. Any person who displays or causes to be displayed the words "State Police" alone or in conjunction with any other word or words on any motor vehicle, badge, clothing, identification card, or any other object or document with the intent to communicate peace officer or investigating authority shall, upon conviction, be guilty

of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00). This paragraph shall not apply to any officer with statewide investigatory or law enforcement authority.

2. Any person who displays or causes to display such words as provided in this subsection for the purpose of falsely personating a law enforcement officer and as such commits any act whereby another person is injured, defrauded, harassed, vexed or annoyed shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

H. As used in this section:

1. "Sham legal process" means the issuance, display, delivery, distribution, reliance on as lawful authority, or other use of an instrument that is not lawfully issued, whether or not the instrument is produced for inspection or actually exists, and purports to do any of the following:

- a. to be a summons, subpoena, judgment, arrest warrant, search warrant, or other order of a court recognized by the laws of this state, a law enforcement officer commissioned pursuant to state or federal law or the law of a federally recognized Indian tribe, or a legislative, executive, or administrative agency established by state or federal law or the law of a federally recognized Indian tribe,
- b. to assert jurisdiction or authority over or determine or adjudicate the legal or equitable status, rights, duties, powers, or privileges of any person or property, or
- c. to require or authorize the search, seizure, indictment, arrest, trial, or sentencing of any person or property; and

2. "Lawfully issued" means adopted, issued, or rendered in accordance with the applicable statutes, rules, regulations, and ordinances of the United States, a state, or a political subdivision of a state.

I. It shall not be a defense to a prosecution under subsection B, C, D or E of this section that:

1. The recipient of the sham legal process did not accept or believe in the authority falsely asserted in the sham legal process;

2. The person violating subsection B, C, D or E of this section does not believe in the jurisdiction or authority of this state or of the United States government; or

3. The office the person violating subsection B, C, D or E of this section purports to hold does not exist or is not an official office recognized by state or federal law.

SECTION 237. AMENDATORY 21 O.S. 2021, Section 1533.2, is amended to read as follows:

Section 1533.2. A. It is unlawful for any person to willfully and knowingly obtain, or attempt to obtain, another person's personal, financial or other information of a financial institution by means of any false or fraudulent statement made to any officer, employee, agent or customer of such financial institution.

B. It is unlawful for any person to willfully and knowingly present any false or fraudulent document or information, or any document or information obtained or used without lawful consent or authority, to any officer, employee, agent or another customer of such financial institution to obtain, or attempt to obtain, another person's personal, financial or other information from a financial institution or to commit any crime.

C. Any person violating any provision of this section shall, upon conviction, be guilty of a Class C2 felony offense punishable by imprisonment in the Department of Corrections for a term of not more than ten (10) years as provided for in subsections B through F of Section 20M of this title. In addition, the court may order restitution to be paid by the defendant to every customer whose information was obtained or otherwise utilized in violation of this provision.

SECTION 238. AMENDATORY 21 O.S. 2021, Section 1541.2, is amended to read as follows:

Section 1541.2. A. If the value of the money, property or valuable thing referred to in Section 1541.1 of this title is:

1. One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment;

2. Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine; or

3. Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed eight (8) years~~ as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

B. Any person convicted pursuant to this section shall also be ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 239. AMENDATORY 21 O.S. 2021, Section 1541.3, is amended to read as follows:

Section 1541.3. A. Any person making, drawing, uttering or delivering two or more false or bogus checks, drafts or orders, as defined by Section 1541.4 of this title, the total sum of which is Two Thousand Dollars (\$2,000.00) or more, even though each separate instrument is written for less than One Thousand Dollars (\$1,000.00), all in pursuance of a common scheme or plan to cheat and defraud shall be deemed guilty of a felony and shall be punished as follows:

1. If the total sum of two or more false or bogus checks, drafts or orders is Two Thousand Dollars (\$2,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment;

2. If the total sum of two or more false or bogus checks, drafts or orders is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment; or

3. If the total sum of two or more false or bogus checks, drafts or orders is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

B. If the total sum of two or more false or bogus checks, drafts or orders is Five Hundred Dollars (\$500.00) or more but less than Two Thousand Dollars (\$2,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed one (1) year or, at the discretion of the court, by imprisonment in the county jail for one or more nights or weekends pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, shall be subject to a fine of not more than Five Thousand Dollars (\$5,000.00), and ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 240. AMENDATORY 21 O.S. 2021, Section 1577, is amended to read as follows:

Section 1577. A. Every person who sells, exchanges or delivers for any consideration any forged or counterfeited promissory note, check, bill, draft, or other evidence of debt, or engagement for the payment of money absolutely, or upon any contingency, knowing the same to be forged or counterfeited, with intent to have the same uttered or passed, or who offers any such note or other instrument for sale, exchange or delivery for any consideration, with the like knowledge and intent, or who receives any such note or other instrument upon a sale, exchange or delivery for any consideration with the like knowledge and intent, is punishable as follows:

1. If the value of the instrument is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of misdemeanor forgery punishable by imprisonment in the county jail for a term not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the value of the instrument is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of felony forgery, a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title~~, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

3. If the value of the instrument is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of felony forgery, a Class D1 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title~~, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; or

4. If the value of the instrument is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of felony forgery, a Class C2 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title~~, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

SECTION 241. AMENDATORY 21 O.S. 2021, Section 1578, is amended to read as follows:

Section 1578. A. Every person who, with intent to defraud, has in his or her possession any forged, altered or counterfeit negotiable note, bill, draft or other evidence of debt issued or purporting to have been issued by any corporation or company duly authorized for that purpose by the laws of this state or of any other state, government or country, the forgery of which is hereinbefore declared to be punishable, knowing the same to be forged, altered or counterfeited, with intent to utter the same as true or as false, or to cause the same to be so uttered, is punishable as follows:

1. If the value of the instrument is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of misdemeanor forgery punishable by imprisonment in the county jail for a term not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the value of the instrument is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of felony forgery, a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title,~~ or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

3. If the value of the instrument is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of felony forgery, a Class D1 felony offense, punishable by imprisonment ~~in the custody of the~~

~~Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; or~~

4. If the value of the instrument is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of felony forgery, a Class C2 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title,~~ or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

SECTION 242. AMENDATORY 21 O.S. 2021, Section 1579, is amended to read as follows:

Section 1579. A. Every person who has in his or her possession any forged or counterfeited instrument, the forgery of which is hereinbefore declared to be punishable, other than such as are enumerated in the last section, knowing the same to be forged, counterfeited or falsely altered with intent to injure or defraud by uttering the same to be true, or as false, or by causing the same to be uttered, is punishable as follows:

1. If the value of the instrument is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of misdemeanor forgery punishable by imprisonment in the county jail for a term not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the value of the instrument is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of felony forgery, a Class

D3 felony offense, punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

3. If the value of the instrument is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of felony forgery, a Class D1 felony offense, punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; or

4. If the value of the instrument is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of felony forgery, a Class C2 felony offense, punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

SECTION 243. AMENDATORY 21 O.S. 2021, Section 1592, is amended to read as follows:

Section 1592. A. Every person who, with intent to defraud, utters or publishes as true any forged, altered or counterfeited instrument or any counterfeit gold or silver coin, the forging, altering or counterfeiting of which has previously been declared to be punishable, knowing such instrument or coin to be forged, altered or counterfeited, is punishable as follows:

1. If the value of the instrument is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of forgery as a misdemeanor punishable by imprisonment in the county jail not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the value of the instrument is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of forgery ~~as, a Class D3 felony offense, punishable by imprisonment in the custody of the Department of Corrections not to exceed two (2) years, or in the county jail not to exceed one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

3. If the value of the instrument is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of forgery ~~as, a Class D1 felony offense, punishable by imprisonment in the custody of the Department of Corrections not to exceed five (5) years, or in the county jail not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; and

4. If the value of the instrument is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of forgery ~~as, a Class C2 felony offense, punishable by imprisonment in the custody of the Department of Corrections not to exceed eight (8) years~~ as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

SECTION 244. AMENDATORY 21 O.S. 2021, Section 1632, is amended to read as follows:

Section 1632. Any officer, agent or clerk of any corporation, or of any persons proposing to organize a corporation or to increase the capital stock of any corporation, who knowingly exhibits any false, forged or altered book, paper, voucher, security or other instrument of evidence to any public officer or board authorized by law to examine the organization of such corporation, or to investigate its affairs, or to allow an increase of its capital with intent to deceive such officer or board in respect thereto, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years, and not less than three (3) years as provided for in subsections B through F of Section 20M of this title.

SECTION 245. AMENDATORY 21 O.S. 2021, Section 1635, is amended to read as follows:

Section 1635. Any director, officer, agent or member of any corporation or joint stock association, who, with intent to defraud, destroys, alters, mutilates or falsifies any of the books, papers, writings or securities belonging to such corporation or association, or makes or concurs in making any false entry, or omits or concurs in omitting to make any material entry in any book of accounts, or other record or document kept by such corporation or association, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years and not less than three (3) years, or by imprisonment in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20M of this title, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 246. AMENDATORY 21 O.S. 2021, Section 1702, is amended to read as follows:

Section 1702. One who finds lost property under circumstances which gives him knowledge or means of inquiry as to the true owner, and who appropriates such property to his own use, or to the use of another person who is not entitled thereto, without having first made such effort to find the owner and restore the property to him as the circumstances render reasonable and just, is guilty of larceny punishable as follows:

1. If the value of the property is less than One Thousand Dollars (\$ 1,000.00), the person shall be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed one (1) year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine;

2. If the value of the property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections not to exceed two (2) years, or in the county jail not to exceed one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

3. If the value of the property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections not to exceed five (5) years, or in the county jail not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; and

4. If the value of the property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections not to exceed eight (8) years~~ as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

SECTION 247. AMENDATORY 21 O.S. 2021, Section 1705, as amended by Section 1, Chapter 158, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1705), is amended to read as follows:

Section 1705. A. Grand larceny is a felony punishable as follows:

1. If the value of the property is less than One Thousand Dollars (\$1,000.00), the person shall be punished by imprisonment in the county jail for a term not to exceed one (1) year or by incarceration in the county jail for one or more nights or weekends

pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at the option of the court, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;

2. If the property is one or more firearms, the property is taken from the person of another, or the value of the property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), or by both such imprisonment and fine;

3. In the event the value of the property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine; or

4. If the value of the property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such imprisonment and fine.

B. The person shall also be ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 248. AMENDATORY 21 O.S. 2021, Section 1707, is amended to read as follows:

Section 1707. When it appears upon a trial for grand larceny that the larceny alleged was committed in any dwelling house or vessel, the offender shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding~~

eight (8) years as provided for in subsections B through F of Section 20M of this title.

SECTION 249. AMENDATORY 21 O.S. 2021, Section 1713, is amended to read as follows:

Section 1713. A. Every person who buys or receives, in any manner, upon any consideration, personal property of a value of One Thousand Dollars (\$1,000.00) or more that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such property from the owner shall, upon conviction, be guilty of a felony punishable as follows:

1. If the value of the personal property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment;

2. If the value of the personal property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment; or

3. If the value of the personal property is Fifteen Thousand Dollars (\$15,000.00) or more, the person ~~may~~ shall be guilty of a Class C2 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.

B. If the personal property that has been stolen, embezzled, obtained by false pretense or robbery has a value of less than One

Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed six (6) months.

C. Every person who, without making reasonable inquiry, buys, receives, conceals, withholds, or aids in concealing or withholding any property which has been stolen, embezzled, obtained by false pretense or robbery, or otherwise feloniously obtained, under such circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such property was bought or received had the legal right to sell or deliver it shall be presumed to have bought or received such property knowing it to have been so stolen or wrongfully obtained. This presumption may, however, be rebutted by proof.

SECTION 250. AMENDATORY 21 O.S. 2021, Section 1713.1, is amended to read as follows:

Section 1713.1. Every person who buys or receives, in any manner, upon any consideration, any construction equipment or farm equipment of any value whatsoever that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such construction equipment or farm equipment from the owner, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by a fine in an amount that is equal to three times the value of the property that was stolen but not more than Five Hundred Thousand Dollars (\$500,000.00), or by both such fine and imprisonment and may be ordered to pay restitution pursuant to Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 251. AMENDATORY 21 O.S. 2021, Section 1716, as amended by Section 1, Chapter 32, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1716), is amended to read as follows:

Section 1716. A. Any person in this state who shall steal any horse, jackass, jennet, mule, cow, hog or implement of husbandry as defined in Section 1-125 of Title 47 of the Oklahoma Statutes shall, upon conviction, be guilty of a Class C2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than three (3) years nor more than ten (10)

years, or by a fine in an amount that is equal to three times the value of animals and machinery that were stolen but not more than Five Hundred Thousand Dollars (\$500,000.00), or by both such fine and imprisonment. Each head of cattle stolen may constitute a separate offense and may be punishable as a separate violation.

B. Any person in this state who shall steal any dog, sheep or goat shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term of not less than six (6) months nor more than three (3) years~~ as provided for in subsections B through F of Section 20P of this title, or by a fine in an amount that is equal to three times the value of the animals that were stolen but not more than Five Hundred Thousand Dollars (\$500,000.00), or by both such fine and imprisonment.

C. The word "horse" as used in this section includes all animals of the equine species, and the word "cow" includes all animals of the bovine species.

D. Persons convicted of violating the provisions of subsection A of this section shall be registered by the Oklahoma Department of Agriculture, Food, and Forestry in the Livestock Offender Registry created in Section 2-16.1 of Title 2 of the Oklahoma Statutes.

E. The county in which the offender is convicted shall submit a certified copy of the judgment and sentence confirming the conviction for entry in the Livestock Offender Registry to the Oklahoma Department of Agriculture, Food, and Forestry or, if designated by the Department, to a statewide livestock organization. In lieu of sending a paper copy of the judgment and sentence required by this subsection, the county may transmit the conviction information by using an electronic method authorized by the Oklahoma Department of Agriculture, Food, and Forestry.

SECTION 252. AMENDATORY 21 O.S. 2021, Section 1719.2, is amended to read as follows:

Section 1719.2. A. Any person who shall take, steal or carry away any exotic livestock, any person purchasing or receiving such exotic livestock, knowing them to have been stolen, shall be deemed guilty of grand larceny, a Class C2 felony offense, regardless of the value thereof, and upon conviction thereof shall be punished by imprisonment in the State Penitentiary not exceeding ten (10) years,

or by a fine not exceeding Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.

B. For purposes of this section the term "exotic livestock" means commercially raised exotic livestock including animals of the families bovidae, cervidae and antilocapridae or birds of the ratite group.

SECTION 253. AMENDATORY 21 O.S. 2021, Section 1720, is amended to read as follows:

Section 1720. Any person in this state who shall steal an aircraft, automobile or other automotive driven vehicle, construction equipment or farm equipment, ~~shall be guilty of a Class D1 felony offense, and, upon conviction, shall be punished by imprisonment in the custody of the Department of Corrections for a term not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title if the value of the vehicle is less than Fifty Thousand Dollars (\$50,000.00), or for a term of not less than three (3) years, nor more than ten (10) years shall be~~ guilty of a Class C2 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20M of this title if the value of the vehicle is Fifty Thousand Dollars (\$50,000.00) or greater, or by a fine in an amount that is equal to three times the value of the property that was stolen but not more than Five Hundred Thousand Dollars (\$500,000.00), or by both such fine and imprisonment and. In addition, the person shall be ordered to pay restitution pursuant to Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 254. AMENDATORY 21 O.S. 2021, Section 1721, is amended to read as follows:

Section 1721. Any person who shall unlawfully make or cause to be made any connection with or in any way tap or cause to be tapped, or drill or cause to be drilled a hole in any pipe or pipeline or tank laid or used for the conduct or storage of crude oil, naphtha, gas or casinghead gas, or any of the manufactured or natural products thereof, with intent to deprive the owner thereof of any of said crude oil, naphtha, gas, casinghead gas or any of the manufactured or natural products thereof, shall be guilty of a Class C2 felony offense, and upon conviction the person shall be punished by forfeiture of the instrumentality of the crime and by a fine of not less than One Hundred Dollars (\$100.00), and not more than Fifty Thousand Dollars (\$50,000.00), or confinement in the State

Penitentiary for a term of not less than one (1) year nor more than ten (10) years, or by both such fine and imprisonment.

SECTION 255. AMENDATORY 21 O.S. 2021, Section 1722, is amended to read as follows:

Section 1722. Any person who shall unlawfully take any crude oil or gasoline, or any product thereof, from any pipe, pipeline, tank, tank car, or other receptacle or container and any person who shall unlawfully take or cause to be taken any machinery, drilling mud, equipment or other materials necessary for the drilling or production of oil or gas wells, with intent to deprive the owner or lessee thereof of said crude oil, gas, gasoline, or any product thereof, machinery, drilling mud, equipment or other materials necessary for the drilling or production of oil or gas wells shall:

1. Be guilty of a misdemeanor if the value of said product so taken is less than One Thousand Dollars (\$1,000.00), and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a term not to exceed sixty (60) days, or by both such fine and imprisonment;

2. Be guilty of a Class C2 felony offense if the value of such product so taken is One Thousand Dollars (\$1,000.00) or more and upon conviction thereof, shall be punished by forfeiture of the instrumentality of the crime and by a fine of not less than One Hundred Dollars (\$100.00), and not more than Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a term in the range of one (1) year to ten (10) years, or by both such fine and imprisonment.

SECTION 256. AMENDATORY 21 O.S. 2021, Section 1731, as amended by Section 1, Chapter 176, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1731), is amended to read as follows:

Section 1731. A. Larceny of merchandise held for sale in retail or wholesale establishments shall be punishable as follows:

1. For the first or second conviction, in the event the value of the goods, edible meat, or other corporeal property which has been taken is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding thirty (30) days, and by a fine not less than Ten Dollars (\$10.00) nor more than Five Hundred

Dollars (\$500.00); provided, for the first or second conviction, in the event more than one item of goods, edible meat, or other corporeal property has been taken, punishment shall be by imprisonment in the county jail for a term not to exceed thirty (30) days, and by a fine not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00);

2. For a third or subsequent conviction, in the event the value of the goods, edible meat, or other corporeal property which has been taken is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for a term not to exceed one (1) year, and by a fine not exceeding One Thousand Dollars (\$1,000.00);

3. In the event the value of the goods, edible meat, or other corporeal property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title,~~ and by a fine not to exceed One Thousand Dollars (\$1,000.00);

4. In the event the value of the goods, edible meat, or other corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of this title,~~ and by a fine not to exceed One Thousand Dollars (\$1,000.00); or

5. In the event the value of the goods, edible meat, or other corporeal property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall be guilty of a Class C2 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed eight (8) years as provided for in subsections B through F of Section 20M of this title,~~ and by a fine not to exceed One Thousand Dollars (\$1,000.00).

B. When three or more separate offenses under this section are committed within a one-hundred-eighty-day period, the value of the goods, edible meat, or other corporeal property involved in each larceny offense may be aggregated to determine the total value for

purposes of determining the appropriate punishment under this section.

C. In the event any person engages in conduct that is a violation of this section in concert with at least one other individual, such person shall be liable for the aggregate value of all items taken by all individuals. Such person may also be subject to the penalties set forth in Section 421 of this title, which shall be in addition to any other penalties provided for by law.

D. Any person convicted pursuant to the provisions of this section shall also be ordered to pay restitution to the victim as provided in Section 991f of Title 22 of the Oklahoma Statutes.

SECTION 257. AMENDATORY 21 O.S. 2021, Section 1732, is amended to read as follows:

Section 1732. A. Any person who, with intent to deprive or withhold from the owner thereof the control of a trade secret, or with an intent to appropriate a trade secret to his or her own use or to the use of another:

~~(a) steals~~ 1. Steals or embezzles an article representing a trade secret ~~or~~ or

~~(b) without~~ 2. Without authority makes or causes to be made a copy of an article representing a trade secret,

shall be guilty of larceny under Section 1704 of this title and shall be subject to punishment as provided for in Section 1705 of this title. For purposes of determining whether such larceny is grand larceny or petit larceny under this section, the value of the trade secret and not the value of the article shall be controlling.

B. ~~(a)~~ 1. The word "article" means any object, material, device, customer list, business records, or substance or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype, model, photograph, microorganism, blueprint, information stored in any computer-related format, or map.

~~(b)~~ 2. The word "representing" means describing, depleting, containing, constituting, reflecting or recording.

~~(e)~~ 3. The term "trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, customer list, business records or process, that:

~~1.~~

- a. derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use~~+~~, and

~~2.~~

- b. is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

~~(d)~~ 4. The word "copy" means any facsimile, replica, photograph or other reproduction of an article, including copying, transferring and e-mailing of computer data, and any note, drawing or sketch made of or from an article.

C. In a prosecution for a violation of this act, it shall be no defense that the person so charged returned or intended to return the article so stolen, embezzled or copied.

D. The provisions of this section shall not apply if the person acted in accordance with a written agreement with the person's employer that specified the manner in which disputes involving clients are to be resolved upon termination of the employer-employee relationship.

SECTION 258. AMENDATORY 21 O.S. 2021, Section 1778, is amended to read as follows:

Section 1778. Any person who unlawfully masks, alters or removes any light or signal, or willfully exhibits any false light or signal, with intent to bring any locomotive or any railway car or train of cars into danger, shall be guilty of a Class C2 felony offense punishable by imprisonment in the State Penitentiary not exceeding ten (10) years and not less than three (3) years as provided for in subsections B through F of Section 20M of this title.

SECTION 259. AMENDATORY 21 O.S. 2021, Section 1779, is amended to read as follows:

Section 1779. Every person who maliciously mutilates, tears, defaces, obliterates, or destroys any written instrument being the property of another, the false making of which would be forgery, is punishable in the same manner as the forgery of such instrument is made punishable.

1. If the value of the property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall, upon conviction, be guilty of a Class C2 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20M of this title.

2. If the value of the property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title.

3. If the value of the property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 260. AMENDATORY 21 O.S. 2021, Section 1953, is amended to read as follows:

Section 1953. A. It shall be unlawful to:

1. Willfully, and without authorization, gain or attempt to gain access to and damage, modify, alter, delete, destroy, copy, make use of, use malicious computer programs on, disclose or take possession of a computer, computer system, computer network, data or any other property;

2. Use a computer, computer system, computer network or any other property as hereinbefore defined for the purpose of devising or executing a scheme or artifice with the intent to defraud, deceive, extort or for the purpose of controlling or obtaining money, property, data, services or other thing of value by means of a false or fraudulent pretense or representation;

3. Willfully exceed the limits of authorization and damage, modify, alter, destroy, copy, delete, disclose or take possession of a computer, computer system, computer network, data or any other property;

4. Willfully and without authorization, gain or attempt to gain access to a computer, computer system, computer network, data or any other property;

5. Willfully and without authorization use or cause to be used computer services;

6. Willfully and without authorization disrupt or cause the disruption of computer services or deny or cause the denial of access or other computer services to an authorized user of a computer, computer system or computer network, other than an authorized entity acting for a legitimate business purpose with the effective consent of the owner;

7. Willfully and without authorization provide or assist in providing a means of accessing a computer, computer system, data or computer network in violation of this section;

8. Willfully use a computer, computer system, or computer network to annoy, abuse, threaten, or harass another person;

9. Willfully use a computer, computer system, or computer network to put another person in fear of physical harm or death; and

10. Willfully solicit another, regardless of any financial consideration or exchange of property, of any acts described in paragraphs 1 through 9 of this subsection.

B. Any person convicted of violating paragraph 1, 2, 3, 6, 7, 9 or 10 of subsection A of this section shall be guilty of a Class C2 felony offense punishable as provided in Section 1955 of this title.

C. Any person convicted of violating paragraph 4, 5 or 8 of subsection A of this section shall be guilty of a misdemeanor.

D. Nothing in the Oklahoma Computer Crimes Act shall be construed to prohibit the monitoring of computer usage of, or the denial of computer or Internet access to, a child by a parent, legal guardian, legal custodian, or foster parent. As used in this

subsection, "child" shall mean any person less than eighteen (18) years of age.

E. Nothing in the Oklahoma Computer Crimes Act shall be construed to prohibit testing by an authorized entity, the purpose of which is to provide to the owner or operator of the computer, computer system or computer network an evaluation of the security of the computer, computer system or computer network against real or imagined threats or harms.

SECTION 261. AMENDATORY 21 O.S. 2021, Section 1955, is amended to read as follows:

Section 1955. A. Upon conviction of a felony under the provisions of the Oklahoma Computer Crimes Act, ~~punishment the~~ person shall be guilty of a Class C2 felony offense and shall be punished by a fine of not less than Five Thousand Dollars (\$5,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00), or by confinement in the State Penitentiary for a term of not more than ten (10) years as provided for in subsections B through F of Section 20M of this title, or by both such fine and imprisonment.

B. Upon conviction of a misdemeanor under the provisions of the Oklahoma Computer Crimes Act, punishment shall be by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the county jail not to exceed thirty (30) days, or by both such fine and imprisonment.

C. In addition to any other civil remedy available, the owner or lessee of the computer, computer system, computer network, computer program or data may bring a civil action against any person convicted of a violation of the Oklahoma Computer Crimes Act for compensatory damages, including any victim expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program or data was or was not altered, damaged, deleted, disrupted or destroyed by the access. In any action brought pursuant to this subsection the court may award reasonable attorneys fees to the prevailing party.

SECTION 262. AMENDATORY 22 O.S. 2021, Section 17, is amended to read as follows:

Section 17. A. Every person who has been charged, convicted, has pled guilty or has pled nolo contendere to any crime,

hereinafter referred to as the defendant, or any other person with the cooperation of the defendant, who contracts to receive, or have any other person or entity receive, any proceeds or profits from any source, as a direct or indirect result of the crime or sentence, or the notoriety which the crime or sentence has conferred upon the defendant, shall forfeit the proceeds or profits as provided in this section; provided, however, proceeds or profits from a contract relating to the depiction or discussion of the defendant's crime shall not be subject to forfeiture unless an integral part of the work is a depiction or discussion of the defendant's crime or an impression of the defendant's thoughts, opinions, or emotions regarding the crime. All parties to a contract described in this section are required to pay to the district court wherein the criminal charges were filed any proceeds or thing of value which pursuant to the contract is to be paid to the defendant or to another person or entity. The district court shall make deposit of proceeds received pursuant to this section and direct the county treasurer to make the deposit of those funds in an escrow account for the benefit of and payable to victims of the crime or the legal representative of any victim of the crime committed by the defendant or to repay a public defender office for legal representation during a criminal proceeding. There is hereby created a lien upon any sum of money or other thing of value payable to anyone pursuant to any contract described in this section, for the purpose of enforcing the forfeiture obligation established herein, which lien may be foreclosed in the same manner as statutory tax liens created by Oklahoma law. Any person who contracts without fully providing for such forfeiture in compliance with the provisions of this section shall be guilty of a Class C2 felony offense and, upon conviction, shall be punished by a fine of not less than Ten Thousand Dollars (\$10,000.00) and not to exceed three times the value of the proceeds of the contract, or by imprisonment ~~not exceeding ten (10) years in the custody of the Department of Corrections~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

B. Payments from the escrow account shall be used, in the following order of priority, to satisfy any judgment rendered in favor of a victim or a victim's legal representative, to pay restitution, fines, court costs, and other payments, reparations or reimbursements ordered by the court at the time of sentencing including repayments to a public defender office for legal representation of the defendant and to pay every cost and expense of incarceration and treatment authorized by law as a cost of the defendant.

C. A victim or the legal representative of a victim must file a civil action, in a court of competent jurisdiction, to recover money against the defendant or the defendant's legal representative within seven (7) years of the filing of the criminal charges against the defendant. The victims and the legal representative of a victim of the crime shall have a priority interest in any proceeds or profits received pursuant to the provisions of this section. If no victim or legal representative of a victim has filed a civil suit within seven (7) years from the filing of the criminal charges against the defendant, any money in the escrow account shall be paid over in the following order of priority:

1. For restitution;
2. For any fine and court costs;
3. For other payments ordered in the sentence;
4. For the costs and expenses of incarceration; and

any remaining money to the Victims' Compensation Revolving Fund. Upon disposition of charges favorable to the defendant, any money in the escrow account shall be paid over to the defendant.

D. The district court wherein the criminal charges were filed shall, once every six (6) months for seven (7) years from the date any money is deposited with the court, publish a notice in at least one (1) newspaper of general circulation in each county of the state in accordance with the provisions on publication of notices found in Sections 101 et seq. of Title 25 of the Oklahoma Statutes, notifying any eligible victim or legal representative of an eligible victim that monies are available to satisfy judgments pursuant to this section.

SECTION 263. AMENDATORY 27A O.S. 2021, Section 2-5-116, is amended to read as follows:

Section 2-5-116. A. Any person who knowingly and willfully:

1. Violates any applicable provision of the Oklahoma Clean Air Act or any rule or standard promulgated thereunder;
2. Violates any order issued or permit condition prescribed pursuant to the Oklahoma Clean Air Act;

3. Violates any emission limitation or any substantive provision or condition of any permit;

4. Makes any false material statement, representation, or certification in, or omits material information from, or knowingly alters, conceals, or fails to file or maintain any notice, application, record, report, plan or other document, except for monitoring data, required pursuant to the Oklahoma Clean Air Act to be either filed or maintained;

5. Fails to notify or report as required by the Oklahoma Clean Air Act, rules promulgated thereunder or orders or permits issued pursuant thereto; or

6. Fails to install any monitoring device or method required to be maintained or followed pursuant to the Oklahoma Clean Air Act;

shall, upon conviction, be guilty of a misdemeanor and be punished by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00) per day of violation or for not more than one (1) year imprisonment in the county jail, or both such fine and imprisonment.

B. Any person who knowingly and willfully:

1. Violates any applicable provision of the Oklahoma Clean Air Act or any rule promulgated thereunder, or any order of the Department or any emission limitation or substantive provision or condition of any permit, and who knows at the time that he thereby places another in danger of death or serious bodily injury;

2. Tampered with or renders inaccurate any monitoring device; or

3. Falsifies any monitoring information required to be maintained or submitted to the Department pursuant to the Oklahoma Clean Air Act~~7~~1

shall, upon conviction, be guilty of a Class C2 felony offense and subject to a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00)1 or for not more than ten (10) years imprisonment, or both such fine and imprisonment.

SECTION 264. AMENDATORY 27A O.S. 2021, Section 2-6-206, is amended to read as follows:

Section 2-6-206. A. Whenever there are reasonable grounds to believe that there has been a violation of any of the provisions of the Oklahoma Pollutant Discharge Elimination System Act, any permit, any rule, or any order of the Executive Director, the Executive Director shall have the authority and powers to proceed as specified in the Administrative Procedures Act unless otherwise provided herein. Provided, however, that provisions of this section for written notice, enforcement hearing, and administrative orders shall not be conditions precedent for the Department to seek action in the district court as provided by the Oklahoma Pollutant Discharge Elimination System Act or other applicable provisions of law.

B. The Oklahoma Pollutant Discharge Elimination System Act shall not in any way impair or in any way affect a person's right to recover damages for pollution in a court of competent jurisdiction. Any person having any interest connected with the geographic area or waters or water system affected, including but not limited to any aesthetic, recreational, health, environmental, pecuniary or property interest, which interest is or may be adversely affected, shall have the right to intervene as a party in any administrative proceeding before the Department, or in any civil proceeding, relating to violations of the Oklahoma Pollutant Discharge Elimination System Act or rules, permits or orders issued hereunder.

C. Whenever on the basis of any information available, the Department finds that any person or entity regulated by the Department is in violation of any act, rule, order, permit, condition or limitation implementing the Oklahoma Pollutant Discharge Elimination System Act, or any previously issued discharge permit, the Executive Director shall issue an order requiring such person or entity to comply with such provision or requirement, commence appropriate administrative enforcement proceedings, or bring a civil action. Provided, however, the issuance of a compliance order or suspension or revocation of a permit shall not be considered a condition precedent to the accrual or imposition of penalties or fines in any administrative, civil or criminal proceeding.

D. A copy of any order issued pursuant to this section shall be sent immediately to the violator. In any case in which an order or notice to a violator is issued to a corporation, a copy of such order shall be served on any appropriate corporate officers.

Any order issued pursuant to this section shall state with reasonable specificity the nature of the violation, and shall

specify a time for compliance not to exceed thirty (30) days in the case of a violation of an interim compliance schedule or operation and maintenance requirement and not to exceed a reasonable time in the case of a violation of a final deadline, taking into account the seriousness of the violation and any good faith efforts to comply with applicable requirements. Any order or notice issued by the Executive Director may be served in any manner allowed by Oklahoma Rules of Civil Procedures applicable to a civil summons.

E. Whenever on the basis of any information available the Executive Director finds that any person regulated by the Department has violated any of the provisions of the Oklahoma Pollutant Discharge Elimination System Act, or any permit, rule, order or condition or limitation implementing any of such sections, or previously issued discharge permit or related order, the Executive Director may, after providing notice and opportunity for an enforcement hearing to the alleged violator, assess an administrative fine of not more than Ten Thousand Dollars (\$10,000.00) per day of violation, for each day during which the violation continues. The total amount of such fine shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00) per violation. In determining the amount of any penalty assessed under this subsection, the Executive Director shall take into account the nature, circumstances, extent and gravity of the violation, or violations, and, with respect to the violator, ability to pay, any prior history of such violations, the degree of culpability, economic benefit savings, if any, resulting from the violation, and such other matters as justice may require. For purposes of this subsection, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation. Enforcement hearings shall be conducted in accordance with the procedures set out in the Administrative Procedures Act.

F. 1. The Executive Director is authorized to commence a civil action for appropriate relief, including a permanent or temporary injunction, for any violation for which he is authorized to issue a compliance order under subsection C of this section.

2. Any person who violates any provision of the Oklahoma Pollutant Discharge Elimination System Act, or any permit condition or limitation implementing any of such provisions in a permit issued under the Oklahoma Pollutant Discharge Elimination System Act, or any requirement imposed in a pretreatment program approved under the Oklahoma Pollutant Discharge Elimination System Act, and any person

who violates any order issued by the Executive Director under subsection C of this section, shall be subject to a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) per day for each violation. In determining the amount of the civil penalty the court shall consider the seriousness of the violation or violations, the economic benefit, if any, resulting from the violation, any history of such violations, any good faith efforts to comply with the applicable requirements, the economic impact of the penalty on the violator and such other matters as justice may require. For purposes of this subsection, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

3. Any action pursuant to this subsection may be brought in the district court for the district in which the property or defendant is located or defendant resides or is doing business, and such court shall have jurisdiction to restrain such violation and to require compliance.

4. The prior revocation of a permit shall not be a condition precedent to the filing of a civil action under the Oklahoma Pollutant Discharge Elimination System Act.

G. 1. Any person who:

- a. negligently violates any provision of the Oklahoma Pollutant Discharge Elimination System Act, or any order issued by the Executive Director hereunder, or any permit condition or limitation in a permit issued or any requirement imposed in a pretreatment program authorized pursuant to the Oklahoma Pollutant Discharge Elimination System Act, or
- b. negligently introduces into the waters of the state or a treatment works discharging into the waters of the state any pollutant or hazardous substance which such person knew or reasonably should have known could cause personal injury or property damage or, other than in compliance with all applicable federal, state or local requirements or permits, which causes such treatment work to violate any effluent limitation or condition in a permit issued to the treatment works pursuant to the Oklahoma Pollutant Discharge Elimination System Act,

shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Twenty-five Thousand Dollars (\$25,000.00) per day of violation, or by imprisonment in the county jail for not more than one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be a fine of not more than Fifty Thousand Dollars (\$50,000.00) per day of violation, or by imprisonment in the State Penitentiary for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both.

2. Any person who:

- a. knowingly violates any provision of the Oklahoma Pollutant Discharge Elimination System Act, or any order issued by the Executive Director hereunder, or any permit condition or limitation in a permit issued or any requirement imposed in a pretreatment program authorized pursuant to the Oklahoma Pollutant Discharge Elimination System Act, or
- b. knowingly introduces into the waters of the state or a treatment works discharging into the waters of the state any pollutant or hazardous substance which such person knew or reasonably should have known could cause personal injury or property damage or, other than in compliance with all applicable federal, state or local requirements or permits, which causes such treatment work to violate any effluent limitation or condition in a permit issued to the treatment works under the Oklahoma Pollutant Discharge Elimination System Act,

shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by a fine of not less than Five Thousand Dollars (\$5,000.00) nor more than Fifty Thousand Dollars (\$50,000.00) per day of violation, or by imprisonment in the county jail for not more than one (1) year or in the State Penitentiary for not more than three (3) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be

a fine of not more than One Hundred Thousand Dollars (\$100,000.00) per day of violation, or by imprisonment ~~in the State Penitentiary for not more than six (6) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both.

3. a. Any person who knowingly violates any provision of the Oklahoma Pollutant Discharge Elimination System Act, or any permit condition or limitation in a permit issued hereunder by the Executive Director, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be guilty of a Class C2 felony offense and shall be subject to a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00), or imprisonment in the State Penitentiary for not more than fifteen (15) years, or both. A person which is an organization shall, upon conviction of violating this subparagraph, be subject to a fine of not more than One Million Dollars (\$1,000,000.00). If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, the maximum punishment shall be doubled with respect to both fine and imprisonment.

- b. For the purpose of subparagraph a of this paragraph:

- (1) in determining whether a defendant who is an individual knew that his conduct placed another person in imminent danger of death or serious bodily injury, a person shall be responsible only for actual awareness or actual belief that he possessed, and knowledge possessed by a person other than the defendant but not by the defendant himself may not be attributed to the defendant; provided however that in proving the defendant's possession of actual knowledge, circumstantial evidence may be used, including evidence that the defendant took affirmative steps to shield himself from relevant information,
- (2) it is an affirmative defense to prosecution under this subsection that the conduct charged was consented to by the person endangered and that

the danger and conduct charged were reasonably foreseeable hazards of an occupation, business, profession or of a medical treatment or medical or scientific experimentation conducted by professionally approved methods and such other person had been made aware of the risks involved prior to giving consent, and such defense may be established under this subparagraph by a preponderance of the evidence.

4. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Oklahoma Pollutant Discharge Elimination System Act or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Oklahoma Pollutant Discharge Elimination System Act, shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment for not more than two (2) years, or by both as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment shall be by a fine of not more than Twenty Thousand Dollars (\$20,000.00) per day of violation, or by imprisonment ~~for not more than four (4) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both.

5. For purposes of this subsection, a single operational upset which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

H. Whenever, on the basis of information available to him, the Department finds that an owner or operator of any source is introducing a pollutant into a treatment works in violation of the Oklahoma Pollutant Discharge Elimination System Act or any requirement, rule, permit or order issued under the Oklahoma Pollutant Discharge Elimination System Act, the Department shall notify the owner or operator of such treatment works of such violation. If the owner or operator of the treatment works does not commence appropriate enforcement action within thirty (30) days of the date of such notification, the Department may commence a civil action for appropriate relief, including but not limited to a permanent or temporary injunction, against the owner or operator of

such treatment works. In any such civil action the Department shall join the owner or operator of such source as a party to the action. Such action shall be brought in the district court in the county in which the treatment works is located. Such court shall have jurisdiction to restrain such violation and to require the owner or operator of the treatment works and the owner or operator of the source to take such action as may be necessary to come into compliance with the Oklahoma Pollutant Discharge Elimination System Act. Nothing in this subsection shall be construed to limit or prohibit any other authority the Department may have under this section.

I. 1. Any person against whom an administrative compliance or penalty order is issued under this section may obtain review of such order by filing a petition for review in district court pursuant to the Administrative Procedures Act. Such court shall not set aside or remand such order unless there is not substantial evidence in the administrative record, taken as a whole, to support the finding of a violation or unless the assessment of the penalty constitutes an abuse of discretion and shall not impose additional civil penalties for the same violation unless the assessment of the penalty constitutes an abuse of discretion. No stay of an administrative penalty order shall be granted until the amount of penalty assessed has been deposited with the reviewing district court pending resolution of the petition for review.

2. If any person fails to pay an assessment of an administrative penalty:

- a. after the order making the assessment has become final, or
- b. after a court in an action brought under paragraph 1 of this subsection has entered a final judgment in favor of the Department, as the case may be,

the Department may commence or may request the Attorney General to bring a civil action in an appropriate district court to recover the amount assessed plus interest at currently prevailing rates from the date of the final order or the date of the final judgment, as the case may be. In such an action, the validity, amount, and appropriateness of such penalty shall not be subject to review.

3. Any person who fails to pay on a timely basis the amount of an assessment of an administrative or civil penalty shall be

required to pay, in addition to such amount and interest, attorneys fees and costs for collection proceeding and quarterly nonpayment penalty for each quarter during which such failure to pay persists. Such nonpayment penalty shall be in an amount equal to twenty percent (20%) of the aggregate amount of such person's penalties and nonpayment penalties which are unpaid as of the beginning of such quarter.

SECTION 265. AMENDATORY 29 O.S. 2021, Section 3-201, is amended to read as follows:

Section 3-201. A. All things being equal, veterans of World War II, the Korean, the Vietnam and Persian Gulf Wars shall be appointed as game wardens when vacancies occur.

B. All persons appointed game wardens shall be peace officers and have the full powers of peace officers of the State of Oklahoma in the enforcement of the provisions of this Code and are authorized to:

1. Enforce all state laws on Department-owned or Department-managed lands;

2. Enforce all other laws of this state;

3. Make arrests for wildlife conservation violations and nonconservation-related crimes with the same power and authority as sheriffs are vested with and in cooperation with other law enforcement officers and agencies;

4. Take into possession any and all protected wildlife, or any part thereof, killed, taken, shipped or in any possession contrary to the law, and the wildlife or parts thereof may be disposed of as determined by the Director or any court of competent jurisdiction;

5. Make a complaint and cause proceedings to be commenced against any person for violation of any of the laws for the protection and propagation of wildlife, with the sanction of the prosecuting or district attorney of the county in which the proceedings are brought, and shall not be required to give security for costs;

6. Be an authorized agent of the Commission or Department under Section 3-202 of this title in addition to duties as a game warden; and

7. Assist in enforcement of the state fire laws, upon request of the Oklahoma Department of Agriculture, Food, and Forestry.

C. 1. Pursuant to the provisions of this subsection, a game warden may operate a vehicle owned or leased by the Department upon a roadway during the hours of darkness without lighted headlamps, clearance lamps, or other illuminating devices. As used in this paragraph, "roadway" shall include any street or highway in this state except an interstate highway, a limited access highway, a state trunk highway, or any street or highway within the limits of an incorporated area.

2. Pursuant to the provisions of this subsection, a game warden may operate a vessel upon any waters of this state during the hours of darkness without the illuminating devices required by Section 4207 of Title 63 of the Oklahoma Statutes.

3. A game warden may operate a vehicle or vessel without the illuminating devices specified in this subsection only if the operation:

- a. is made in the performance of the duties of the game warden pursuant to the provisions of the Code, and
- b. (1) will aid in the accomplishment of a lawful arrest for any violation of the Code or any rule or regulation promulgated thereto, or
- (2) will aid in ascertaining whether a violation of the Code or any rule or regulation promulgated thereto has been or is about to be committed.

D. Any person who refuses to stop a vehicle or boat when requested to do so by a game warden in the performance of the duties of the game warden is guilty of a misdemeanor and upon conviction is punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00).

E. Any game warden who solicits or accepts any bribe or money or other thing of value in connection with the performance of duty as a game warden shall be guilty of a Class C2 felony offense and, upon conviction, shall be sentenced to a term not less than two (2) years nor more than seven (7) years in the custody of the Department of Corrections of imprisonment as provided for in subsections B

through F of Section 20M of Title 21 of the Oklahoma Statutes and shall be summarily removed from office.

F. Pursuant to the provisions of subsection B of this section and the Oklahoma Wildlife Conservation Code, a game warden shall not have authority to use or place a game or wildlife camera on private property without the permission of the owner or controller of the property or pursuant to a warrant issued by a court of competent jurisdiction.

SECTION 266. AMENDATORY 42 O.S. 2021, Section 153, is amended to read as follows:

Section 153. ~~(1)~~ A. The trust funds created under Section 152 of this title shall be applied to the payment of said valid lienable claims and no portion thereof shall be used for any other purpose until all lienable claims due and owing or to become due and owing shall have been paid.

~~(2)~~ B. If the party receiving any money under Section 152 of this title is an entity having the characteristics of limited liability pursuant to law, such entity and the natural persons having the legally enforceable duty for the management of the entity shall be liable for the proper application of such trust funds and subject to punishment under Section 1451 of Title 21 of the Oklahoma Statutes; provided, however, if the value of the property embezzled is Fifteen Thousand Dollars (\$15,000.00) or more, the party shall, upon conviction, be guilty of a Class C2 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. If the value of the property embezzled is not less than One Thousand Dollars (\$1,000.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), the party shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes. For purposes of this section, the natural persons subject to punishment shall be the managing officers of a corporation and the managers of a limited liability company.

~~(3)~~ C. The existence of such trust funds shall not prohibit the filing or enforcement of a labor, mechanic or materialmen's lien against the affected real property by any lien claimant, nor shall the filing of such a lien release the holder of such funds from the obligations created under this section or Section 152 of this title.

SECTION 267. AMENDATORY 47 O.S. 2021, Section 4-108, is amended to read as follows:

Section 4-108. Any person who shall knowingly make any false statement of a material fact, either in his application for the certificate of title herein provided for, or in any assignment thereof, or who, with intent to procure or pass title to a motor vehicle which he knows, or has reason to believe, has been stolen, shall receive or transfer possession of the same from or to another, or who shall have in his possession any motor vehicle which he knows or has reason to believe has been stolen, and who is not an officer of the law engaged at the time in the performance of his duty as such officer, shall be deemed guilty of a Class C2 felony offense, and upon conviction thereof shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in the State Penitentiary for a period of not less than one (1) year nor more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, at the discretion of the court. This provision shall not be exclusive of any other penalties prescribed by an existing or future law for the larceny or unauthorized taking of a motor vehicle.

SECTION 268. AMENDATORY 47 O.S. 2021, Section 4-109, as amended by Section 36, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024, Section 4-109), is amended to read as follows:

Section 4-109. Any person who shall alter or forge, or cause to be altered or forged, any certificate of title issued by Service Oklahoma, pursuant to the provisions of this act, or any assignment thereof, or who shall hold or use any such certificate or assignment, knowing the same to have been altered or forged, shall be deemed guilty of a Class C2 felony offense, and upon conviction thereof shall be liable to pay a fine of not less than Fifty Dollars (\$50.00), nor more than Five Thousand Dollars (\$5,000.00), or to imprisonment ~~in the custody of the Oklahoma Department of Corrections for a period of not less than one (1) year, nor more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, at the discretion of the court.

SECTION 269. AMENDATORY 47 O.S. 2021, Section 7-612, is amended to read as follows:

Section 7-612. A. It is a misdemeanor for any person:

1. To purchase a security verification form which bears altered or fictitious information concerning the existence of security required by the Compulsory Insurance Law;

2. To display or cause or permit to be displayed or to possess a security verification form which the person knows bears altered or fictitious information concerning the existence of security required by the Compulsory Insurance Law; or

3. To display or cause or permit to be displayed or to possess any security verification form that is counterfeit.

B. It is a Class C2 felony offense for anyone, other than an insurer or insurance producer as defined by Section 1435.2 of Title 36 of the Oklahoma Statutes, to:

1. Create or otherwise manufacture a security verification form or facsimile thereof, or to create, manufacture or possess an engraved plate or other such device for the printing of security verification forms; or

2. Issue or sell security verification forms.

C. 1. The violation of any of the provisions of subsection A of this section shall constitute a misdemeanor punishable by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Two Hundred Fifty Dollars (\$250.00) and by mandatory suspension of the person's driving privilege for:

a. two (2) months, for a first offense,

b. six (6) months, for a second offense, or

c. one (1) year, for a third or subsequent offense.

The suspension imposed under this subsection shall not be modified.

2. The violation of any of the provisions of subsection B of this section shall constitute a Class C2 felony offense punishable by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or a term of imprisonment ~~in the custody of the Department of Corrections not to exceed seven (7) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

D. The suspension required in subsection C of this section shall remain in effect until payment is made of the fees provided for in Section 6-212 of this title and proof of security is furnished to the Department of Public Safety which complies with the requirements of Section 7-601 of this title. Suspension under this section shall be effective when notice is given pursuant to Section 2-116 of this title.

E. Any person whose driving privilege has been suspended pursuant to the provisions of subsection C of this section shall surrender to the Department his or her driver license within thirty (30) days from the date of the suspension. Any owner failing to surrender his or her driver license to the Department within such time shall pay a fee of Fifty Dollars (\$50.00) which shall be in addition to the fees provided for in Section 6-212 of this title.

SECTION 270. AMENDATORY 47 O.S. 2021, Section 592.9, as amended by Section 17, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2024, Section 592.9), is amended to read as follows:

Section 592.9. A. Rulemaking Power. The Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing Commission may adopt, amend and repeal such rules as are necessary for the enforcement of the provisions of the Oklahoma Crusher Act and consistent with its provisions.

B. Criminal Penalties.

1. Any person who engages in the business of operating as a crusher without first obtaining the license prescribed in the Oklahoma Crusher Act or any person who receives, obtains or possesses and crushes any vehicle or other property which the person knows to be subject to an outstanding lien shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not in excess of One Thousand Dollars (\$1,000.00), by confinement in the county jail for not more than six (6) months, or by both.

2. Any person who engages in the business of operating as a crusher without first obtaining the license prescribed in the Oklahoma Crusher Act and who receives, obtains or possesses any vehicle or other property which he or she knows to be stolen shall be guilty of a Class C2 felony offense of receiving, obtaining or possessing stolen property and, upon conviction, shall be subject to the penalties ~~which may be imposed for such crime~~ provided for in

subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

3. Any person selling a vehicle or other property to a crusher who uses false or altered identification or makes a false declaration of ownership or lien status as related to the provisions of the Oklahoma Crusher Act shall be guilty of a Class C2 felony offense, and upon conviction shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term of not more than five (5) years, or in the county jail for a term of not more than one (1) year~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

4. Any person who fails to repay a crusher the full amount received from the sale of a vehicle or other property after being officially notified by a peace officer or the Commission that the vehicle or other property the person sold to the crusher was stolen shall be guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for a term of not to exceed six (6) months, or a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

C. Injunctive Action. The Commission may institute, in the name of the State of Oklahoma ex rel. Oklahoma Used Motor Vehicle, Dismantler, and Manufactured Housing Commission, any necessary action to enjoin any person, firm, or corporation from engaging in the business of a crusher without a license, or for any violations of this act. An injunction shall issue without the requirement of a bond of any kind from the state. The venue of any action authorized by this section shall be in the county wherein the business activity complained of is conducted.

SECTION 271. AMENDATORY 47 O.S. 2021, Section 1503, is amended to read as follows:

Section 1503. A. Any person who knowingly and with intent that a violation of this section be committed:

1. Owns, operates, or conducts a chop shop;

2. Transports any motor vehicle or motor vehicle part to or from a location knowing it to be a chop shop; or

3. Sells, transfers, purchases, or receives any motor vehicle or motor vehicle part either to or from a location knowing it to be a chop shop,

upon conviction, is guilty of a Class C2 felony offense, punishable by imprisonment ~~for not more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both such imprisonment and fine.

B. Any person who knowingly alters, counterfeits, defaces, destroys, disguises, falsifies, forges, obliterates, or knowingly removes a vehicle identification number, with the intent to misrepresent the identity or prevent the identification of a motor vehicle or motor vehicle part, upon conviction is guilty of a Class C2 felony offense, punishable by imprisonment ~~for not more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both such imprisonment and fine.

C. 1. Any person who buys, disposes, sells, transfers, or possesses a motor vehicle or motor vehicle part, with knowledge that the vehicle identification number of the motor vehicle or motor vehicle part has been altered, counterfeited, defaced, destroyed, disguised, falsified, forged, obliterated, or removed, upon conviction is guilty of a Class D1 felony offense, punishable by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or by both such imprisonment and fine.

2. The provisions of paragraph 1 of this subsection shall not apply to a motor vehicle scrap processor who, in the normal legal course of business and in good faith, processes a motor vehicle or motor vehicle part by crushing, compacting, or other similar methods, provided that any vehicle identification number is not removed from the motor vehicle or motor vehicle part prior to or during any such processing.

3. The provisions of paragraph 1 of this subsection shall not apply to any owner or authorized possessor of a motor vehicle or motor vehicle part which has been recovered by law enforcement authorities after having been stolen or where the condition of the vehicle identification number of the motor vehicle or motor vehicle

part is known to or has been reported to law enforcement authorities. It shall be presumed that law enforcement authorities have knowledge of all vehicle identification numbers on a motor vehicle or motor vehicle part which are altered, counterfeited, defaced, disguised, falsified, forged, obliterated, or removed, when law enforcement authorities deliver or return the motor vehicle or motor vehicle part to its owner or authorized possessor after it has been recovered by law enforcement authorities after having been reported stolen.

D. A person commits an attempt when, with intent to commit a violation proscribed by subsections A, B or C of this section, the person does any act which constitutes a substantial step toward the commission of the violation proscribed by subsections A, B or C of this section, and upon conviction is guilty of a Class D1 felony offense, punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or by both such imprisonment and fine.

E. A person commits conspiracy when, with an intent that a violation proscribed by subsections A, B or C of this section be committed, the person agrees with another to the commission of the violation proscribed by subsections A, B or C of this section, and upon conviction is guilty of Class D3 felony offense punishable by imprisonment for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or by both such imprisonment and fine. No person may be convicted of conspiracy under this section unless an act in furtherance of such agreement is alleged and proved to have been committed by that person or a coconspirator.

F. A person commits solicitation when, with intent that a violation proscribed by subsections A, B or C of this section be committed, the person commands, encourages, or requests another to commit the violation proscribed by subsections A, B or C of this section, and upon conviction is guilty of a Class D3 felony offense, punishable by imprisonment for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

G. A person commits aiding and abetting when, either before or during the commission of a violation proscribed by subsections A, B or C of this section, with the intent to promote or facilitate such commission, the person aids, abets, agrees or attempts to aid another in the planning or commission of the violation proscribed by subsections A, B or C of this section, and upon conviction is guilty of a Class D3 felony offense, punishable by imprisonment ~~for not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

H. A person is an accessory after the fact who maintains, assists, or gives any other aid to an offender while knowing or having reasonable grounds to believe the offender to have committed a violation under subsections A, B, C, D, E, F or G of this section, and upon conviction is guilty of a Class D3 felony offense punishable by imprisonment ~~for not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

I. No prosecution shall be brought, and no person shall be convicted, of any violation under this section, where acts of the person, otherwise constituting a violation were done in good faith in order to comply with the laws or regulations of any state or territory of the United States, or of the federal government of the United States.

J. The sentence imposed upon a person convicted of any violation of this section shall not be reduced to less than one (1) year imprisonment for a second conviction of any violation, or less than five (5) years for a third or subsequent conviction of any violation of this section, and no sentence imposed upon a person for a second or subsequent conviction of any violation of this section shall be suspended, or reduced, until such person shall have served the minimum period of imprisonment provided for herein. A person convicted of a second or subsequent violation of this section shall not be eligible for probation, parole, furlough or work release.

K. 1. In addition to any other punishment, a person who violates this section, shall be ordered to make restitution to the lawful owner or owners of the stolen motor vehicle or vehicles or the stolen motor vehicle part or parts, or to the owner's insurer to the extent that the owner has been compensated by the insurer, and

to any other person for any financial loss sustained as a result of a violation of this section.

Financial loss shall include, but not be limited to, loss of earnings, out-of-pocket and other expenses, repair and replacement costs and claims payments. Lawful owner shall include an innocent bona fide purchaser for value of a stolen motor vehicle or stolen motor vehicle part who does not know that the motor vehicle or part is stolen; or an insurer to the extent that such insurer has compensated a bona fide purchaser for value.

2. The court shall determine the extent and method of restitution. In an extraordinary case, the court may determine that the best interests of the victim and justice would not be served by ordering restitution. In any such case, the court shall make and enter specific written findings on the record concerning the extraordinary circumstances presented which militated against restitution.

SECTION 272. AMENDATORY 51 O.S. 2021, Section 36.5, is amended to read as follows:

Section 36.5. Every public officer or employee who, in taking and subscribing to the oath or affirmation required by this act, states as true any material matter which he knows to be false, shall be guilty of the felony of perjury, a Class C2 felony offense, and upon conviction be punished by imprisonment ~~in the state prison for not less than one (1) year nor more than fourteen (14) years as~~ provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and in addition thereto, the person shall forfeit any public office or employment held by the person.

SECTION 273. AMENDATORY 51 O.S. 2021, Section 36.6, is amended to read as follows:

Section 36.6. Every public officer or employee having taken and subscribed to the oath or affirmation required by this act and having entered upon the duties of his office or employment, who, while holding his office or while being so employed, advocates by the medium of teaching, or justifies, directly or indirectly, or becomes a member of or affiliated with the Communist Party or the Cominform, or with any party or organization, political or otherwise, known by him to advocate by the medium of teaching, or justify, directly or indirectly, revolution, sedition, treason or a program of sabotage, or the overthrow of the government of the

United States or of the State of Oklahoma or a change in the form of government thereof by force, violence, or other unlawful means, shall be guilty of a Class C2 felony offense and, upon conviction, be punished by imprisonment ~~in the state prison for not less than one (1) year nor more than fourteen (14) years;~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, and in addition thereto, the person shall forfeit his or her office or employment.

SECTION 274. AMENDATORY 52 O.S. 2021, Section 109, is amended to read as follows:

Section 109. Any person who shall verify under oath any report, map or drawing or other statement or document authorized or required by the provisions of this act, or by any order, rule or regulation of the Commission made under the provisions of this act to be filed with the Commission or with the Secretary of the Commission, or with any other officer, and who files or causes the same to be filed with the Secretary of the Commission or other officer, which states or contains any material matter which he knows to be false is guilty of the felony of perjury, a Class C2 felony offense, and upon conviction thereof shall be punished by imprisonment ~~in the State Penitentiary for not less than two (2) years, nor more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 275. AMENDATORY 52 O.S. 2021, Section 118, is amended to read as follows:

Section 118. Any member of the Commission, Proration Umpire, assistant, deputy, agent or employee of the Proration Umpire, Proration Attorney, or any agent or employee of the Commission who asks, receives or agrees to receive any gift or gratuity upon any agreement or understanding that his acts or conduct with respect to (a) enforcing any provision of this act or of any order, rule, or regulation of the Commission made under or in pursuance of this act, or (b) the discharge of any duty by any such officer or person imposed upon him by the provisions of this act, or by any order, rule, or regulation of the Commission issued and promulgated under the provisions of this act, shall be influenced thereby shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding ten (10) years, and by a fine not exceeding Ten Thousand Dollars (\$10,000.00)~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 276. AMENDATORY 63 O.S. 2021, Section 2-407, is amended to read as follows:

Section 2-407. A. No person shall obtain or attempt to obtain any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of this title in a manner inconsistent with the provisions of paragraph 1 of subsection B of Section 2-313 of this title, or a controlled dangerous substance or procure or attempt to procure the administration of a controlled dangerous substance:

1. By fraud, deceit, misrepresentation, or subterfuge;
2. By the forgery of, alteration of, adding any information to or changing any information on a prescription or of any written order;
3. By the concealment of a material fact;
4. By the use of a false name or the giving of a false address;
or
5. By knowingly failing to disclose the receipt of a controlled dangerous substance or a prescription for a controlled dangerous substance of the same or similar therapeutic use from another practitioner within the previous thirty (30) days.

B. Except as authorized by this act, a person shall not manufacture, create, deliver, or possess with intent to manufacture, create, or deliver or possess a prescription form, an original prescription form, or a counterfeit prescription form. This shall not apply to the legitimate manufacture or delivery of prescription forms, or a person acting as an authorized agent of the practitioner.

C. Information communicated to a physician in an effort unlawfully to procure a controlled dangerous substance, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

D. Any person who violates this section is guilty of a Class C2 felony offense punishable by imprisonment for not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, by a fine of not more than Ten

Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. A second or subsequent offense under this section is a felony punishable by imprisonment ~~for not less than four (4) years nor more than twenty (20) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes,~~ by a fine of not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment.

E. Convictions for second or subsequent violations of this section shall not be subject to statutory provisions for suspended sentences, deferred sentences, or probation.

F. Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2530.9 of this title.

SECTION 277. AMENDATORY 63 O.S. 2021, Section 2-503.1, is amended to read as follows:

Section 2-503.1. A. It is unlawful for any person knowingly or intentionally to receive or acquire proceeds and to conceal such proceeds, or engage in transactions involving proceeds, known to be derived from any violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or of any statute of the United States relating to controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title. This subsection does not apply to any transaction between an individual and the counsel of the individual necessary to preserve the right to representation of the individual, as guaranteed by the Oklahoma Constitution and by the Sixth Amendment of the United States Constitution. However, this exception does not create any presumption against or prohibition of the right of the state to seek and obtain forfeiture of any proceeds derived from a violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or of any statute of the United States relating to controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title.

B. It is unlawful for any person knowingly or intentionally to give, sell, transfer, trade, invest, conceal, transport, or maintain an interest in or otherwise make available anything of value which that person knows is intended to be used for the purpose of

committing or furthering the commission of any violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or of any statute of the United States relating to controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title.

C. It is unlawful for any person knowingly or intentionally to direct, plan, organize, initiate, finance, manage, supervise, or facilitate the transportation or transfer of proceeds known to be derived from any violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or of any statute of the United States relating to controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title.

D. It is unlawful for any person knowingly or intentionally to conduct a financial transaction involving proceeds derived from a violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or of any statute of the United States relating to controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, when the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds known to be derived from a violation of the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or of any statute of the United States relating to controlled dangerous substances as defined by the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of this title, or to avoid a transaction reporting requirement under state or federal law.

E. Any person convicted of violating any of the provisions of this section is guilty of a Class C2 felony offense and may be punished by imprisonment ~~for not less than two (2) years nor more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00), or by both said imprisonment and fine.

SECTION 278. AMENDATORY 63 O.S. 2021, Section 2-503.1d, is amended to read as follows:

Section 2-503.1d. A. No person shall sell, give, transfer, trade, supply, or provide any money transmitter equipment, as defined by the Oklahoma Financial Transaction Reporting Act, to any

person not licensed by the Oklahoma State Banking Commissioner. Any person violating the provisions of this section shall be guilty upon conviction of a misdemeanor, for a first offense, and a Class D1 felony offense for any second or subsequent offense. The misdemeanor penalty shall be a fine not exceeding Three Thousand Dollars (\$3,000.00), or imprisonment in the county jail not to exceed one (1) year, or both such fine and imprisonment. The Class D1 felony penalty shall be imprisonment in the custody of the Department of Corrections for five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

B. Any person who encourages, facilitates, or allows access to any money transmitter equipment in any manner to facilitate any violation of Section 2-503.1 of ~~Title 63 of the Oklahoma Statutes~~ this title shall be guilty of a Class C2 felony offense, upon conviction, punishable as provided ~~in Section 8 of this act~~ for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 279. AMENDATORY 63 O.S. 2021, Section 2-503.1e, is amended to read as follows:

Section 2-503.1e. A. Any person who knowingly or intentionally uses a money services business, as defined by the Oklahoma Financial Transaction Reporting Act, or an electronic funds transfer network for any purpose in violation of Section 2-503.1 of ~~Title 63 of the Oklahoma Statutes~~ this title or Sections ~~4~~ 2-503.1a through ~~9~~ 2-503.1i of this ~~act~~ title, or with intent to facilitate any violation of the Uniform Controlled Dangerous Substances Act or any statute of the United States relating to controlled substances, or to commit any other crime shall be guilty, upon conviction, of a Class C2 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

B. Any person who, by or through a money services business, as defined in the Oklahoma Financial Transaction Reporting Act, or an electronic funds transfer network, knowingly transmits, exchanges, or processes any securities or negotiable instruments for any purpose in violation of Section 2-503.1 of ~~Title 63 of the Oklahoma Statutes~~ this title or Sections ~~4~~ 2-503.1a through ~~9~~ 2-503.1i of this ~~act~~ title shall be guilty, upon conviction, of a Class C2 felony offense and shall be punished by imprisonment as provided for

in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 280. AMENDATORY 63 O.S. 2021, Section 2-503.1g, is amended to read as follows:

Section 2-503.1g. A. It shall be unlawful for any person to structure, assist in structuring, attempt to structure, or attempt to assist in structuring any transaction with one or more financial or nonfinancial trades or businesses, to include any importation or exportation of monetary instruments.

B. It shall be unlawful for any person to structure or assist in structuring, or attempt to structure or assist in structuring any transaction with one or more organizations that have a monetary reporting requirement under federal law or under Title 6 or Sections 2-101 through 2-608 of Title 63 of the Oklahoma Statutes.

C. For purposes of this section, "structuring" means a person who, acting alone, in conjunction with others, or on behalf of others, conducts or attempts to conduct one or more transactions in currency, in any amount, at one or more organizations that have a monetary reporting requirement under federal law or under Title 6 or Title 63 of the Oklahoma Statutes, on one or more days, for the purpose of evading the reporting requirements of any federal law or any provision of Title 6 or Title 63 of the Oklahoma Statutes requiring reporting of financial transactions.

D. Any person violating the provisions of this section shall, upon conviction, be guilty of a Class C2 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 281. AMENDATORY 68 O.S. 2021, Section 218.1, is amended to read as follows:

Section 218.1. A. Any person who shall knowingly give a false or bogus check, as defined in this section, of a value less than Five Hundred Dollars (\$500.00) in payment or remittance of any taxes, fees, penalties, or interest levied pursuant to any state tax law shall be, upon conviction, guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than one (1) year, or by both such fine and imprisonment. If the value of the false or bogus check referred to in this subsection is Five Hundred

Dollars (\$500.00) or more, such person shall be, upon conviction, guilty of a Class C2 felony offense punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for a term of not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. Any person who shall knowingly give two or more false or bogus checks, the total sum of which is Five Hundred Dollars (\$500.00) or more, even though each separate instrument is written for less than Five Hundred Dollars (\$500.00), in payment or remittance of any taxes, fees, penalties, or interest levied pursuant to any state tax law shall be, upon conviction, guilty of a Class C2 felony offense punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment in the State Penitentiary for a term of not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

C. For purposes of this section, the term "false or bogus check or checks" shall include any check or order which is not honored on account of insufficient funds of the maker to pay same, or because the check or order was drawn on a closed account or on a nonexistent account. The making, drawing, uttering or delivering of a check or order, the payment of which is refused by the drawee, shall be prima facie evidence of the knowledge of insufficient funds, a closed account, or a nonexistent account with such bank or other depository drawee. Said term shall not include any check or order not honored on account of insufficient funds if the maker or drawer shall pay the drawee thereof the amount due within five (5) days from the date the same is presented for payment nor any check or order that is not presented for payment within thirty (30) days after same is delivered and accepted.

SECTION 282. AMENDATORY 68 O.S. 2021, Section 244, is amended to read as follows:

Section 244. Any person, or member of any firm or association, or any official, agent, or employee of any corporation, who shall knowingly make false answer to any question which may be put to him by the Tax Commission, touching the business, property, assets, or effects of any such person, firm, association, or corporation, or the valuation thereof, or the income or profits therefrom, or who shall make or present any false affidavit concerning any list, schedule, statement, report or return, or for any other purpose,

filed with said Tax Commission or required to be filed by this title or by any state tax law, shall be guilty of the felony of perjury, a Class C2 felony offense, and, upon conviction, shall be punished as provided for in ~~Section 246 of this title subsections B through F of~~ Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 283. AMENDATORY 68 O.S. 2021, Section 246, is amended to read as follows:

Section 246. Any person who shall knowingly verify, by oath, affirmation, or declaration, any false report or false return or other matter which is false, which by statute is required to be verified by oath, affirmation, or declaration and filed with the Tax Commission, shall be guilty, upon conviction, of the felony of perjury, a Class C2 felony offense, and shall be punished by the imposition of a fine of not less than Five Hundred Dollars (\$500.00) or more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the county jail for not less than ninety (90) days or more than one (1) year or by imprisonment in a state correctional institution for not less than ninety (90) days, or more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes.

SECTION 284. AMENDATORY 68 O.S. 2021, Section 317, is amended to read as follows:

Section 317. ~~(a)~~ A. Any person who shall, without the authorization of the Tax Commission, make or manufacture, or who shall falsely or fraudulently forge, counterfeit, reproduce, or possess any stamps, impression, copy, facsimile, or other evidence for the purpose of indicating the payment of the tax levied by the Cigarette Stamp Tax Law, Sections 301 through 325, ~~Title 68 of the Oklahoma Statutes~~ of this title, prescribed for use in the administration of this article, or who shall knowingly or by any deceptive act use or pass, or tender as true, or affix, impress or imprint, by use of any device, rubber stamp or by any other means, on any package containing cigarettes, any unauthorized, false, altered, forged, counterfeit or previously used stamps, impressions, copies, facsimiles or other evidence of cigarette tax payment, shall be guilty of a Class C2 felony offense, and upon conviction thereof shall be punished by imprisonment ~~in the State Penitentiary for a term of not more than twenty (20) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

~~(b)~~ B. Each person violating any other provision of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment in the county jail for a period of not more than twelve (12) months, or by a fine of not more than Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.

SECTION 285. AMENDATORY 71 O.S. 2021, Section 1-301, as amended by Section 12, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-301), is amended to read as follows:

Section 1-301. It is unlawful and shall be deemed a Class C2 felony offense for a person to offer or sell a security in this state unless:

1. The security is a federal covered security;
2. The security, transaction, or offer is exempted from registration under Sections 1-201 through 1-203 of this title; or
3. The security is registered under this title.

SECTION 286. AMENDATORY 71 O.S. 2021, Section 1-308, as amended by Section 19, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-308), is amended to read as follows:

Section 1-308. A. In addition to all other applicable registration provisions specified in this act, investment certificate issuers are subject to the provisions of this section. As used in this section:

1. "Investment certificate" means thrift certificates, certificates of deposit, savings obligations and similar certificates or obligations issued and sold by an investment certificate issuer as defined in paragraph 2 of this subsection; and

2. "Investment certificate issuer" means any financial institution or person, other than a federally or state chartered bank, bank holding company, trust company or savings and loan association, or any credit union, which accepts investor funds or deposits in exchange for the issuance of investment certificates; provided, however, the term "investment certificate issuer" shall not include a financial institution or person which, as of November 1, 1985, issued only the following securities:

- a. investment certificates exempt under the provisions of Sections 1-201 through 1-203 of this title,
- b. investment certificates registered by coordination under Section 1-303 of this title, or
- c. any other security as to which the Administrator, by rule or order, finds that registration is not necessary or appropriate for the protection of investors.

Nothing contained in this act shall be construed as precluding an investment certificate issuer from qualifying for and relying upon any of the exemptions from the provisions of Sections 1-301 and 1-504 of this title as contained in Sections 1-201 through 1-203 of this title.

B. In addition to other powers conferred by this act, the Administrator shall have power to require an investment certificate issuer to:

1. Cause its books and records to be made available at its offices and to provide to the Department a trial balance within five (5) days of the commencement of any examination. The books and records shall be audited at least once each year by an independent certified public accountant in accordance with generally accepted auditing standards, and the report thereof, including financial statements prepared in accordance with generally accepted accounting principles, furnished to the Administrator in such form as he or she may require;

2. Observe methods and standards, including classification standards of loans, which the Administrator may prescribe by rule adopted and promulgated pursuant to the Administrative Procedures Act for determining the value of various types of assets;

3. Maintain its accounting systems and procedures in accordance with such regulations as adopted and promulgated by the Administrator pursuant to the Administrative Procedures Act; provided, the accounting system required shall have due regard to the size of the investment certificate issuer;

4. Charge off the whole or any part of an asset, the value of which, at the time of the Administrator's action, has deteriorated

for reasons set forth by the Administrator by rule adopted and promulgated pursuant to the Administrative Procedures Act; and

5. Write down an asset to market value as prescribed by the Administrator by rule adopted and promulgated pursuant to the Administrative Procedures Act.

C. Every investment certificate issuer shall obtain from the Administrator a written acknowledgment, issued in accordance with procedures adopted and promulgated pursuant to the Administrative Procedures Act, that the investment certificate issuer engages in the business of accepting investor funds or deposits in exchange for the issuance of investment certificates. Any investment certificate issuer who obtains such an acknowledgment shall be subject to this section and shall possess all the rights, powers and privileges and shall be subject to all of the duties, restrictions and limitations contained herein. No company or person who fails to obtain such acknowledgment within ninety (90) days of the effective date of the adoption by the Administrator of procedures governing the issuance of a written acknowledgment shall possess or exercise, unless expressly given and possessed or exercised under other laws, any of the benefits, rights, powers or privileges which are herein conferred on investment certificate issuers. Any company or person who fails to obtain a written acknowledgment as described herein may not engage in the business of issuing investment certificates.

D. Any officer, director or employee of an investment certificate issuer found by the Administrator to be dishonest, reckless, unfit to participate in the conduct of the affairs of the institution, or practicing a continuing disregard or violation of laws, rules, regulations or orders which are likely to cause substantial loss to the company or likely to seriously weaken the condition of the company shall be removed immediately from office by the board of directors of the investment certificate issuer of which he or she is an officer, director or employee, on the written order of the Administrator; provided, that the investment certificate issuer or officer, employee, or director may within ten (10) days file a notice of protest for the removal with the Commission, and as soon as possible thereafter, the Commission will review the order of the Administrator and make findings as it deems proper, and that, pending said time, the officer, employee or director shall not perform any of the duties of his office.

E. An investment certificate issuer shall not, without the consent of the Administrator:

1. Make a loan to any of its stockholders owning twenty-five percent (25%) or more of the stock of the investment certificate issuer, or its officers or directors;

2. Make a loan to any employee in excess of Ten Thousand Dollars (\$10,000.00); or

3. Make a loan to or other investment in or purchase any asset from any company in which any of its officers, directors or stockholders may have any direct or indirect interest, unless made in an arm's length transaction.

F. An investment certificate issuer shall not, without the consent of the Administrator:

1. Lend money in excess of ten percent (10%) of its shareholders' equity to any person, association, partnership or corporation liable for such obligations; provided, however, that this limitation does not apply to the purchase of investment securities; or

2. Engage in, or acquire any interest in, any business prohibited to a bank chartered under the laws of this state.

G. The shareholders' equity of an investment certificate issuer shall not be less than ten percent (10%) of the investment certificates outstanding. Provided, an investment certificate issuer lawfully incorporated and operating in this state on or before November 1, 1985, with less than the above specified shareholders' equity shall, at the beginning of each fiscal year thereafter, increase its shareholders' equity by a minimum of one-fourth ($1/4$) the difference between its shareholders' equity on November 1, 1985, and the above specified amount until such time as its shareholders' equity equals or exceeds the amount specified above. For purposes of computing the shareholders' equity, the reserve against bad debts shall be included.

H. Every investment certificate issuer shall maintain a reserve against bad debts in an amount required by the Administrator by rule adopted and promulgated pursuant to the Administrative Procedures Act, but in no event shall the reserve against bad debts be less than two percent (2%) of total loans outstanding.

I. If the Administrator finds the capital of an investment certificate issuer to be impaired according to the standard set forth in subsection G of this section, the Administrator may:

1. Give notice of the impairment to the directors and shareholders of the investment certificate issuer and levy an assessment in a designated amount upon the holders of record of the investment certificate issuer's stock to remedy an impairment of capital. Upon receipt of an order to levy an assessment, the directors shall cause to be sent to all holders of stock, at their addresses as listed on the books of the investment certificate issuer, a notice of the amount of the assessment and a copy of this subsection. If an assessment is not paid within ninety (90) days after the order is mailed, the Administrator, at his or her discretion, may offer the shares of the defaulting stockholders for sale at public auction at a price which shall not be less than the amount of the assessment and the cost of the sale; or

2. Apply to the district court of any county where the assets of the investment certificate issuer are located for an order appointing a conservator of, and directing him to rehabilitate, the investment certificate issuer. If all reasonable efforts to rehabilitate the investment certificate issuer fail, the Administrator may apply to the court for an order directing the appointment of a liquidator to dissolve any such issuer and liquidate its assets. All rights and interests of the stockholders in the stock, property and assets of such investment certificate issuer are thereby terminated except the rights of stockholders to the proceeds of liquidation, if any, after all other valid claims, including interest, against the assets of the investment certificate issuer and the proceeds of liquidation have been satisfied. The conservator or liquidator appointed under this subsection shall meet qualifications established by the Administrator by rule adopted and promulgated pursuant to the Administrative Procedures Act.

J. Whenever the capital or reserve of any investment certificate issuer shall be impaired according to the standards set forth in subsections G and H of this section, the investment certificate issuer shall make no new loans, renew any investment certificates or sell new investment certificates without the consent of the Administrator.

K. 1. It shall be unlawful and shall be deemed a Class C2 felony offense for any investment certificate issuer to issue investment certificates when insolvent.

2. Every officer, director, principal stockholder, or every other person who materially participates or aids in the issuance of an investment certificate in violation of this subsection, or who directly or indirectly controls any such person, shall be jointly and severally liable, unless the officer, director, principal stockholder, or any other person who so participates, aids or controls, sustains the burden of proof that the person did not know, and could not have known, of the existence of the facts by reason of which liability is alleged to exist. There shall be contribution as in cases of contract among the persons so liable.

3. The rights and remedies provided for in this subsection are in addition to any other rights or remedies provided for in Title 71 of the Oklahoma Statutes, or that may exist at law or in equity.

L. The Administrator may as often as he or she deems it prudent and necessary for the protection of the public, make or cause to be made examinations of the books, records, papers, assets and liabilities of every kind and character owned by, or relating to, every investment certificate issuer.

M. Every investment certificate issuer shall make and file with the Administrator reports at such times and in such form as the Administrator may prescribe by rule or order. The reports shall be verified by the oath of either the president, the vice-president, or the secretary and attested by the signature of two or more of the directors. Each report shall exhibit in detail, as may be required by the Administrator, the resources and liabilities of the investment certificate issuer at the close of business on the day to be specified by the Administrator.

N. Every investment certificate issuer whose investor funds or deposits are not insured by an agency of the government shall disclose on the face of each investment certificate in ten-point type the following:

"This certificate is not insured by the Federal Deposit Insurance Corporation or any other agency of the government."

SECTION 287. AMENDATORY 71 O.S. 2021, Section 1-401, is amended to read as follows:

Section 1-401. A. It is unlawful and shall be deemed a Class C2 felony offense for a person to transact business in this state as

a broker-dealer, unless the person is registered under this act as a broker-dealer or is exempt from registration as a broker-dealer under subsection B or D of this section.

B. The following persons are exempt from the registration requirement of subsection A of this section:

1. A broker-dealer without a place of business in this state if its only transactions effected in this state are with:

- a. the issuer of the securities involved in the transactions,
- b. a broker-dealer registered under this act or a broker-dealer not required to be registered as a broker-dealer under this act,
- c. an institutional investor,
- d. a nonaffiliated federal covered investment adviser with investments under management in excess of One Hundred Million Dollars (\$100,000,000.00) acting for the account of others pursuant to discretionary authority in a signed record,
- e. a bona fide preexisting customer whose principal place of residence is not in this state and the person is registered as a broker-dealer under the Securities Exchange Act of 1934 or not required to be registered under the Securities Exchange Act of 1934 and is registered under the securities act of the state in which the customer maintains a principal place of residence,
- f. a bona fide preexisting customer whose principal place of residence is in this state but was not present in this state when the customer relationship was established, if:
 - (1) the broker-dealer is registered under the Securities Exchange Act of 1934 or the broker-dealer is not required to be registered under the Securities Exchange Act of 1934 and is registered under the securities laws of the state in which the customer relationship was established and

where the customer had maintained a principal place of residence, and

- (2) within forty-five (45) days after the customer's first transaction in this state, the person files an application for registration as a broker-dealer in this state and a further transaction is not effected more than seventy-five (75) days after the date on which the application is filed, or, if earlier, the date on which the Administrator notifies the person that the Administrator has denied the application for registration or has stayed the pendency of the application for cause, and

- g. not more than three customers in this state during the previous twelve (12) months, in addition to those specified in subparagraphs a through f of this paragraph, if the broker-dealer is registered under the Securities Exchange Act of 1934 or not required to be registered under the Securities Exchange Act of 1934 and is registered under the securities act of the state in which the broker-dealer has its principal place of business;

2. A person that deals solely in United States government securities and is supervised as a dealer in government securities by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, or the Office of Thrift Supervision; and

3. Any other person exempted by rule or order under this act.

C. It is unlawful and shall be deemed a Class C2 felony offense for a broker-dealer, or for an issuer engaged in offering, offering to purchase, purchasing, or selling securities in this state, directly or indirectly, to employ or associate with an individual to engage in an activity related to securities transactions in this state if the registration of the individual is suspended or revoked under this act; or the individual is barred from employment or association with a broker-dealer, an issuer, an investment adviser or a federal covered investment adviser by an order of the securities regulator of a state, the Securities and Exchange Commission, or a self-regulatory organization. A broker-dealer or issuer does not violate this subsection if the broker-dealer or

issuer did not know, and in the exercise of reasonable care could not have known, of the suspension, revocation, or bar. Upon request from a broker-dealer or issuer and for good cause shown, an order under this act may modify or waive the prohibitions of this subsection.

D. A rule adopted or order issued under this act may permit:

1. A broker-dealer that is registered in Canada or other foreign jurisdiction and that does not have a place of business in this state to effect transactions in securities with or for, or attempt to effect the purchase or sale of any securities by:

- a. an individual from Canada or other foreign jurisdiction that is temporarily present in this state and with whom the broker-dealer had a bona fide customer relationship before the individual entered the United States,
- b. an individual from Canada or other foreign jurisdiction who is present in this state and whose transactions are in a self-directed tax advantaged retirement plan of which the individual is the holder or contributor in that foreign jurisdiction, or
- c. an individual who is resident in this state, with whom the broker-dealer customer relationship arose while the individual was temporarily or permanently resident in Canada or the other foreign jurisdiction; and

2. An agent who represents a broker-dealer, that is exempt under this subsection to effect transactions in securities or attempt to effect the purchase or sale of any securities in this state as permitted for a broker-dealer described in paragraph 1 of this subsection.

SECTION 288. AMENDATORY 71 O.S. 2021, Section 1-402, as amended by Section 20, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-402), is amended to read as follows:

Section 1-402. A. It is unlawful and shall be deemed a Class C2 felony offense for an individual to transact business in this state as an agent unless the individual is registered under this act as an agent or is exempt from registration as an agent under subsection B of this section.

B. The following individuals are exempt from the registration requirement of subsection A of this section:

1. An individual who represents a broker-dealer in effecting transactions in this state limited to those described in Section 15(i)(3) of the Securities Exchange Act of 1934 (15 U.S.C. Section 78o(i)(3));

2. An individual who represents a broker-dealer that is exempt under subsection B or D of Section 1-401 of this title;

3. An individual who represents an issuer with respect to an offer or sale of the issuer's own securities or those of the issuer's parent or any of the issuer's subsidiaries to existing employees, partners, members or directors of the issuer or the issuer's parent or any of the issuer's subsidiaries, and who is not compensated in connection with the individual's participation by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities;

4. An individual who represents an issuer and who effects transactions in the issuer's securities exempted by Section 1-202 of this title, other than paragraphs 11 and 14 of Section 1-202 of this title;

5. An individual who represents an issuer who effects transactions solely in federal covered securities of the issuer, but an individual who effects transactions in a federal covered security under Section 18(b)(3) or 18(b)(4)(F) of the Securities Act of 1933 (15 U.S.C. Section 77r(b)(3) or 77r(b)(4)(F)) is not exempt if the individual is compensated in connection with the agent's participation by the payment of commissions or other remuneration based, directly or indirectly, on transactions in those securities;

6. An individual who represents a broker-dealer registered in this state under subsection A of Section 1-401 of this title or exempt under subsection B of Section 1-401 of this title in the offer and sale of securities for an account of a nonaffiliated federal covered investment adviser with investments under management in excess of One Hundred Million Dollars (\$100,000,000.00) acting for the account of others pursuant to discretionary authority in a signed record;

7. An individual who represents an issuer in connection with the purchase of the issuer's own securities;

8. An individual who represents an issuer and who restricts participation to performing ministerial or clerical work; or

9. Any other individual exempted by rule adopted or order issued under this act.

C. The registration of an agent is effective only while the agent is employed by or associated with a broker-dealer registered under this act or an issuer that is offering, selling or purchasing its securities in this state.

D. It is unlawful and shall be deemed a Class C2 felony offense for a broker-dealer, or an issuer engaged in offering, selling, or purchasing securities in this state, to employ or associate with an agent who transacts business in this state on behalf of broker-dealers or issuers unless the agent is registered under subsection A of this section or exempt from registration under subsection B of this section.

E. Unless prohibited by rule adopted or order issued under this act, an individual may act as an agent for more than one broker-dealer or more than one issuer at a time.

F. It is unlawful and shall be deemed a Class C2 felony offense for an individual acting as an agent, directly or indirectly, to conduct business in this state on behalf of a broker-dealer or issuer if the registration of the individual as an agent is suspended or revoked under this act; or the individual is barred from employment or association with a broker-dealer by an order under this act, the Securities and Exchange Commission, or a self-regulatory organization; or the individual is subject to an order of a court of competent jurisdiction temporarily, preliminarily or permanently enjoining such individual from conducting business in this state on behalf of a broker-dealer or issuer.

SECTION 289. AMENDATORY 71 O.S. 2021, Section 1-403, as amended by Section 21, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-403), is amended to read as follows:

Section 1-403. A. It is unlawful and shall be deemed a Class C2 felony offense for a person to transact business in this state as an investment adviser unless the person is registered under this act

as an investment adviser or is exempt from registration as an investment adviser under subsection B of this section.

B. The following persons are exempt from the registration requirement of subsection A of this section:

1. A federal covered investment adviser;

2. A person without a place of business in this state that is registered under the securities act of the state in which that person has its principal place of business if its only clients in this state are:

- a. federal covered investment advisers, investment advisers registered under this act, or broker-dealers registered under this act,
- b. institutional investors,
- c. bona fide preexisting clients whose principal places of residence are not in this state if the investment adviser is registered under the securities act of the state in which the clients maintain principal places of residence, or
- d. any other client exempted by rule adopted or order issued under this act;

3. A person without a place of business in this state if the person has had, during the preceding twelve (12) months, not more than five clients that are residents of this state in addition to those specified under paragraph 2 of this subsection; or

4. Any other person exempted by rule adopted or order issued under this act.

C. It is unlawful and shall be deemed a Class C2 felony offense for an investment adviser, directly or indirectly, to employ or associate with an individual to engage in an activity related to investment advice in this state if the registration of the individual is suspended or revoked under this act, or the individual is barred from employment or association with an investment adviser, federal covered investment adviser, or broker-dealer by an order under this act, the Securities and Exchange Commission, or a self-regulatory organization, unless the investment adviser did not know,

and in the exercise of reasonable care could not have known, of the suspension, revocation, or bar. Upon request from the investment adviser and for good cause, the Administrator, by order, may waive, in whole or in part, the application of the prohibitions of this subsection to the investment adviser.

D. It is unlawful and shall be deemed a Class C2 felony offense for an investment adviser to employ or associate with an individual required to be registered under this act as an investment adviser representative who transacts business in this state on behalf of the investment adviser unless the individual is registered under subsection A of Section 1-404 of this title or is exempt from registration under subsection B of Section 1-404 of this title.

E. The exemption from registration provided by subparagraph b of paragraph 2 of subsection B of this section shall not be available to any person who acts as an investment adviser to the state, any county, municipality or school district of this state, or any other political subdivision of this state; any agency or corporate or other instrumentality of any such entity; or any pension fund for the benefit of employees of any such entity, unless registered with the Securities and Exchange Commission and the Municipal Securities Rulemaking Board.

SECTION 290. AMENDATORY 71 O.S. 2021, Section 1-404, as amended by Section 22, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-404), is amended to read as follows:

Section 1-404. A. It is unlawful and shall be deemed a Class C2 felony offense for an individual to transact business in this state as an investment adviser representative unless the individual is registered under this act as an investment adviser representative or is exempt from registration as an investment adviser representative under subsection B of this section.

B. The following individuals are exempt from the registration requirement of subsection A of this section:

1. An individual who is employed by or associated with an investment adviser that is exempt from registration under subsection B of Section 1-403 of this title unless the individual has a place of business in this state or is not a "supervised person" as that term is defined in Section 202(a)(25) of the Investment Advisers Act of 1940 (15 U.S.C. Section 80b-2(a)(25)); and

2. Any other individual exempted by rule adopted or order issued under this act.

C. The registration of an investment adviser representative is not effective while the investment adviser representative is not employed by or associated with an investment adviser registered under this act or a federal covered investment adviser that has made or is required to make a notice filing under Section 1-405 of this title.

D. An individual may transact business as an investment adviser representative for more than one investment adviser or federal covered investment adviser at a time unless a rule adopted or order issued under this act prohibits or limits an individual from acting as an investment adviser representative for more than one investment adviser or federal covered investment adviser.

E. It is unlawful and shall be deemed a Class C2 felony offense for an individual acting as an investment adviser representative, directly or indirectly, to conduct business in this state on behalf of an investment adviser or a federal covered investment adviser if the registration of the individual as an investment adviser representative is suspended or revoked; or the individual is barred from employment or association with an investment adviser or a federal covered investment adviser by an order under this act, the Securities and Exchange Commission, or a self-regulatory organization; or the individual is subject to an order of a court of competent jurisdiction temporarily, preliminarily or permanently enjoining such individual from conducting business in this state on behalf of an investment adviser or a federal covered investment adviser. Upon request from a federal covered investment adviser and for good cause, the Administrator, by order issued, may waive, in whole or in part, the application of the requirements of this subsection to the federal covered investment adviser.

F. An investment adviser registered under this act, a federal covered investment adviser that has filed a notice under Section 1-405 of this title, or a broker-dealer registered under this act is not required to employ or associate with an individual as an investment adviser representative for the referral of investment advisory clients so long as any compensation paid by such persons for such referral is paid to an investment adviser registered under this act, a federal covered investment adviser who has filed a notice under Section 1-405 of this title, or a broker-dealer

registered under this act with which the individual is employed or associated as an investment adviser representative.

SECTION 291. AMENDATORY 71 O.S. 2021, Section 1-501, is amended to read as follows:

Section 1-501. It is unlawful and shall be deemed a Class C2 felony offense for a person, in connection with the offer, sale, or purchase of a security, directly or indirectly:

1. To employ a device, scheme, or artifice to defraud;
2. To make an untrue statement of a material fact or to omit to state a material fact necessary in order to make the statement made, in the light of the circumstances under which it is made, not misleading; or
3. To engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person.

SECTION 292. AMENDATORY 71 O.S. 2021, Section 1-502, is amended to read as follows:

Section 1-502. A. It is unlawful and shall be deemed a Class C2 felony offense for a person that advises others, for compensation, either directly or indirectly, or through publications or writings, as to the value of securities or the advisability of investing in, purchasing or selling securities, or that, for compensation and as part of a regular business, issues or promulgates analyses or reports concerning securities:

1. To employ a device, scheme, or artifice to defraud another person;
2. To make an untrue statement of a material fact or to omit to state a material fact necessary in order to make the statement made, in the light of the circumstances under which it is made, not misleading; or
3. To engage in an act, practice, or course of business that operates or would operate as a fraud or deceit upon another person.

B. 1. A rule adopted under this act may define an act, practice, or course of business of an investment adviser or an investment adviser representative as fraudulent, deceptive or

manipulative, and prescribe means reasonably designed to prevent investment advisers and investment adviser representatives from engaging in acts, practices, and courses of business defined as fraudulent, deceptive, or manipulative.

2. A rule adopted or order issued under this act may specify the contents of an investment advisory contract entered into, extended, or renewed by an investment adviser.

SECTION 293. AMENDATORY 71 O.S. 2021, Section 1-505, is amended to read as follows:

Section 1-505. It is unlawful and shall be deemed a Class C2 felony offense for a person to make or cause to be made, in a record that is used in an action or proceeding or filed under this act, a statement that, at the time and in the light of the circumstances under which it is made, is false or misleading in a material respect, or, in connection with the statement, to omit to state a material fact necessary in order to make the statement made, in the light of the circumstances under which it was made, not false or misleading.

SECTION 294. AMENDATORY 71 O.S. 2021, Section 1-506, is amended to read as follows:

Section 1-506. The filing of an application for registration, a registration statement, or a notice filing under this act, or the registration of a person or security under this act, does not constitute a finding by the Administrator that a record filed under this act is true, complete, and not misleading. The filing or registration or the availability of an exemption, exception, preemption, or exclusion for a security or a transaction does not mean that the Administrator has passed upon the merits or qualifications of, or recommended or given approval to, a person, security, or transaction. It is unlawful and shall be deemed a Class C2 felony offense to make, or cause to be made, to a purchaser, customer, client, or prospective customer or client, a representation inconsistent with this section.

SECTION 295. AMENDATORY 71 O.S. 2021, Section 1-508, as amended by Section 31, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-508), is amended to read as follows:

Section 1-508. A. A person who willfully violates this act, or a rule adopted or order issued under this act, except Section 1-504

of this title or the notice filing requirements of Section 1-302 or 1-405 of this title, or that willfully violates Section 1-505 of this title knowing the statement made to be false or misleading in a material respect, upon conviction, shall be guilty of a Class C2 felony offense and shall be fined not more than One Hundred Thousand Dollars (\$100,000.00), or imprisoned not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment. An individual convicted of violating a rule adopted or order issued under this act may be fined, but may not be imprisoned, if the individual did not have knowledge of the rule or order.

B. This act does not limit the power of this state to punish a person for conduct that constitutes a crime under other laws of this state.

C. On a criminal matter referred by the Administrator, the prosecuting attorney may designate and appoint one or more lawyers of the Department as special assistants as available for the purpose of assisting in or conducting a criminal prosecution arising by reason of an investigation or proceeding under this section.

SECTION 296. AMENDATORY 71 O.S. 2021, Section 806, is amended to read as follows:

Section 806. It is unlawful and shall be deemed a Class C2 felony offense for any person to offer or sell any business opportunity, as defined in Section 802 of this title, in this state unless the business opportunity is registered under the provisions of the Oklahoma Business Opportunity Sales Act or is exempt under Section 803 of this title.

SECTION 297. AMENDATORY 71 O.S. 2021, Section 808, is amended to read as follows:

Section 808. A. It shall be unlawful and shall be deemed a Class C2 felony offense for any person to offer or sell any business opportunity required to be registered pursuant to the Oklahoma Business Opportunity Sales Act unless a written disclosure document as filed pursuant to Section 807 of this title is delivered to each purchaser at least ten (10) business days prior to the execution by a purchaser of any contract or agreement imposing a binding legal obligation on the purchaser or the payment by a purchaser of any consideration in connection with the offer or sale of the business opportunity.

B. The disclosure document shall have a cover sheet which is entitled, in at least ten-point bold type, "DISCLOSURE REQUIRED BY THE STATE OF OKLAHOMA". Under the title shall appear the statement in at least ten-point type that "THE REGISTRATION OF THIS BUSINESS OPPORTUNITY DOES NOT CONSTITUTE APPROVAL, RECOMMENDATION OR ENDORSEMENT BY THE STATE OF OKLAHOMA. THE INFORMATION CONTAINED IN THIS DISCLOSURE DOCUMENT HAS NOT BEEN VERIFIED BY THIS STATE. IF YOU HAVE ANY QUESTIONS OR CONCERNS ABOUT THIS INVESTMENT, SEEK PROFESSIONAL ADVICE BEFORE YOU SIGN A CONTRACT OR MAKE ANY PAYMENT. YOU ARE TO BE PROVIDED TEN (10) BUSINESS DAYS TO REVIEW THIS DOCUMENT BEFORE SIGNING ANY CONTRACT OR AGREEMENT OR MAKING ANY PAYMENT TO THE SELLER OR THE SELLER'S REPRESENTATIVE". The seller's name and principal business address, along with the date of the disclosure document shall also be provided on the cover sheet. No other information shall appear on the cover sheet. The disclosure document shall contain the following information unless the seller uses a disclosure document as provided in Section 807 of this title:

1. The names and residential addresses of those salespersons who will engage in the offer or sale of the business opportunity in this state;

2. The name of the seller; whether the seller is doing business as an individual, partnership, corporation, limited liability company, or any other form of business entity; the names under which the seller has done, is doing or intends to do business; and the name of any parent or affiliated company that will engage in business transactions with purchasers or which will take responsibility for statements made by the seller;

3. The names, addresses and titles of the seller's officers, directors, trustees, general managers, principal executives, agents and any other persons charged with responsibility for the seller's business activities relating to the sale of the business opportunity;

4. Prior business experience of the seller relating to business opportunities including:

- a. the name, address and a description of any business opportunity previously offered by the seller,
- b. the length of time the seller has offered each such business opportunity, and

- c. the length of time the seller has conducted the business opportunity currently being offered to the purchaser;

5. With respect to persons identified in paragraph 3 of subsection B of this section:

- a. a description of the persons' business experience for the ten-year period preceding filing date of the disclosure document. The description of business experience shall list principal occupations and employers, and
- b. a listing of the persons' educational and professional backgrounds, including the names of schools attended and degrees received, and any other information that will demonstrate sufficient knowledge and experience to perform the services proposed;

6. Whether the seller or any person identified in paragraph 3 of subsection B of this section:

- a. has been convicted of any felony, has pleaded nolo contendere to a felony charge or has been the subject of any criminal, civil or administrative proceedings alleging: The violation of any business opportunity law, securities law, commodities law, franchise law, fraud or deceit, embezzlement, fraudulent conversion, restraint of trade, unfair or deceptive practices, misappropriation of property or comparable allegations; or
- b. has filed in bankruptcy, been adjudged bankrupt, been reorganized due to insolvency, or was an owner, principal officer or general partner of any other person that has so filed or was so adjudged or reorganized during or within seven (7) years of the date of the disclosure document;

7. The name(s) of the person(s) identified in paragraph 6 of subsection B of this section, nature of and parties to the action or proceeding, court or other forum, date of the institution of the action, docket reference to the action, current status of the action

or proceeding, terms and conditions or any order or decree, the penalties or damages assessed and terms of settlement;

8. The initial payment required, or when the exact amount cannot be determined, a detailed estimate of the amount of the initial payment to be made to the seller;

9. A detailed description of the actual services the seller agrees to perform for the purchaser;

10. A detailed description of any training the seller agrees to provide for the purchaser;

11. A detailed description of services the seller agrees to perform in connection with the placement of equipment, products or supplies at a location, as well as any agreement necessary in order to locate or operate equipment, products or supplies on a premises neither owned nor leased by the purchaser or seller;

12. A detailed description of any license(s) or permit(s) that will be necessary in order for the purchaser to engage in or operate the business opportunity;

13. Any representations made by the seller to the purchaser concerning sales or earnings that may be made from the business opportunity, including, but not limited to:

- a. the bases or assumptions for any actual, average, projected or forecasted sales, profits, income or earnings,
- b. the total number of purchasers who, within a period of three (3) years of the date of the disclosure document, purchased a business opportunity involving the product, equipment, supplies or services being offered to the purchaser, and
- c. the total number of purchasers who, within three (3) years of the date of the disclosure document, purchased a business opportunity involving the product, equipment, supplies or services being offered to the purchaser who, to the seller's knowledge, have actually received earnings in the amount or range specified;

14. A detailed description of the elements of a guarantee made by a seller to a purchaser. Such description shall include, but shall not be limited to, the duration, terms, scope, conditions and limitations of the guarantee;

15. A statement describing any contractual restrictions, prohibitions or limitations on the purchaser's conduct. The seller shall attach a copy of all business opportunity and other contracts or agreements proposed for use or in use in this state including, without limitation, all lease agreements, option agreements and purchase agreements;

16. The rights and obligations of the seller and the purchaser regarding termination of the business opportunity contract or agreement;

17. A statement accurately describing the grounds upon which the purchaser may initiate legal action to terminate the business opportunity contract or agreement;

18. A copy of the most recent audited financial statements of the seller. If the seller's audited financial statements are dated more than four (4) months prior to the filing of the disclosure document, the seller shall submit unaudited financial statements for the interim period;

19. A list of the states in which the business opportunity is registered;

20. A list of the states in which the disclosure document is on file;

21. A list of the states which have denied, suspended or revoked the registration of the business opportunity;

22. A section entitled "Risk Factors" containing a series of short concise statements summarizing the principal factors which make the business opportunity a high risk or one of a speculative nature. Each statement shall include a cross-reference to the page on which further information regarding that risk factor can be found in the disclosure document; and

23. Any additional information as the Administrator may require by rule or order.

SECTION 298. AMENDATORY 71 O.S. 2021, Section 809, as amended by Section 44, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 809), is amended to read as follows:

Section 809. A. It is unlawful and shall be deemed a Class C2 felony offense for any person to offer or sell any business opportunity, as defined in Section 802 of this title, unless the business opportunity contract or agreement is in writing and a copy of the contract or agreement is given to the purchaser at the time the purchaser signs the contract or agreement.

B. Contracts or agreements shall set forth in at least ten-point type the following:

1. The terms and conditions of any and all payments due to the seller;

2. The seller's principal business address and the name and address of the seller's agent in this state authorized to receive service of process;

3. The business form of the seller, whether corporate, partnership or otherwise;

4. The delivery date or, when the contract provides for a periodic delivery of items to the purchaser, the approximate delivery date of the product, equipment or supplies the seller is to deliver to the purchaser to enable the purchaser to start his or her business; and

5. Whether the product, equipment or supplies are to be delivered to the purchaser's home or business address or are to be placed or caused to be placed by the seller at locations owned or managed by persons other than the purchaser.

SECTION 299. AMENDATORY 71 O.S. 2021, Section 811, as amended by Section 45, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 811), is amended to read as follows:

Section 811. In connection with the offer or sale of a business opportunity, no seller may make or use any of the representations set forth in divisions (4) and (5) of subparagraph a of paragraph 3 of Section 802 of this title unless the seller has at all times a minimum net worth of Fifty Thousand Dollars (\$50,000.00) as determined in accordance with generally accepted accounting

principles. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class C2 felony offense.

SECTION 300. AMENDATORY 71 O.S. 2021, Section 812, is amended to read as follows:

Section 812. A. The Oklahoma Business Opportunity Sales Act shall be administered by the Administrator.

B. It is unlawful and shall be deemed a Class C2 felony offense for the Administrator or any of his or her officers or employees to use for personal benefit any information which is filed with or obtained by the Administrator and which is not made public. No provision of the Oklahoma Business Opportunity Sales Act authorizes the Administrator or any of the Administrator's officers or employees to disclose any such information except among themselves or when necessary or appropriate in a proceeding or investigation under the act or in cooperation with other law enforcement agencies. No provision of the Oklahoma Business Opportunity Sales Act either creates or derogates from any privilege which exists at common law or otherwise when documentary or other evidence is sought under a subpoena directed to the Administrator or any of the Administrator's officers or employees.

SECTION 301. AMENDATORY 71 O.S. 2021, Section 819, is amended to read as follows:

Section 819. It is unlawful and shall be deemed a Class C2 felony offense for any person, in connection with the offer or sale of any business opportunity in this state, directly or indirectly:

1. To employ any device, scheme or artifice to defraud;
2. To make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading; or
3. To engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

SECTION 302. AMENDATORY 71 O.S. 2021, Section 820, is amended to read as follows:

Section 820. It is unlawful and shall be deemed a Class C2 felony offense for any person to make or cause to be made, in any document filed with the Administrator or in any proceeding pursuant to the Oklahoma Business Opportunity Sales Act any statement which is, at the time and in the light of the circumstances under which it is made, false or misleading in any material respect or, in connection with such statement, to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading.

SECTION 303. AMENDATORY 71 O.S. 2021, Section 821, is amended to read as follows:

Section 821. Neither the fact that an application for registration has been filed nor the fact that a business opportunity is effectively registered constitutes a finding by the Administrator that any document filed pursuant to the Oklahoma Business Opportunity Sales Act is true, complete and not misleading. Neither any such fact nor the fact that an exemption or exception is available for a business opportunity means that the Administrator has passed in any way upon the merits or qualifications of, or recommended or given approval to, any person or business opportunity. It is unlawful and shall be deemed a Class C2 felony offense to make, or cause to be made, to any purchaser or prospective purchaser any representation inconsistent with the provisions of this section.

SECTION 304. AMENDATORY 71 O.S. 2021, Section 822, is amended to read as follows:

Section 822. It is unlawful and shall be deemed a Class C2 felony offense for any person, in connection with the offer or sale of any business opportunity in this state, to publish, circulate or use any advertising which contains an untrue statement of a material fact or omits to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading.

SECTION 305. AMENDATORY 71 O.S. 2021, Section 823, is amended to read as follows:

Section 823. A. Any person who willfully violates Section 806, subsection A of Section 808, subsection A of Section 809, Sections 811, 812, 819, 821 or 822 of this title or who willfully violates any rule under the act or who willfully violates any order of which

the person has notice, or who violates Section 820 of this title knowing that the statement made was false or misleading in any material respect, shall be guilty of a Class C2 felony offense and may upon conviction be fined not more than Ten Thousand Dollars (\$10,000.00), or imprisoned not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or both, for each offense. Each of the acts specified shall constitute a separate offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense.

B. The Administrator may refer such evidence as may be available concerning violations of the Oklahoma Business Opportunity Sales Act or any rule or order hereunder to the Attorney General of the State of Oklahoma or the district attorney for the county where a violation occurred, who may, with or without such a reference, institute the appropriate criminal proceedings under the act. The Attorney General or district attorney may designate and appoint one or more lawyers of the Department as special assistants available for the purpose of assisting in or conducting all criminal prosecutions arising by reason of proceedings under this section.

C. Nothing in the Oklahoma Business Opportunity Sales Act limits the power of the state to punish any person for any conduct which constitutes a crime under any other statute.

SECTION 306. AMENDATORY 74 O.S. 2021, Section 71, is amended to read as follows:

Section 71. The taking or receiving by any officer of said Office of Management and Enterprise Services of any rebate, percentage of contract, money, or any other thing of value from any person, firm, or corporation offering, bidding for, or in the open market and seeking to make sales to said Office, shall be a Class C2 felony offense. Any officer of said Office convicted under this section shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), and by imprisonment ~~in the custody of the Department of Corrections not less than five (5) years nor more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. Such fine shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment.

SECTION 307. AMENDATORY 79 O.S. 2021, Section 203, is amended to read as follows:

Section 203. A. Every act, agreement, contract, or combination in the form of a trust, or otherwise, or conspiracy in restraint of trade or commerce within this state is hereby declared to be against public policy and illegal.

B. It is unlawful and shall be deemed a Class C2 felony offense for any person to monopolize, attempt to monopolize, or conspire to monopolize any part of trade or commerce in a relevant market within this state.

C. Without limiting any other section of Title 79 of the Oklahoma Statutes or applicable sections of Title 17 of the Oklahoma Statutes, it is unlawful for any person in control of an essential facility to unreasonably refuse to give a competitor or customer of an entity controlling an essential facility access to it upon reasonable terms if the effect of such denial is to injure competition. An injured competitor or customer may bring an action under Section 5 of this act to enforce the provisions of this section only when such injured competitor or customer does not have a remedy before the Corporation Commission.

D. As used in this section:

1. "Monopolize" means:

- a. the possession of monopoly power in the relevant market, and
- b. the willful acquisition or maintenance of that power by exclusionary conduct as distinguished from growth or development as a consequence of a superior product and/or service, business acumen, or historic accident;

2. "Monopoly power" means the power to control market prices or exclude competition; and

3. "Essential facility" means a facility:

- a. which is controlled by an entity that possesses monopoly power,
- b. that a competitor would be unable to practically or reasonably duplicate,

- c. the use of which has been unreasonably denied to a competitor or a customer of the entity that possesses monopoly power, and
- d. that it would be feasible to allow the competitor or customer to use or have access to without causing harm to or unreasonably interfering with the entity that possesses monopoly power.

SECTION 308. AMENDATORY 79 O.S. 2021, Section 204, is amended to read as follows:

Section 204. It shall be unlawful and shall be deemed a Class C2 felony offense for any person engaged in commerce, in the course of such commerce, either directly or indirectly, to discriminate in price between different purchasers of commodities of like grade and quality, where either or any of the purchases involved in such discrimination are in commerce, where such commodities are sold for use, consumption, or resale within this state, and where the effect of such discrimination may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them; provided, that nothing herein contained shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered; provided further, that nothing herein contained shall prevent persons engaged in selling commodities, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade; provided further, that nothing herein contained shall prevent price changes from time to time where in response to changing conditions affecting the market for or the marketability of the commodities concerned, including, but not limited to, actual or imminent deterioration of perishable commodities, obsolescence of seasonal commodities, distress sales under court process, or sales in good faith in discontinuance of business in the commodities concerned. Nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his or her lower price to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor.

SECTION 309. AMENDATORY 79 O.S. 2021, Section 206, is amended to read as follows:

Section 206. A. Any person, other than a municipal corporation, who violates Section 3, 4, or 8 of Enrolled Senate Bill No. 1357 of the 2nd Session of the 46th Oklahoma Legislature is guilty of a ~~Schedule G~~ Class C2 felony offense, if the offense occurs on or after the effective date of Section 20.1 of Title 21 of the Oklahoma Statutes. If the offense is committed prior to the effective date of Section 20.1 of Title 21 of the Oklahoma Statutes, the ~~crime~~ person, other than a municipal corporation, shall be guilty of a Class C2 felony offense and shall be punishable by incarceration in the custody of the Department of Corrections for not more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes. A violator shall, upon conviction, be subject to a fine not to exceed Ten Thousand Dollars (\$10,000.00) per violation.

B. The Attorney General or any district attorney may file a criminal information or seek a criminal indictment to enforce the provisions of subsection A of this section.

SECTION 310. AMENDATORY 82 O.S. 2021, Section 867, is amended to read as follows:

Section 867. No director, officer, agent, or employee of the district shall be directly or indirectly interested in any contract for the purchase of any property or construction of any work by or for the district, and if any such person shall be or become so interested in any such contract, he shall be guilty of a Class C2 felony offense and, on conviction thereof, shall be subject to a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00), or to confinement ~~in the county jail for not less than one (1) year nor more than ten (10) years as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes,~~ or both.

SECTION 311. AMENDATORY 2 O.S. 2021, Section 9-34, is amended to read as follows:

Section 9-34. A. It shall be a felony for any warehouseman, employee, or manager of a public warehouse to knowingly:

1. Issue or receive a fraudulent warehouse receipt regarding, but not limited to, commodities that are not actually stored at the time of issuing the receipt, issuing any warehouse receipt or scale ticket that is in any respect fraudulent in its character, either as

to its date or to the quantity, quality, or inspected grade of the commodities, or who shall remove any commodities from store, except to preserve the commodities from fire or other damage without the return and cancellation of all outstanding receipts that may have been issued to represent the commodities; or

2. Issue a delayed pricing contract, deferred payment contract, or any other records for sales of commodities in a fraudulent manner without the full knowledge and consent of the producer.

A violation of this section shall, upon conviction, be a Class D1 felony offense punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the State Penitentiary for not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. The State Board of Agriculture, upon application from the warehouseman, may approve the prepositioning of commodity stocks in state-chartered or federally licensed terminal warehouses in order to free storage space for new harvest commodities. The period for such action shall not exceed sixty (60) days prior to anticipated beginning of harvest for the commodity nor can they be out of position more than one hundred eighty (180) days. The Board may extend the time period an additional one hundred eighty (180) days as specified by rules promulgated by the Board.

SECTION 312. AMENDATORY 2 O.S. 2021, Section 9-35, is amended to read as follows:

Section 9-35. Any warehouseman, manager, or other employee of a public warehouse, who issues or aids in issuing a warehouse receipt for any commodities, without knowing that the commodities have actually been placed in a public warehouse, who delivers any commodities from a public warehouse without the surrender and cancellation of the warehouse receipt, or who fails to mark the depositor's receipt "Cancelled" on the delivery of the commodities, shall, upon conviction, be guilty of a Class D1 felony offense. The fine for a violation of this section shall not be more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the State Penitentiary for a term of not more than twenty (20) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 313. AMENDATORY 2 O.S. 2021, Section 9-36, is amended to read as follows:

Section 9-36. No public warehouse shall be designated as chartered or operated under the provisions of the Public Warehouse and Commodity Indemnity Act and no name or description conveying the impression that it is chartered or operated shall be used unless the public warehouse is chartered. Any person who misrepresents, forges, alters, counterfeits, simulates, or falsely represents the charter required by the Public Warehouse and Commodity Indemnity Act, or who issues, utters, or assists or attempts to issue or utter, a false or fraudulent receipt for any commodities, shall be, upon conviction, guilty of a Class D1 felony offense. The fine for a violation of this section shall not be more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the State Penitentiary for a term of not more than twenty (20) years as provided for in~~ subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 314. AMENDATORY 2 O.S. 2021, Section 16-25, is amended to read as follows:

Section 16-25. A. It is unlawful for any person to carelessly or willfully burn or cause to be burned or to set fire to or cause any fire to be set to any forest, grass, crops, rangeland, or other wild lands not owned by, duly authorized by the owner or manager, or in the lawful possession of, the person setting the fire or burning the lands or causing the fire to be burned.

B. Any person who carelessly violates this section is guilty of a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00), by imprisonment for not more than one (1) year, or both. Any person who willfully violates this section is guilty of a Class D1 felony offense punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), by imprisonment ~~for not more than three (3) years as provided for in~~ subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both.

C. Any person who carelessly or willfully burns, causes to be burned, sets fire, or causes fire to be set, any forest, grass, croplands, or woodlands not owned by, duly authorized by the owner or manager, or in lawful possession of, shall be liable in a civil action to any person injured or damaged by a fire to the amount of the injury or damages.

SECTION 315. AMENDATORY 2 O.S. 2021, Section 16-28.1, is amended to read as follows:

Section 16-28.1. A. It is unlawful for any person either willfully or carelessly to burn, cause to be burned, to set fire to, or cause fire to be set to any forest, grass, croplands, rangeland, or other wild lands, by an owner of such property, except under the following circumstances:

1. In protection areas, notification to burn shall be made by the owner to the local office or local representative of the Forestry Division at least four (4) hours in advance and verbal or written approval obtained. In addition to the notification requirements of this paragraph, any owner conducting a limited liability burn in a protected area shall comply with the provisions of Section 16-28.2 of Title 2 of the Oklahoma Statutes; or

2. Outside protection areas, in order for prescribed or controlled burning to be lawful, an owner shall take reasonable precaution against the spreading of fire to other lands by providing adequate firelines, manpower, and fire fighting equipment for the control of the fire, shall watch over the fire until it is extinguished and shall not permit fire to escape to adjoining land.

B. Nothing in this section shall relieve the person from the obligation to confine the fire to the owner's, agent's, or tenant's land.

C. The Oklahoma Forestry Code shall not apply to trimming or cutting of trees by public or private utilities for the purpose of eliminating interference with utility lines, poles, or other utility equipment.

D. 1. Except as otherwise provided by Section 16-28.2 of this title, any person:

- a. who, whether by accident, neglect or intent, causes or allows damage or injury to occur to any ranch, buildings, improvements, hay, grass, crops, fencings, timber, marsh, or other property of another person by any fire described and conducted pursuant to this section, shall be civilly responsible for such damage or injury so caused pursuant to Section 16-30 of Title 2 of the Oklahoma Statutes, and

- b. who carelessly violates this section is guilty of a misdemeanor punishable by a fine of not more than Five Hundred Dollars (\$500.00), by imprisonment for not more than one (1) year, or both.

2. In addition to civil liability, any person who willfully violates this section is guilty of a Class D1 felony offense punishable by a fine of not more than One Thousand Dollars (\$1,000.00), by imprisonment ~~for not more than three (3) years as~~ provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both.

E. Fire set under the provisions of this section shall not be allowed to spread beyond the control of the person setting the fire and shall be subdued and extinguished.

SECTION 316. AMENDATORY 2 O.S. 2021, Section 16-34, is amended to read as follows:

Section 16-34. A. Any person possessing any incendiary device as defined by subsection B of this section with the intent to use the device for the purpose of burning or setting fire to any forest, grass, crops, or woodlands that the person possessing that device is not the owner of nor in possession of lawfully, as under a lease, shall be guilty of a Class D1 felony offense punishable by a fine of not more than One Thousand Dollars (\$1,000.00), ~~by imprisonment for not more than three (3) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~, or by both.

B. The term "incendiary device" as used in this section includes, but is not limited to, any "slow match" which is any device contrived to accomplish the delayed ignition of a match or matches or other flammable material by the use of a cigarette, rope, or candle to which the match or matches are attached, or a magnifying glass focused to intensify heat on flammable material and cause a fire to start at a subsequent time, or any chemicals, chemically treated paper or material, or other combustible material arranged or designed to make possible its use as a delayed firing device.

SECTION 317. AMENDATORY 3 O.S. 2021, Section 258, is amended to read as follows:

Section 258. A. It is unlawful for any person in this state to operate an aircraft that is not registered with the Federal Aviation Administration Office of Aircraft Registry or with a foreign country which has ratified and is subject to the Convention on the International Recognition of Rights in Aircraft, 4 U.S.T. 1830. Provided however, no person charged with violating this subsection shall be convicted of the charge if he or she produces in court or the office of the arresting officer proof of registration that was valid at the time of arrest.

B. It is a violation of this section for any person or corporate entity to knowingly supply false information to any governmental entity in regard to ownership of an aircraft in or operated in this state.

C. It is a violation of this section for any person to give a wrong description in any application for the registration of any aircraft in this state for the purpose of concealing or hiding the identity of such aircraft.

D. This section does not apply to any aircraft registration or information supplied by a governmental entity in the course and scope of performing its lawful duties.

E. A conviction for a violation of this section shall be a Class D1 felony offense and shall be punishable as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 318. AMENDATORY 3 O.S. 2021, Section 259, is amended to read as follows:

Section 259. A. Any person or persons who shall destroy, remove, cover, alter or deface, or cause to be destroyed, removed, covered, altered or defaced, the United States registration number assigned by the Federal Aviation Administration or manufacturer's serial number of any aircraft in this state, without first giving notice of such act to the Federal Aviation Administration, upon such form as the Federal Aviation Administration may prescribe, shall be deemed guilty of a Class D1 felony offense, and upon conviction thereof shall be punished ~~by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. A person who removes a manufacturer's identification number plate or decal from an aircraft or affixes to an aircraft a manufacturer's identification number plate or decal not authorized by law for use on said aircraft with intent to conceal or misrepresent the identity of the aircraft or its owner shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

C. A person who buys, receives, possesses, sells or disposes of an aircraft, knowing that the identification number of the aircraft has been removed or falsified, shall, upon conviction, be guilty of a misdemeanor.

D. A person who buys, receives, possesses, sells or disposes of an aircraft, with knowledge that the identification number of the aircraft has been removed or falsified and with intent to conceal or misrepresent the identity of the aircraft, shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

E. As used in this section:

1. "Identification number" includes an identifying number or serial number placed on an aircraft by its manufacturer or by authority of the Federal Aviation Administration or in accordance with the laws of another country;

2. "Remove" includes deface, cover and destroy; and

3. "Falsify" includes alter and forge.

F. An identification number may be placed on an aircraft by its manufacturer in the regular course of business or placed or restored on an aircraft by authority of the Federal Aviation Administration without violating this section; an identification number so placed or restored is not falsified.

SECTION 319. AMENDATORY 3 O.S. 2021, Section 301, is amended to read as follows:

Section 301. A. It is unlawful and punishable as provided in subsection D of this section for any person to operate an aircraft within this state who:

1. Has a blood or breath alcohol concentration, as defined in Section 305 of this title, of four-hundredths (0.04) or more within two (2) hours after the arrest of such person; or

2. Is under the influence of any intoxicant.

B. The fact that any person charged with a violation of this section is or has been lawfully entitled to use an intoxicant shall not constitute a defense against any charge of violating this section.

C. As used in Sections 301 through 308 of this title:

1. "Intoxicant" means:

- a. any beverage containing alcohol,
- b. any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma Statutes,
- c. any substance which is capable of being ingested, inhaled, injected or absorbed into the human body and is capable of adversely affecting the central nervous system, vision, hearing or other sensory or motor functions of the human body, and
- d. any combination of alcohol, controlled dangerous substances, and substances capable of being ingested, inhaled, injected or absorbed into the human body and capable of adversely affecting the central nervous system, vision, hearing or other sensory or motor functions of the human body; and

2. "Operate" means manipulating any of the levers, the starting mechanism, the brakes or other mechanism or device of an aircraft, setting in motion any aircraft, or piloting any aircraft.

D. Every person who is convicted of a violation of the provisions of this section shall be deemed guilty of a misdemeanor for the first offense and shall be punished by imprisonment in jail for not less than ten (10) days nor more than one (1) year, and a fine of not more than One Thousand Dollars (\$1,000.00). Any person who within ten (10) years after a previous conviction of a violation

of this section is convicted of a second or subsequent offense pursuant to the provisions of this section or has a prior conviction within ten (10) years prior to the conviction pursuant to the provisions of this section, in a municipal criminal court of record for the violation of a municipal ordinance prohibiting the offense provided for in subsection A of this section shall be guilty of a Class D1 felony offense and shall be sentenced ~~to the custody of the Department of Corrections for not less than one (1) year and not to exceed five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, and a fine of not to exceed Two Thousand Five Hundred Dollars (\$2,500.00); provided, such fine shall be in addition to other punishment provided by law and shall not be imposed in lieu of other punishment. When a sentence of incarceration is imposed, the person shall be processed through the Lexington Assessment and Reception Center or at a place determined by the Director of the Department of Corrections. If the person is evaluated to be receptive to treatment and not deemed by the Department of Corrections to be a security risk, the person shall be assigned to the Department of Mental Health and Substance Abuse Services for substance abuse treatment. The inmate shall be required to reimburse the Department of Mental Health and Substance Abuse Services for all or part of the actual cost incurred for treatment of the inmate while the inmate was assigned to the Department of Mental Health and Substance Abuse Services, if at the time the sentence of incarceration was imposed, the court determined that the convicted person has the ability to pay for all or part of the cost of treatment. The court shall determine the amount of reimbursement the convicted person shall pay. While assigned to such a Department of Mental Health and Substance Abuse Services treatment program the inmate shall comply with the rules and regulations as agreed upon by the Department of Mental Health and Substance Abuse Services and the Department of Corrections. Any infraction of said rules may result in the inmate's reassignment to a correctional facility of the Department of Corrections. Upon successful completion of the treatment program the person shall be properly reassigned by the Department of Corrections for the completion of the sentence imposed by the court. Prior to discharge from the treatment facility, the treatment facility shall forward to the Department of Corrections a report and discharge summary including arrangements and recommendations for further disposition and follow-up treatment. If the person is evaluated not to be receptive to treatment or is evaluated to be a security risk, the inmate shall be assigned to a state correctional facility according to normal Department of Corrections classification procedures. In the event a felony conviction does not result in a sentence of

incarceration as provided for in this subsection, the person shall be required to serve not less than ten (10) days of community service, or to undergo in-patient rehabilitation or treatment in a public or private facility with at least minimum security for a period of not less than forty-eight (48) consecutive hours, notwithstanding the provisions of Sections 991a, 991a-2 and 996.3 of Title 22 of the Oklahoma Statutes.

E. Any person who is found guilty of a violation of the provisions of this section may be referred, prior to sentencing, to an alcoholism evaluation facility designated by the Department of Mental Health and Substance Abuse Services for the purpose of evaluating the receptivity to treatment and prognosis of the person. The court shall order the person to reimburse the facility for the evaluation in an amount not to exceed Seventy-five Dollars (\$75.00). The facility shall, within seventy-two (72) hours, submit a written report to the court for the purpose of assisting the court in its final sentencing determination.

SECTION 320. AMENDATORY 3 O.S. 2021, Section 321, is amended to read as follows:

Section 321. A. A person not entitled to possession of an aircraft who, without the consent of the owner and with intent to deprive the owner, temporarily or otherwise, of the aircraft or its possession, takes, uses or flies the aircraft, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. A person who, with intent and without right to do so, injures or tampers with any aircraft or in any other manner damages any part or portion of said aircraft or any accessories, appurtenances or attachments thereto, upon conviction, shall be guilty of a misdemeanor.

C. A person who, without right to do so and with intent to commit a crime, climbs into or upon an aircraft whether it is in motion or at rest, manipulates any of the levers, starting mechanism, brakes or other mechanism or device of an aircraft while the same is at rest and unattended, or sets in motion any aircraft while the same is at rest and unattended, upon conviction, shall be guilty of a misdemeanor.

SECTION 321. AMENDATORY 3A O.S. 2021, Section 205, is amended to read as follows:

Section 205. A. No person shall conduct a horse race where the public is charged any type of fee for admission, parking, or to race a horse without a valid organization license issued pursuant to the provisions of the Oklahoma Horse Racing Act.

B. Any person violating the provision of this section, upon conviction, shall be guilty of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned for a period of not more than ten (10) years or both said fine and imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 322. AMENDATORY 3A O.S. 2021, Section 208.4, is amended to read as follows:

Section 208.4. A. Any person holding a race or race meeting at which pari-mutuel or non-pari-mutuel wagering is conducted without a valid organization license issued pursuant to the provisions of the Oklahoma Horse Racing Act, upon conviction, shall be guilty of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned for a period of not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both said fine and imprisonment.

B. No organization licensee shall knowingly permit any minor to be a patron of the pari-mutuel system of wagering conducted by the organization licensee. Any person convicted of violating any provision of this subsection shall be guilty of a misdemeanor.

SECTION 323. AMENDATORY 3A O.S. 2021, Section 208.6, is amended to read as follows:

Section 208.6. A. No person shall knowingly enter or cause to be entered for competition any horse under any other name than its true name, or out of its proper class, for any purse, prize, premium, stake, or sweepstakes offered to the winner of a contest of speed at any race meeting held by an organization licensee.

B. The name of any horse, for the purpose of entry for competition in any contest of speed, shall be the name under which the horse has been registered and has publicly performed.

C. Any person convicted of violating the provisions of this section shall be guilty of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned ~~for a period of not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or both said fine and imprisonment.

SECTION 324. AMENDATORY 3A O.S. 2021, Section 208.7, is amended to read as follows:

Section 208.7. A. It shall be unlawful for any person to:

1. Use or conspire to use any battery, buzzer, electrical or mechanical device, or other device other than the ordinary whip for the purpose of stimulating or depressing a horse or affecting its speed at any time; or

2. Sponge the nostrils or windpipe of a horse for the purpose of stimulating or depressing a horse or affecting its speed at any time; or

3. Have in the possession of the person, within the confines of a racetrack, stables, sheds, buildings, or grounds where horses are kept which are eligible to race over a racetrack of any organization licensee, any device other than the ordinary whip which may or can be used for the purpose of stimulating or depressing a horse or affecting its speed at any time; or

4. Have in the possession of the person with the intent to sell, give away, or exchange any such devices.

B. Possession of such devices by anyone within the confines of a racetrack, stables, sheds, buildings, or grounds where horses are kept which are eligible to race over the racetracks of any organization licensee shall be prima facie evidence of intention to use such devices.

C. Any person who violates the provisions of this section, upon conviction, shall be guilty of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned ~~for a period of not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or both said fine and imprisonment. The

Commission shall suspend or revoke the license of any person convicted of violating the provisions of this section.

SECTION 325. AMENDATORY 3A O.S. 2021, Section 208.8, is amended to read as follows:

Section 208.8. A. It shall be unlawful for any person to directly or indirectly engage or to conspire with or aid, assist, or abet any other person in the commission of any corrupt act or practice, including but not limited to:

1. The giving, offering, promising, accepting, soliciting or receiving, directly or indirectly, any gratuity or bribe in any form to any person having duties in relation to any race or race horse or to any trainer, jockey, starter, assistant starter, gatekeeper or agent or to any other person having charge of, or access to, any race horse; or

2. The passing or attempting to pass or the cashing or attempting to cash any altered or fraudulent pari-mutuel ticket; or

3. The unauthorized sale or the attempt to make an unauthorized sale of any racetrack admission ticket.

B. Any person who is convicted of violating the provisions of subsection A of this section shall be guilty of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned for a period of not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both said fine and imprisonment.

C. If any person who is convicted of violating the provisions of subsection A of this section is licensed pursuant to the provisions of the Oklahoma Horse Racing Act, Section 200 et seq. of this title, the Commission shall suspend or revoke the organization or occupation license of the person in addition to the penalty and fine imposed in subsection B of this section.

SECTION 326. AMENDATORY 3A O.S. 2021, Section 208.9, is amended to read as follows:

Section 208.9. No person shall directly or indirectly, for any type of compensation including but not limited to fees, dues, or donations, accept anything of value from another to be transmitted

or delivered for wager in any pari-mutuel system of wagering on horse races or collect a wager in any pari-mutuel system of wagering on horse races. Nothing in this section prohibits wagering transactions authorized pursuant to the provisions of the Oklahoma Horse Racing Act. Any person that violates the provisions of this section, upon conviction, shall be guilty of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), ~~or be imprisoned for a period of not more than ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both said fine and imprisonment.

SECTION 327. AMENDATORY 3A O.S. 2021, Section 208.10, is amended to read as follows:

Section 208.10. It shall be unlawful for any person to falsify, conceal, or cover up by any trick, scheme, or device a material fact, or make any false, fictitious, or fraudulent statements or representations, or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry regarding the prior racing record, pedigree, identity or ownership of a registered animal in any matter related to the breeding, buying, selling, or racing of such animal. Whoever violates any provision of this section shall be guilty of a Class D1 felony offense and fined not more than Ten Thousand Dollars (\$10,000.00), ~~or imprisoned for not more than ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or be both so fined and imprisoned.

SECTION 328. AMENDATORY 3A O.S. 2021, Section 208.11, is amended to read as follows:

Section 208.11. A. Except as provided in subsection B of this section, the Oklahoma Horse Racing Commission is hereby authorized to determine by rule which drugs and medications, if any, may be administered to a horse prior to or during a horse race and to determine by rule the conditions under which such drugs and medications may be used or administered.

B. All horses participating in a horse race may be administered Furosemide prior to a horse race as authorized by the rules of the Oklahoma Horse Racing Commission.

C. The administration of any drug or medication to a horse prior to or during a horse race which is not permitted by rule of the Commission is prohibited.

D. Any person who violates the provisions of this section or who knowingly enters in a race a horse to which any drug or medication has been administered in violation of this section shall be guilty, upon conviction, of a Class D1 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or be imprisoned for a period of not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both said fine and imprisonment. The Commission shall suspend or revoke the license of any such guilty party.

SECTION 329. AMENDATORY 3A O.S. 2021, Section 727, is amended to read as follows:

Section 727. A. Any person who, with intent to defraud, falsely makes, alters, forges, utters, passes, or counterfeits a state lottery ticket shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment for not longer than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. Any person who influences or attempts to influence the winning of a prize through the use of coercion, fraud, deception, or tampering with lottery equipment or materials shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment for not longer than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 330. AMENDATORY 4 O.S. 2021, Section 42.4, is amended to read as follows:

Section 42.4. A. It is unlawful for the owner of any dog that previously has:

1. When unprovoked inflicted bites on any person or severely injured any person either on public or private property; or

2. When unprovoked created an imminent threat of injury or death to any person,

to permit such dog to run at large or aggressively bite or attack any person while such person is lawfully upon public or private property. Upon conviction, the violator shall be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, or by imposition of a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. In addition, the owner shall be liable for damages as provided in Section 42.1 of ~~Title 4 of the Oklahoma Statutes~~ this title.

B. The owner of any dangerous dog as defined by Section 44 of ~~Title 4 of the Oklahoma Statutes~~ this title, or any dog that is described in subsection A of this section, that attacks any person causing the death of such person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by the imposition of a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

C. It is unlawful for any person to release any dog upon a law enforcement officer while the officer is in the performance of official duties. Upon conviction, the violator shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years, or imprisonment in the county jail for not more than one (1) year~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by imposition of a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

D. It shall be an affirmative defense to a prosecution pursuant to subsection A or B of this section that the injury or death was sustained by a person who, at the time, was committing a willful criminal act upon the premises of the owner of the dog or was assaulting the owner of the dog.

SECTION 331. AMENDATORY 6 O.S. 2021, Section 809, is amended to read as follows:

Section 809. A. Except as provided in Section 411 of this title, no bank, banker or bank official shall give preference to any depositor, borrower, or creditor by pledging the assets of the bank as collateral security. No bank, banker or bank official shall sell or transfer any of the assets of any insolvent bank in consideration of any deposit in such bank. Any officer, director or employee of any bank who violates any provision of this section shall be guilty of a Class D1 felony offense and upon conviction thereof shall be punished by a fine of not less than One Hundred Dollars (\$100.00), nor more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~in the State Penitentiary for not less than one (1) year, nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. No attachment, injunction, execution or other recordation which constitutes a lien under the laws of this state upon the property of a bank created, organized or existing under or by virtue of the laws of this state, shall be issued against such a bank or its property before final judgment in any suit, action or proceeding in any federal, state, county or municipal court. As used in this subsection, "final judgment" shall mean a judgment on the merits from which no appeal can be taken or the time in which to file an appeal has elapsed and not merely a judgment rendered.

C. The Board shall have the authority, pursuant to Section 203 of this title, to order or seek injunction over any person, as defined in Section 103 of this title, to cease and desist violating any of the provisions of this section.

SECTION 332. AMENDATORY 6 O.S. 2021, Section 1405, is amended to read as follows:

Section 1405. A. It shall be unlawful and deemed a Class D1 felony offense for an affiliate of a bank or trust company or for an officer, director or employee of a bank or trust company or affiliate of a bank or trust company:

1. To solicit, accept or agree to accept, directly or indirectly, from any person other than the institution any gratuity, compensation or other personal benefit for any action taken by the institution or for endeavoring to procure any such action; or

2. To have any interest, directly or indirectly, in the proceeds of a loan or of a purchase or sale made by the bank, unless

such loan is otherwise permissible, and the purchase or sale is expressly authorized by this Code or by rule of the Board and, unless otherwise directed in writing by the Commissioner, is specifically approved by vote of a majority of the board of directors of the bank or trust company. Provided, no interested director or trustee shall take part in such vote.

B. In this section the term "affiliate" shall include:

1. Any person who holds a majority of the stock of a bank or has been determined by the Board to hold a controlling interest therein, any other corporation in which such person owns a majority of the stock and any partnership in which the person has an interest;

2. Any corporation in which the institution or an officer, director or employee thereof holds a majority of the stock and any partnership in which such person has an interest; or

3. Any corporation of which a majority of the directors are officers, directors or employees of the institution or of which officers, directors, trustees or employees constitute a majority of the directors of the institution.

SECTION 333. AMENDATORY 6 O.S. 2021, Section 1406, is amended to read as follows:

Section 1406. It shall be unlawful and deemed a Class D1 felony offense for a bank to receive any deposit after the bank has been notified by its primary regulator that it is insolvent or for an officer, director or employee who knows or, in the proper performance of his duty, should know of the notification of such insolvency to receive or authorize the receipt of such deposit, if such deposit, when aggregated together with other funds held by the depositor in the same right and capacity, would exceed the limit of federal deposit insurance coverage.

SECTION 334. AMENDATORY 6 O.S. 2021, Section 1407, is amended to read as follows:

Section 1407. It ~~is~~ shall be unlawful and deemed a Class D1 felony offense for any person to serve as an officer or director of a bank who:

~~(1) has~~ 1. Has been convicted of an offense constituting in the jurisdiction in which the conviction was rendered a violation of the banking laws, a felony involving dishonesty or a breach of trust;i

~~(2) is~~ 2. Is indebted to the bank for more than thirty (30) days upon a judgment that has become final.

SECTION 335. AMENDATORY 6 O.S. 2021, Section 1408, is amended to read as follows:

Section 1408. It shall be unlawful and deemed a criminal Class D1 felony offense for any person to serve as Commissioner, Deputy Commissioner, Administrative Assistant or Assistant Commissioner, of the Department who has been convicted of an offense constituting, in the jurisdiction in which the conviction was had, a violation of the banking laws, a felony involving dishonesty or a breach of trust.

SECTION 336. AMENDATORY 6 O.S. 2021, Section 1409, is amended to read as follows:

Section 1409. It shall be unlawful and deemed a Class D1 felony offense for an officer, director, employee, attorney, or agent of a bank or trust company to conceal or endeavor to conceal any transaction of the bank or trust company from any officer, director or employee of the bank or trust company or any official or employee of the department to whom it should be properly disclosed.

SECTION 337. AMENDATORY 6 O.S. 2021, Section 1410, is amended to read as follows:

Section 1410. It shall be unlawful and deemed a Class D1 felony offense for an officer, director, employee or agent of a bank or trust company:

~~(1) to~~ 1. To maintain or authorize the maintenance of any account of the bank or trust company in a manner which, to his knowledge, does not conform to the requirements prescribed by this Code or by the Commissioner or the Board;i

~~(2) with~~ 2. With intent to deceive, to make any false or misleading statement or entry or omit any statement or entry that should be made in any book, account, report or statement of the institution;i

~~(3) to 3.~~ To obstruct or endeavor to obstruct a lawful examination of the institution by an officer or employee of the Department.

SECTION 338. AMENDATORY 6 O.S. 2021, Section 1411, is amended to read as follows:

Section 1411. It shall be unlawful and deemed a Class D1 felony offense for a bank or trust company to pay a fine or penalty imposed by law upon any other person or any judgment against such person or to reimburse directly or indirectly any person by whom such fine, penalty or judgment has been paid, except in settlement of its own liability or in connection with the acquisition of property against which such judgment is a lien, or as provided in Section 68 of Enrolled House Bill No. 2173 of the 1st Session of the 46th Oklahoma Legislature.

SECTION 339. AMENDATORY 6 O.S. 2021, Section 1412, is amended to read as follows:

Section 1412. It shall be unlawful and deemed a ~~criminal~~ Class D1 felony offense for any officer, director, shareholder or employee of any bank or trust company to directly or indirectly embezzle, abstract, or misapply, or cause to be embezzled, abstracted or misapplied, any of the funds or securities or other property of or under the control of the bank or trust company with intent to deceive, injure, cheat, wrong, or defraud any bank, trust company or person.

SECTION 340. AMENDATORY 6 O.S. 2021, Section 1413, is amended to read as follows:

Section 1413. It shall be unlawful and deemed a Class D1 felony offense for any person to publish, utter, or circulate any false, malicious, unprivileged statement or representation for the purpose of injuring any banking institution or credit union chartered, existing and doing business within the State of Oklahoma, under and by virtue of the laws of this state, or under and by virtue of the laws of the United States of America.

SECTION 341. AMENDATORY 6 O.S. 2021, Section 1414, is amended to read as follows:

Section 1414. A. Any person responsible for an act or omission expressly declared to be unlawful or a criminal offense by this Code shall be guilty:

~~(1)~~ 1. Of a misdemeanor punishable by imprisonment for a term not exceeding one (1) year or a fine not exceeding Fifty Thousand Dollars (\$50,000.00), or both;

~~(2)~~ 2. If the act or omission was intended to defraud, of a Class D1 felony offense punishable by imprisonment not exceeding five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine not exceeding One Hundred Thousand Dollars (\$100,000.00), or both.

B. An officer, director, employee, agent or attorney of a bank or trust company shall be responsible for an act or omission of the institution declared to be a criminal offense against this Code whenever, knowing that such act or omission is unlawful, he participates in authorizing, executing, ratifying or concealing such act, or in authorizing or ratifying such omission or, having a duty to take the required action, omits to do so.

A director shall be deemed to participate in any action of which he has knowledge taken or omitted to be taken by the board of which he is a member unless he dissents therefrom in writing and promptly notifies the Commissioner of his dissent.

C. It shall be unlawful and deemed a criminal Class D1 felony offense against this Code to violate any lawful order of the Board or Commissioner, served upon it, or to knowingly violate any lawful rule, regulation or order of the Board or Commissioner. Any person who violates the provisions of this subsection shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

The Commissioner may refer evidence concerning violations of this Code or of any rule or order thereunder to the Attorney General of the State of Oklahoma or to the district attorney for the county where a violation occurred in order that an information or indictment for such violations may be filed. The Attorney General or district attorney may designate and appoint a lawyer of the Department as special assistant, if available, for the purpose of assisting in or conducting criminal prosecutions arising because of the proceedings provided for in this section.

D. Unless otherwise provided in this Code, it shall be no defense to a criminal prosecution hereunder that the defendant did not know the facts establishing the criminal character of the act or omission charged if he could and should have known such facts in the proper performance of his duty.

E. This section shall not apply to specific offenses for which criminal sanctions have been imposed in other sections of this Code.

SECTION 342. AMENDATORY 6 O.S. 2021, Section 1417, is amended to read as follows:

Section 1417. A. It is unlawful and deemed a Class D1 felony offense for any bank or out-of-state bank having a confusingly similar name to advertise its name in Oklahoma, including without limitation by means of outdoor signage, newspaper, radio, television, billboards, bulk mailings, and other solicitations to persons who are not customers of the bank, unless the advertising also conspicuously identifies the city or town where that bank has its main office. This subsection shall not apply to a bank's advertising through local media. Any person who violates the provisions of this subsection shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. It is unlawful and deemed a Class D1 felony offense for any bank having a full legal name which is not a confusingly similar name to use a shortened name for purposes of advertising within Oklahoma, including without limitation on outdoor signage, newspaper, radio, television, billboards, bulk mailings, and other solicitations to persons who are not customers of the bank, if that shortened name would be a confusingly similar name and if such advertising does not also conspicuously identify the city or town where that bank has its main office. This subsection shall not apply to a bank's advertising through local media. Any person who violates the provisions of this subsection shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

C. It shall be unlawful and deemed a Class D1 felony offense for any bank which acquires another bank or other financial institution for one or more of its offices or branches, by merger, purchase and assumption or otherwise, to continue to use the former name of the acquired institution or office, or similar name, for

more than six (6) months after the date of acquisition, either on outdoor signage or in other advertising, unless such name is the legal name of the resulting bank. Nothing contained in this subsection shall prohibit an acquiring bank from using a variation of the former name as a branch title if such variation is at all times used only in combination with the name of the acquiring bank, including the town or city where that bank has its main office, and the word "branch" on any outdoor signage or in other advertising. Any person who violates the provisions of this subsection shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

D. It shall be unlawful and deemed a Class D1 felony offense for any person which is not a bank to use or advertise a confusingly similar name within the State of Oklahoma. Any person who violates the provisions of this subsection shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

E. The Commissioner may issue an order in accordance with Section 204 of this title to any Oklahoma chartered bank or bank registered pursuant to Section 104 of this title, ordering such bank to cease violating the provisions of this section. This remedy shall be in addition to and not exclusive of the remedy provided in subsection F of this section.

F. Whenever any bank or other person shall use or advertise a name in violation of this section, the district court from which lawful service is obtained shall, upon suit by the Commissioner or any injured person, issue an injunction restraining such use or advertisement. Provided, that the Commissioner shall be deemed to be a necessary party to any suit brought pursuant to this section and any suit brought by the Commissioner pursuant to this section shall be properly brought as to both jurisdiction and venue, when brought in a county where the office of the Commissioner is located.

G. Advertisements which were in conformance with this section prior to April 29, 1991, but are not now in conformance with subsections A and B of this section will not be considered to be in violation of the law. This subsection shall not be interpreted to allow any bank to begin the advertisement of a confusingly similar name which it had not previously used or advertised prior to April 29, 1991, but shall only serve to protect the advertisement of such names as are in lawful use as of April 29, 1991.

SECTION 343. AMENDATORY 10 O.S. 2021, Section 404.1, is amended to read as follows:

Section 404.1. A. On and after November 1, 2013:

1. Prior to the issuance of a permit or license, owners and responsible entities making a request to establish or operate a child care facility shall have:

- a. an Oklahoma State Courts Network search conducted by the Department,
- b. a Restricted Registry search conducted by the facility,
- c. a national criminal history records search conducted pursuant to paragraph 10 of this subsection,
- d. a criminal history records and sex offender registry search conducted by an authorized source, when the individual has lived outside this state within the last five (5) years,
- e. a search of the Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act and conducted by the Department of Human Services,
- f. a search of any available child abuse and neglect registry within a state the individual has resided in within the last five (5) years,
- g. search of the nontechnical services worker abuse registry maintained by the State Department of Health pursuant to Section 1-1950.7 of Title 63 of the Oklahoma Statutes, and
- h. a search of the community services worker registry maintained by the Department of Human Services pursuant to Section 1025.3 of Title 56 of the Oklahoma Statutes;

2. Prior to the employment of an individual:

- a. an Oklahoma State Courts Network search, conducted by the Department, shall be requested and received by the facility; provided however, if twenty-four (24) hours has passed from the time the request to the Department was made, the facility may initiate employment, notwithstanding the provisions of this paragraph,
- b. a Restricted Registry search shall be conducted by the facility with notification of the search submitted to the Department,
- c. a national criminal history records search pursuant to paragraph 10 of this subsection shall be submitted,
- d. a criminal history records and sex offender registry search conducted by an authorized source, when the individual has lived outside this state within the last five (5) years, shall be submitted to the Department,
- e. a search of the Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act shall be conducted by the Department and received by the facility,
- f. a search of any available child abuse and neglect registry within a state the individual has resided in within the last five (5) years,
- g. search of the nontechnical services worker abuse registry maintained by the State Department of Health pursuant to Section 1-1950.7 of Title 63 of the Oklahoma Statutes, and
- h. a search of the community services worker registry maintained by the Department of Human Services pursuant to Section 1025.3 of Title 56 of the Oklahoma Statutes;

3. Prior to allowing unsupervised access to children by employees or individuals, including contract employees and volunteers and excluding the exceptions in paragraph 8 of this subsection:

- a. Oklahoma State Courts Network search results, conducted by the Department, shall be received by the facility,
- b. a Child Care Restricted Registry search shall be conducted by the facility with notification of the search submitted to the Department,
- c. national criminal history records search results pursuant to paragraph 10 of this subsection shall be received by the facility,
- d. a criminal history records and sex offender registry search conducted by an authorized source, when the individual has lived outside this state within the last five (5) years shall be submitted to the Department,
- e. a search of the Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act shall be conducted by the Department and received by the facility,
- f. a search of any available child abuse and neglect registry within a state the individual has resided in within the last five (5) years,
- g. search of the nontechnical services worker abuse registry maintained by the State Department of Health pursuant to Section 1-1950.7 of Title 63 of the Oklahoma Statutes, and
- h. a search of the community services worker registry maintained by the Department of Human Services pursuant to Section 1025.3 of Title 56 of the Oklahoma Statutes;

4. Prior to the issuance of a permit or license and prior to the residence of adults who subsequently move into a facility, adults living in the facility excluding the exception in paragraph 7 of this subsection shall have:

- a. an Oklahoma State Courts Network search conducted by the Department and the facility shall be in receipt of the search results,

- b. a Restricted Registry search conducted by the facility with notification of the search submitted to the Department,
- c. a national criminal history records search conducted pursuant to paragraph 10 of this subsection,
- d. a criminal history records and sex offender registry search conducted by an authorized source, when the individual has lived outside this state within the last five (5) years,
- e. a search of the Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act conducted by the Department and received by the facility,
- f. a search of any available child abuse and neglect registry within a state the individual has resided in within the last five (5) years,
- g. search of the nontechnical services worker abuse registry maintained by the State Department of Health pursuant to Section 1-1950.7 of Title 63 of the Oklahoma Statutes, and
- h. a search of the community services worker registry maintained by the Department of Human Services pursuant to Section 1025.3 of Title 56 of the Oklahoma Statutes;

5. Children who reside in the facility and turn eighteen (18) years of age excluding the exception in paragraph 7 of this subsection shall have:

- a. an Oklahoma State Courts Network search conducted by the Department,
- b. a Restricted Registry search conducted by the facility with notification of the search submitted to the Department,
- c. a national criminal history records search conducted pursuant to paragraph 10 of this subsection, and

- d. a search of the Department of Corrections' files pursuant to the Sex Offenders Registration Act conducted by the Department and received by the facility;

6. Prior to review of or access to fingerprint results, owners, responsible entities, directors, and other individuals who have review of or access to fingerprint results shall have a national criminal history records search pursuant to paragraph 10 of this subsection;

7. Provisions specified in paragraphs 4 and 5 of this subsection shall not apply to residents who are receiving services from a residential child care facility;

8. A national criminal history records search pursuant to paragraph 10 of this subsection shall not be required for volunteers who transport children on an irregular basis when a release is signed by the parent or legal guardian noting their understanding that the volunteer does not have a completed national criminal history records search. The provisions in paragraph 3 of this subsection shall not be required for specialized service professionals who are not employed by the program and have unsupervised access to a child when a release is signed by the parent or legal guardian noting his or her understanding of this exception. These exceptions shall not preclude the Department from requesting a national fingerprint or an Oklahoma State Bureau of Investigation name-based criminal history records search or investigating criminal, abusive, or harmful behavior of such individuals, if warranted;

9. A national criminal history records search pursuant to paragraph 10 of this subsection shall be required on or before November 1, 2016, for existing owners, responsible entities, employees, individuals with unsupervised access to children, and adults living in the facility, as of November 1, 2013, unless paragraph 6 of this subsection applies;

10. The Department shall require a national criminal history records search based upon submission of fingerprints that shall:

- a. be conducted by the Oklahoma State Bureau of Investigation and the Federal Bureau of Investigation pursuant to Section 150.9 of Title 74 of the Oklahoma

Statutes and the federal National Child Protection Act and the federal Volunteers for Children Act with the Department as the authorized agency,

- b. be submitted and have results received between the Department and the Oklahoma State Bureau of Investigation through secure electronic transmissions,
- c. include Oklahoma State Bureau of Investigation rap back, requiring the Oklahoma State Bureau of Investigation to immediately notify the Department upon receipt of subsequent criminal history activity, and
- d. be paid by the individual or the facility;

11. The Director of the Department, or designee, shall promulgate rules that may authorize an exception to the fingerprinting requirements for individuals who have a severe physical condition which precludes such individuals from being fingerprinted;

12. The Director of the Department, or designee, shall promulgate rules that ensure individuals obtain a criminal history records search, not to include the re-submission of fingerprints, not less than once during each five (5) year period;

13. Any individual who refuses to consent to the criminal background check or knowingly makes a materially-false statement in connection with such criminal background check shall be ineligible for ownership of, employment of or residence in a child care facility; and

14. The Office of Juvenile Affairs shall require national criminal history records searches, as defined by Section 150.9 of Title 74 of the Oklahoma Statutes, which shall be provided by the Oklahoma State Bureau of Investigation for the purpose of obtaining the national criminal history records search, including Rap Back notification of and through direct request by the Office of Juvenile Affairs on behalf of any:

- a. operator or responsible entity making a request to establish or operate a secure detention center, municipal juvenile facility, community intervention

center or secure facility licensed or certified by the Office of Juvenile Affairs,

- b. employee or applicant of a secure detention center, municipal juvenile facility, community intervention center or secure facility licensed or certified by the Office of Juvenile Affairs, or
- c. persons allowed unsupervised access to children, including contract employees or volunteers, of a secure detention center, municipal juvenile facility, community intervention center or secure facility licensed or certified by the Office of Juvenile Affairs.

B. 1. a. On and after September 1, 1998:

- (1) any child-placing agency contracting with a person for foster family home services or in any manner for services for the care and supervision of children shall also, prior to executing a contract, complete:
 - (a) a foster parent eligibility assessment for the foster care provider except as otherwise provided by divisions (2) and (4) of this subparagraph, and
 - (b) a national criminal history records search based upon submission of fingerprints for any adult residing in the foster family home through the Department of Human Services pursuant to the provisions of Section 1-7-106 of Title 10A of the Oklahoma Statutes, except as otherwise provided by divisions (2) and (4) of this subparagraph,
- (2) the child-placing agency may place a child pending completion of the national criminal history records search if the foster care provider and every adult residing in the foster family home has resided in this state for at least five (5) years immediately preceding such placement,

- (3) a national criminal history records search based upon submission of fingerprints to the Oklahoma State Bureau of Investigation shall also be completed for any adult who subsequently moves into the foster family home,
 - (4) provided, however, the Director of Human Services or the Director of the Office of Juvenile Affairs, or a designee, may authorize an exception to the fingerprinting requirement for a person residing in the home who has a severe physical condition which precludes such person's being fingerprinted, and
 - (5) any child care facility contracting with any person for foster family home services shall request the Office of Juvenile Affairs to conduct a juvenile justice information system review, pursuant to the provisions of Sections 2-7-905 and 2-7-308 of Title 10A of the Oklahoma Statutes, for any child over the age of thirteen (13) years residing in the foster family home, other than a foster child, or who subsequently moves into the foster family home. As a condition of contract, the child care facility shall obtain the consent of the parent or legal guardian of the child for such review.
- b. The provisions of this paragraph shall not apply to foster care providers having a contract or contracting with a child-placing agency, the Department of Human Services or the Office of Juvenile Affairs prior to September 1, 1998. Such existing foster care providers shall comply with the provisions of this section, until otherwise provided by rules of the Department or by law.
2. a. (1) On and after September 1, 1998, except as otherwise provided in divisions (2) and (4) of this subparagraph, prior to contracting with a foster family home for placement of any child who is in the custody of the Department of Human Services or the Office of Juvenile Affairs, each Department shall complete a foster parent eligibility assessment, pursuant to the

provisions of the Oklahoma Child Care Facilities Licensing Act, for such foster family applicant. In addition, except as otherwise provided by divisions (2) and (4) of this subparagraph, the Department shall complete a national criminal history records search based upon submission of fingerprints for any adult residing in such foster family home.

- (2) The Department of Human Services and Office of Juvenile Affairs may place a child pending completion of the national criminal history records search if the foster care provider and every adult residing in the foster family home has resided in this state for at least five (5) years immediately preceding such placement.
- (3) A national criminal history records search based upon submission of fingerprints conducted by the Oklahoma State Bureau of Investigation shall also be completed for any adult who subsequently moves into the foster family home.
- (4) The Director of Human Services or the Director of the Office of Juvenile Affairs or their designee may authorize an exception to the fingerprinting requirement for any person residing in the home who has a severe physical condition which precludes such person's being fingerprinted.

- b. The provisions of this paragraph shall not apply to foster care providers having a contract or contracting with a child-placing agency, the Department of Human Services or the Office of Juvenile Affairs prior to September 1, 1998. Such existing foster care providers shall comply with the provisions of this section, until otherwise provided by rules of the Department or by law.

3. The Department of Human Services or the Office of Juvenile Affairs shall provide for a juvenile justice information system review pursuant to Section 2-7-308 of Title 10A of the Oklahoma Statutes for any child over the age of thirteen (13) years residing in a foster family home, other than the foster child, or who subsequently moves into the foster family home.

C. The Department or the Board of Juvenile Affairs shall promulgate rules to identify circumstances when a criminal history records search or foster parent eligibility assessment for an applicant or contractor, or any person over the age of thirteen (13) years residing in a private residence in which a child care facility is located, shall be expanded beyond the records search conducted by the Oklahoma State Bureau of Investigation or as otherwise provided pursuant to this section.

D. Except as otherwise provided by the Oklahoma Children's Code and subsection F of this section, a conviction for a crime shall not be an absolute bar to employment, but shall be considered in relation to specific employment duties and responsibilities.

E. 1. Information received pursuant to this section by an owner, administrator, or responsible entity of a child care facility, shall be maintained in a confidential manner pursuant to applicable state and federal laws.

2. The information, along with any other information relevant to the ability of the individual to perform tasks that require direct contact with children, may be released to another child care facility in response to a request from the child care facility that is considering employing or contracting with the individual unless deemed confidential by state and federal laws.

3. Requirements for confidentiality and recordkeeping with regard to the information shall be the same for the child care facility receiving the information in response to a request as those provided for in paragraph 1 of this subsection for the child care facility releasing such information.

4. Information received by any facility certified by the Office of Juvenile Affairs may be released to another facility certified by the Office if an individual is being considered for employment or contract, along with any other relevant information, unless the information is deemed confidential by state or federal law. Any information received by the Office shall be maintained in a confidential manner pursuant to applicable state and federal law.

F. 1. It shall be unlawful for individuals who are required to register pursuant to the Sex Offenders Registration Act to work with or provide services to children or to reside in a child care facility and for any employer who offers or provides services to

children to knowingly and willfully employ or contract with, or allow continued employment of or contracting with individuals who are required to register pursuant to the Sex Offenders Registration Act. Individuals required to register pursuant to the Sex Offenders Registration Act who violate any provision of Section 401 et seq. of this title shall, upon conviction, be guilty of a Class D1 felony offense punishable by incarceration in a correctional facility for a period of not more than five (5) years and as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine of not more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

2. It shall be unlawful for an individual who is the perpetrator of a substantiated finding by the Department of heinous and shocking abuse by a person responsible for a child's health, safety, or welfare, as those terms are defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes, to work with or provide services to children or to reside in a child care facility and for any employer who offers or provides services to children to knowingly and willfully employ or contract with, or allow continued employment of or contracting with such individual.

3. Upon a determination by the Department of any violation of the provisions of this section, the violator shall be subject to and the Department may pursue:

- a. an emergency order,
- b. license revocation or denial,
- c. injunctive proceedings,
- d. an administrative penalty not to exceed Ten Thousand Dollars (\$10,000.00), and
- e. referral for criminal proceedings.

4. In addition to the penalties specified by this section, the violator may be liable for civil damages.

SECTION 344. AMENDATORY 10A O.S. 2021, Section 1-2-101, is amended to read as follows:

Section 1-2-101. A. 1. The Department of Human Services shall establish a statewide centralized hotline for the reporting of child abuse or neglect to the Department.

2. The Department shall provide hotline-specific training including, but not limited to, interviewing skills, customer service skills, narrative writing, necessary computer systems, making case determinations, and identifying priority situations.

3. The Department is authorized to contract with third parties in order to train hotline workers.

4. The Department shall develop a system to track the number of calls received, and of that number:

- a. the number of calls screened out,
- b. the number of referrals assigned,
- c. the number of calls received by persons unwilling to disclose basic personal information including, but not limited to, first and last name, and
- d. the number of calls in which the allegations were later found to be unsubstantiated or ruled out.

5. The Department shall electronically record each referral received by the hotline and establish a secure means of retaining the recordings for twelve (12) months. The recordings shall be confidential and subject to disclosure only if a court orders the disclosure of the referral. The Department shall redact any information identifying the reporting party unless otherwise ordered by the court.

B. 1. Every person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter immediately to the Department of Human Services. Reports shall be made to the hotline provided for in subsection A of this section. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the Department. Provided, however, that in actions for custody by abandonment, provided for in Section 2-117 of Title 30 of the Oklahoma Statutes, there shall be no reporting requirement.

2. a. Every school employee having reason to believe that a student under the age of eighteen (18) years is a victim of abuse or neglect shall report the matter immediately to the Department of Human Services and local law enforcement. Reports to the Department shall be made to the hotline provided for in subsection A of this section. Any allegation of abuse or neglect reported in any manner to a county office shall immediately be referred to the hotline by the Department. Provided, however, that in actions for custody by abandonment, provided for in Section 2-117 of Title 30 of the Oklahoma Statutes, there shall be no reporting requirement.
- b. Every school employee having reason to believe that a student age eighteen (18) years or older is a victim of abuse or neglect shall report the matter immediately to local law enforcement.
- c. In reports required by subparagraph a or b of this paragraph, local law enforcement shall keep confidential and redact any information identifying the reporting school employee unless otherwise ordered by the court. A school employee with knowledge of a report required by subparagraph a or b of this paragraph shall not disclose information identifying the reporting school employee unless otherwise ordered by the court or as part of an investigation by local law enforcement or the Department.

3. Every physician, surgeon, or other health care professional including doctors of medicine, licensed osteopathic physicians, residents and interns, or any other health care professional or midwife involved in the prenatal care of expectant mothers or the delivery or care of infants shall promptly report to the Department instances in which an infant tests positive for alcohol or a controlled dangerous substance. This shall include infants who are diagnosed with Neonatal Abstinence Syndrome or Fetal Alcohol Spectrum Disorder.

4. No privilege or contract shall relieve any person from the requirement of reporting pursuant to this section.

5. The reporting obligations under this section are individual, and no employer, supervisor, administrator, governing body or entity

shall interfere with the reporting obligations of any employee or other person or in any manner discriminate or retaliate against the employee or other person who in good faith reports suspected child abuse or neglect, or who provides testimony in any proceeding involving child abuse or neglect. Any employer, supervisor, administrator, governing body or entity who discharges, discriminates or retaliates against the employee or other person shall be liable for damages, costs and attorney fees. If a child who is the subject of the report or other child is harmed by the discharge, discrimination or retaliation described in this paragraph, the party harmed may file an action to recover damages, costs and attorney fees.

6. Every physician, surgeon, other health care professional or midwife making a report of abuse or neglect as required by this subsection or examining a child to determine the likelihood of abuse or neglect and every hospital or related institution in which the child was examined or treated shall provide, upon request, copies of the results of the examination or copies of the examination on which the report was based and any other clinical notes, x-rays, photographs, and other previous or current records relevant to the case to law enforcement officers conducting a criminal investigation into the case and to employees of the Department of Human Services conducting an investigation of alleged abuse or neglect in the case.

C. Any person who knowingly and willfully fails to promptly report suspected child abuse or neglect or who interferes with the prompt reporting of suspected child abuse or neglect may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor. Any person with prolonged knowledge of ongoing child abuse or neglect who knowingly and willfully fails to promptly report such knowledge may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes. For the purposes of this paragraph, "prolonged knowledge" shall mean knowledge of at least six (6) months of child abuse or neglect.

D. 1. Any person who knowingly and willfully makes a false report pursuant to the provisions of this section or a report that the person knows lacks factual foundation may be reported to local law enforcement for criminal investigation and, upon conviction thereof, shall be guilty of a misdemeanor.

2. If a court determines that an accusation of child abuse or neglect made during a child custody proceeding is false and the person making the accusation knew it to be false at the time the accusation was made, the court may impose a fine, not to exceed Five Thousand Dollars (\$5,000.00) and reasonable attorney fees incurred in recovering the sanctions, against the person making the accusation. The remedy provided by this paragraph is in addition to paragraph 1 of this subsection or to any other remedy provided by law.

E. Nothing contained in this section shall be construed to exempt or prohibit any person from reporting any suspected child abuse or neglect pursuant to subsection B of this section.

SECTION 345. AMENDATORY 13 O.S. 2021, Section 176.3, is amended to read as follows:

Section 176.3. Except as otherwise specifically provided in this act, any person is guilty of a Class D1 felony offense and upon conviction shall be punished by a fine of not less than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~of not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both who:

1. Willfully intercepts, endeavors to intercept or procures any other person to intercept or endeavor to intercept any wire, oral or electronic communication;

2. Willfully uses, endeavors to use or procures any other person to use or endeavor to use any electronic, mechanical or other device to intercept any oral communication;

3. Willfully discloses or endeavors to disclose to any other person the contents of any wire, oral or electronic communication, knowing or having reason to know that the information was obtained in violation of the provisions of the Security of Communications Act;

4. Willfully uses or endeavors to use the contents of any wire, oral or electronic communication, knowing or having reason to know that the information was obtained in violation of the provisions of the Security of Communications Act;

5. Willfully and maliciously, without legal authority, removes, injures or obstructs any telephone or telegraph line, or any part or appurtenances or apparatus connected thereto, or severs any wires thereof;

6. Sends through the mail or sends or carries any electronic, mechanical or other device with the intention of rendering the device primarily useful for the purpose of the illegal interception of wire, oral or electronic communications in violation of the provisions of the Security of Communications Act;

7. Manufactures, assembles, possesses or sells any electronic, mechanical or other device with the intention of rendering the device primarily useful for the purpose of the illegal interception of wire, oral or electronic communications in violation of the provisions of the Security of Communications Act; or

8. Willfully uses any communication facility in committing or in causing or facilitating the commission of any act or acts constituting one or more of the felonies enumerated in Section 176.7 of this title. Each separate use of a communication facility to cause or facilitate such a felony shall be a separate offense. Venue for any violation of this section shall lie in the same county as venue for the underlying felony enumerated in Section 176.7 of this title.

SECTION 346. AMENDATORY 15 O.S. 2021, Section 753, as amended by Section 1, Chapter 368, O.S.L. 2023 (15 O.S. Supp. 2024, Section 753), is amended to read as follows:

Section 753. A person engages in a practice which is declared to be unlawful and deemed a Class D1 felony offense under the Oklahoma Consumer Protection Act when, in the course of the person's business, the person:

1. Represents, knowingly or with reason to know, that the subject of a consumer transaction is of a particular make or brand, when it is of another;

2. Makes a false or misleading representation, knowingly or with reason to know, as to the source, sponsorship, approval, or certification of the subject of a consumer transaction;

3. Makes a false or misleading representation, knowingly or with reason to know, as to affiliation, connection, association with, or certification by another;

4. Makes a false or misleading representation or designation, knowingly or with reason to know, of the geographic origin of the subject of a consumer transaction;

5. Makes a false representation, knowingly or with reason to know, as to the characteristics, ingredients, uses, benefits, alterations, or quantities of the subject of a consumer transaction or a false representation as to the sponsorship, approval, status, affiliation or connection of a person therewith;

6. Knowingly or with reason to know, makes a false or misleading representation or gives the false or misleading impression of being affiliated with a state agency or an affiliate of a state agency through advertisement or publication;

7. Represents, knowingly or with reason to know, that the subject of a consumer transaction is original or new if the person knows that it is reconditioned, reclaimed, used, or secondhand;

8. Represents, knowingly or with reason to know, that the subject of a consumer transaction is of a particular standard, style or model, if it is of another;

9. Advertises, knowingly or with reason to know, the subject of a consumer transaction with intent not to sell it as advertised;

10. Advertises, knowingly or with reason to know, the subject of a consumer transaction with intent not to supply reasonably expected public demand, unless the advertisement discloses a limitation of quantity;

11. Advertises under the guise of obtaining sales personnel when in fact the purpose is to sell the subject of a consumer transaction to the sales personnel applicants;

12. Makes false or misleading statements of fact, knowingly or with reason to know, concerning the price of the subject of a consumer transaction or the reason for, existence of, or amounts of price reduction;

13. Employs "bait and switch" advertising, which consists of an offer to sell the subject of a consumer transaction which the seller does not intend to sell, which advertising is accompanied by one or more of the following practices:

- a. refusal to show the subject of a consumer transaction advertised,
- b. disparagement of the advertised subject of a consumer transaction or the terms of sale,
- c. requiring undisclosed tie-in sales or other undisclosed conditions to be met prior to selling the advertised subject of a consumer transaction,
- d. refusal to take orders for the subject of a consumer transaction advertised for delivery within a reasonable time,
- e. showing or demonstrating defective subject of a consumer transaction which the seller knows is unusable or impracticable for the purpose set forth in the advertisement,
- f. accepting a deposit for the subject of a consumer transaction and subsequently charging the buyer for a higher priced item, or
- g. willful failure to make deliveries of the subject of a consumer transaction within a reasonable time or to make a refund therefor upon the request of the purchaser;

14. Conducts a closing out sale without having first obtained a license as required in the Oklahoma Consumer Protection Act;

15. Resumes the business for which the closing out sale was conducted within thirty-six (36) months from the expiration date of the closing out sale license;

16. Falsely states, knowingly or with reason to know, that services, replacements or repairs are needed;

17. Violates any provision of the Oklahoma Health Spa Act;

18. Violates any provision of the Home Repair Fraud Act;
19. Violates any provision of the Consumer Disclosure of Prizes and Gifts Act;
20. Violates any provision of Section 755.1 of this title or Section 1847a of Title 21 of the Oklahoma Statutes;
21. Commits an unfair or deceptive trade practice as defined in Section 752 of this title;
22. Violates any provision of Section 169.1 of Title 8 of the Oklahoma Statutes in fraudulently or intentionally failing or refusing to honor the contract to provide certain cemetery services specified in the contract entered into pursuant to the Perpetual Care Fund Act;
23. Misrepresents a mail solicitation as an invoice or as a billing statement;
24. Offers to purchase a mineral or royalty interest through an offer that resembles an oil and gas lease and that the consumer believed was an oil and gas lease;
25. Refuses to honor gift certificates, warranties, or any other merchandise offered by a person in a consumer transaction executed prior to the closing of the business of the person without providing a purchaser a means of redeeming such merchandise or ensuring the warranties offered will be honored by another person;
26. Knowingly causes a charge to be made by any billing method to a consumer for services which the person knows was not authorized in advance by the consumer;
27. Knowingly causes a charge to be made by any billing method to a consumer for a product or products which the person knows was not authorized in advance by the consumer;
28. Violates Section 752A of this title;
29. Makes deceptive use of another's name in notification or solicitation, as defined in Section 752 of this title;
30. Falsely states or implies that any person, product or service is recommended or endorsed by a named third person;

31. Falsely states that information about the consumer, including but not limited to, the name, address or phone number of the consumer has been provided by a third person, whether that person is named or unnamed;

32. Acting as a debt collector, contacts a debtor and threatens to file a suit against the debtor over a debt barred by the statute of limitations which has passed for filing suit for such debt; or

33. Acting as a debt collector, contacts a debtor and uses obscene or profane language to collect a debt.

SECTION 347. AMENDATORY 15 O.S. 2021, Section 761.1, is amended to read as follows:

Section 761.1. A. The commission of any act or practice declared to be a violation of the Consumer Protection Act shall render the violator liable to the aggrieved consumer for the payment of actual damages sustained by the customer and costs of litigation including reasonable attorney's fees, and the aggrieved consumer shall have a private right of action for damages, including but not limited to, costs and attorney's fees. In any private action for damages for a violation of the Consumer Protection Act the court shall, subsequent to adjudication on the merits and upon motion of the prevailing party, determine whether a claim or defense asserted in the action by a nonprevailing party was asserted in bad faith, was not well grounded in fact, or was unwarranted by existing law or a good faith argument for the extension, modification, or reversal of existing law. Upon so finding, the court shall enter a judgment ordering such nonprevailing party to reimburse the prevailing party an amount not to exceed Ten Thousand Dollars (\$10,000.00) for reasonable costs, including attorney's fees, incurred with respect to such claim or defense.

B. The commission of any act or practice declared to be a violation of the Consumer Protection Act, if such act or practice is also found to be unconscionable, shall render the violator liable to the aggrieved customer for the payment of a civil penalty, recoverable in an individual action only, in a sum set by the court of not more than Two Thousand Dollars (\$2,000.00) for each violation. In determining whether an act or practice is unconscionable the following circumstances shall be taken into consideration by the court: (1) whether the violator knowingly or with reason to know, took advantage of a consumer reasonably unable

to protect his or her interests because of his or her age, physical infirmity, ignorance, illiteracy, inability to understand the language of an agreement or similar factor; (2) whether, at the time the consumer transaction was entered into, the violator knew or had reason to know that price grossly exceeded the price at which similar property or services were readily obtainable in similar transactions by like consumers; (3) whether, at the time the consumer transaction was entered into, the violator knew or had reason to know that there was no reasonable probability of payment of the obligation in full by the consumer; (4) whether the violator knew or had reason to know that the transaction he or she induced the consumer to enter into was excessively one-sided in favor of the violator.

C. Any person who is found to be in violation of the Oklahoma Consumer Protection Act in a civil action or who willfully violates the terms of any injunction or court order issued pursuant to the Consumer Protection Act shall forfeit and pay a civil penalty of not more than Ten Thousand Dollars (\$10,000.00) per violation, in addition to other penalties that may be imposed by the court, as the court shall deem necessary and proper. For the purposes of this section, the district court issuing an injunction shall retain jurisdiction, and in such cases, the Attorney General, acting in the name of the state, or a district attorney may petition for recovery of civil penalties.

D. In administering and pursuing actions under this act, the Attorney General and a district attorney are authorized to sue for and collect reasonable expenses, attorney's fees, and investigation fees as determined by the court. Civil penalties or contempt penalties sued for and recovered by the Attorney General or a district attorney shall be used for the furtherance of their duties and activities under the Consumer Protection Act.

E. In addition to other penalties imposed by the Oklahoma Consumer Protection Act, any person convicted in a criminal proceeding of violating the Oklahoma Consumer Protection Act shall be guilty of a ~~misdemeanor for the first offense and upon conviction thereof shall be subject to a fine not to exceed One Thousand Dollars (\$1,000.00), or imprisonment in the county jail for not more than one (1) year, or both such fine and imprisonment. If the value of the money, property or valuable thing referred to in this section is Five Hundred Dollars (\$500.00) or more or if the conviction is for a second or subsequent violation of the provisions of the Oklahoma Consumer Protection Act, any person convicted pursuant to~~

~~this subsection shall be deemed guilty of a D1 felony offense and shall be subject to imprisonment in the State Penitentiary, for not more than ten (10) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.~~

SECTION 348. AMENDATORY 15 O.S. 2021, Section 765.3, is amended to read as follows:

Section 765.3. A. A person commits the offense of home repair fraud if the person knowingly or with reason to know:

1. ~~enters~~ Enters into a consumer transaction for home repair and knowingly or with reason to know:

- a. misrepresents a material fact relating to the terms of the consumer transaction or the preexisting or existing condition of any portion of the property involved, or creates or confirms an impression of the consumer which is false and which the violator does not believe to be true, or promises performance which the violator does not intend to perform or knows will not be performed~~+~~; or
- b. uses or employs any deception, false pretense or false promises in order to induce, encourage or solicit such consumer to enter into any consumer transaction~~+~~; or
- c. requires payment for the home repair at a price which unreasonably exceeds the value of the services and materials needed for the home repair;

2. ~~damages~~ Damages the property of a person with the intent to enter into a consumer transaction for home repair; or

3. ~~misrepresents~~ Misrepresents himself or another to be an employee or agent of any unit of the federal, state, county, or municipal government, or an employee or agent of any public utility, with the intent to cause a person to enter into, with himself or another, any consumer transaction for home repair.

B. Any person convicted in a criminal proceeding of violating the Home Repair Fraud Act shall be guilty of a Class D1 felony offense and shall be subject to imprisonment as provided for in

subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 349. AMENDATORY 15 O.S. 2021, Section 767, is amended to read as follows:

Section 767. A. It shall be unlawful and deemed a Class D1 felony offense for any person to advertise or conduct a closing out sale unless a license is first obtained to conduct such sale. Any applicant for a closing out sale license shall file an application in writing and under oath with the clerk of the district court, on an application form prescribed by the Attorney General. The application form shall contain the following information, and such other information as the Attorney General may require:

1. The name and address of the owner of the goods, wares, or merchandise to be sold;
2. A description of the place of business where the sale is to be held;
3. The name and address of the person holding or conducting the sale;
4. The nature of the occupancy of the place where the sale is to be held, whether by lease or otherwise, and the effective date of termination of the occupancy;
5. A full and complete statement of the facts regarding the proposed sale, including the reason the sale is being conducted, the manner in which the sale will be conducted, and the commencement and termination date of the sale; and
6. A complete and detailed inventory of the goods, wares, and merchandise to be offered at the sale as disclosed by the records of the applicant or a statement of both the cost and retail value of the inventory of goods, wares, and merchandise to be offered at the sale, based on the physical inventory used for the most recent federal income tax returns adjusted for sales, purchases, and markdowns of the applicant. Adjustments for sales, purchases, and markdowns shall be shown on a monthly basis to the date of the application.

Any person who advertises or conducts a closing out sale without first obtaining a license to conduct such sale shall, upon

conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. Each application shall be accompanied by an affidavit signed by the applicant attesting to the facts in the application.

C. A fee of Twenty-five Dollars (\$25.00) shall be charged by the clerk of the district court for the issuance of a license.

D. Any person making a false statement in the application, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 350. AMENDATORY 15 O.S. 2021, Section 776.1, is amended to read as follows:

Section 776.1. A. It shall be unlawful for a person to initiate an electronic mail message that the sender knows, or has reason to know:

1. Misrepresents any information in identifying the point of origin or the transmission path of the electronic mail message;

2. Does not contain information identifying the point of origin or the transmission path of the electronic mail message;

3. Contains false, malicious, or misleading information which purposely or negligently injures a person;

4. Falsely represents that it is being sent by a legitimate online business;

5. Refers or links the recipient of the message to a web page that is represented as being associated with a legitimate online business with the intent to engage in conduct involving the fraudulent use or possession of identifying information; or

6. Directly or indirectly induces, requests, or solicits the recipient of the electronic mail message to provide identifying information for a purpose the recipient believes is legitimate.

B. Any person violating the provisions of this section shall be subject to a civil penalty of up to Five Hundred Dollars (\$500.00).

C. All acts and practices declared to be unlawful by subsections A and E of this section shall, in addition, be violations of the Oklahoma Consumer Protection Act.

D. For purposes of this section, an electronic mail message which is declared to be unlawful by subsection A of this section shall be considered a fraudulent electronic mail message or a fraudulent bulk electronic mail message and shall be deemed a Class D1 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

E. It shall be unlawful for any person to sell, give, or otherwise distribute or possess with the intent to sell, give or distribute software which:

1. Is primarily designed or produced for the purpose of facilitating or enabling the falsification of electronic mail transmission information or other routing information;

2. Has only limited commercially significant purpose or use other than to facilitate or enable the falsification of electronic mail transmission information or other routing information; or

3. Is marketed by that person or another acting in concert with that person and with that person's knowledge for use in facilitating or enabling the falsification of electronic mail transmission information or other routing information.

Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 351. AMENDATORY 15 O.S. 2021, Section 776.6, is amended to read as follows:

Section 776.6. A. It shall be a violation of this act and deemed a Class D1 felony offense for any person to transmit a commercial electronic mail message that:

1. Falsifies electronic mail transmission information or other routing information for the unsolicited commercial electronic message; or

2. Contains false or misleading information in the subject line.

B. It shall be a violation of this act and deemed a Class D1 felony offense for any person that sends a commercial electronic mail message to use a third party's ~~internet~~ Internet address or domain name without the third party's consent for the purpose of transmitting electronic mail in a way that makes it appear that the third party was the sender of such mail.

C. It shall be a violation of this act and deemed a Class D1 felony offense for any person that sends an unsolicited commercial electronic mail message to fail to use the exact characters "ADV:" as the first four characters in the subject line of an unsolicited commercial electronic mail message.

D. It shall be a violation of this act and deemed a Class D1 felony offense for any person that sends an unsolicited commercial electronic mail message containing sexually explicit material, or advertising sexually explicit goods or services, to fail to use the exact characters "ADV-ADULT:" as the first ten characters in the subject line of such an unsolicited commercial electronic mail message.

E. It shall be a violation of this act and deemed a Class D1 felony offense for any person that sends an unsolicited commercial electronic mail message to fail to provide a mechanism allowing recipients to easily and at no cost remove themselves from the sender's electronic mail address lists so they are not included in future mailings. A sender of an unsolicited commercial electronic mail message shall remove the recipient from their electronic mail message list if the sender receives an electronic mail message from the recipient to the sender-operated return electronic mail address that indicates anywhere in the subject line or text that the recipient wants their name removed from the list of the sender.

F. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 352. AMENDATORY 17 O.S. 2021, Section 16, is amended to read as follows:

Section 16. Any person who shall conceal, destroy, or mutilate or attempt to conceal, destroy, or mutilate any records, books, or files of any corporation transacting business in this state for the purpose of defeating, hindering or delaying any investigation, prosecution or suit at law or equity, or any cause of action in any vested rights of any citizen of this state, shall be deemed guilty of a Class D1 felony offense, and upon conviction thereof shall be punished by imprisonment ~~in the State Penitentiary for not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 353. AMENDATORY 18 O.S. 2021, Section 411, is amended to read as follows:

Section 411. Thirty (30) days after the passage and approval of this bill, all chambers of commerce, commercial clubs, or any such associations organized and doing business in this state as is commonly done by such associations shall make a report to their entire membership, setting forth and itemizing their receipts and disbursements for the year ending at the date of the passage and approval of this bill, and shall thereafter make a like report each year ending June 30th.

Every committee or individual who solicits or receives any funds from the public for such associations herein named shall make a full itemized report of all receipts and disbursements thereof. The report shall be filed with the city clerk where the committee or person soliciting such fund resides, or where the funds were collected; provided, that any person or committee who diverts the funds so collected from the purposes for which they were solicited or collected shall be guilty of a Class D1 felony offense and on conviction therefor shall be punished by confinement ~~in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 354. AMENDATORY 18 O.S. 2021, Section 553.1, is amended to read as follows:

Section 553.1. It shall be unlawful and deemed a Class D1 felony offense for any person, organization, group, association, partnership, corporation, or combination thereof, to conduct or carry on any drive for, or to solicit or invite, contributions of funds for the purpose of or under the guise or representation or

promise of being able to secure old age or other assistance for any person, under any state or federal law, or of securing for such person or persons higher or additional assistance.

SECTION 355. AMENDATORY 18 O.S. 2021, Section 553.3, is amended to read as follows:

Section 553.3. Any violation of the provisions of Sections 553.1 and 553.2 of this title shall constitute a Class D1 felony offense and any person guilty thereof shall, upon conviction, be fined not more than Ten Thousand Dollars (\$10,000.00) ~~and may, or be confined in the State Penitentiary for a period of not to exceed ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. Any such prohibited communication by any agent or servant of a corporation shall subject such corporation to the fine above specified in addition to whatever penalty is imposed upon such agent or servant. Any corporation may be enjoined in the manner provided in Section 12, Chapter 70, Title 21, Page 193, Oklahoma Session Laws 1955, when any of the conditions herein set forth are found to exist with respect to a violation of this act, or it may be subject to the cancellation therein specified.

SECTION 356. AMENDATORY 19 O.S. 2021, Section 90, is amended to read as follows:

Section 90. Any city, town or place being a candidate for the location of any county seat in any such election may appoint and designate one qualified elector in any precinct or voting place to act as challenger at such precinct; and may appoint and designate one poll book holder and one special watcher in any such precinct or voting place: Provided, that the challenger, poll book holder and watcher shall perform duties as provided by law governing any general election. Any such city, town or place may appoint in writing by, the mayor or president of the board of trustees thereof or the president of the organization representing such place one qualified elector of the county for each precinct who shall have the right to be present in the room where the election is held at the precinct to which such person is assigned, and during all the time of the receipt and counting of the tickets or ballots, and until the vote is fully canvassed by such election officers, and the returns certified by the inspector, judges and clerks, and to whom the inspector, judges and clerks shall deliver a certificate, signed by each of them, of the vote received at said election by each candidate, and the refusal of any such inspector, judge or clerk, or

other person to extend and enforce the right herein granted, shall constitute a Class D1 felony offense and shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes. Such person shall deliver such written appointment to the special election commissioner of such election in proof of his authority to represent his town as aforesaid at such election.

SECTION 357. AMENDATORY 19 O.S. 2021, Section 91, is amended to read as follows:

Section 91. Any election officer who shall be appointed or commissioned under the provisions of this article or the laws of Oklahoma, and who shall knowingly and willfully fail or refuse to perform the duties required of him, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 358. AMENDATORY 19 O.S. 2021, Section 686, is amended to read as follows:

Section 686. Any official or employee thereof or any member or employee of any county board or county commission who shall fail, neglect or refuse to comply with the requirements of Section 682 of this title, or any other provision of this act, shall forfeit and pay to the use of the county the sum of Ten Dollars (\$10.00) per day for each and every day that he shall so fail, neglect or refuse to comply with the requirements of said act, and shall forfeit and be removed from office; and, any such official who shall issue, sign, attest or utter any false or illegal voucher against any monies deposited, as in this act provided, shall be liable to the county on his official bond for a sum double in amount of any such illegal or fraudulent voucher, and shall be guilty of a Class D1 felony offense and upon conviction thereof shall be punished by a fine in a sum of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 359. AMENDATORY 21 O.S. 2021, Section 318, is amended to read as follows:

Section 318. ~~No~~ It shall be unlawful and deemed a Class D1 felony offense for any person, firm, or member of a firm, corporation, or association shall to give or offer any money, position or thing of value to any member of the State Legislature to influence him to work or to vote for any proposition, ~~nor~~ and shall be unlawful for any member of the State Legislature to accept any money, position, promise, or reward or thing of value for his work or vote upon any bill, resolution or measure before either house of the Legislature.

SECTION 360. AMENDATORY 21 O.S. 2021, Section 320, is amended to read as follows:

Section 320. Any person or member of any firm, corporation or association violating the provisions of Section 318 of this title shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for not less than two (2) years nor more than five (5) years as provided for in subsections B through F of Section 20N of this title, and by a fine in the sum of not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00).

SECTION 361. AMENDATORY 21 O.S. 2021, Section 321, is amended to read as follows:

Section 321. It shall be unlawful and deemed a Class D1 felony offense for any member of the Legislature of Oklahoma to solicit, receive or accept any money or thing of value either directly or through another person for soliciting or securing employment of or for another person from any department or institution of the state, where the said department or institution is supported in whole or in part from revenues levied pursuant to law or appropriations made by the Legislature.

SECTION 362. AMENDATORY 21 O.S. 2021, Section 322, is amended to read as follows:

Section 322. Any member of the Legislature who shall violate the provisions of Section 321 of this title shall be guilty of a Class D1 felony offense, and upon conviction shall be fined in any sum not less than One Hundred Dollars (\$100.00) nor to exceed One Thousand Dollars (\$1,000.00), and be sentenced to ~~the State Penitentiary for a term not less than one (1) year nor to exceed five (5) years~~ a term of incarceration as provided for in

subsections B through F of Section 20N of this title, and, in addition thereto, the member shall forfeit office.

SECTION 363. AMENDATORY 21 O.S. 2021, Section 334, is amended to read as follows:

Section 334. No person may retain or employ a lobbyist, as defined in Section 4249 of Title 74 of the Oklahoma Statutes, for compensation contingent in whole or in part on the passage or defeat of any official action or the approval or veto of any legislation, issuance of an executive order or approval or denial of a pardon or parole by the Governor. No lobbyist may accept any employment or render any service for compensation contingent on the passage or defeat of any legislation or the approval or veto of any legislation by the Governor. Any person convicted of violating the provisions of this section shall be guilty of a Class D1 felony offense punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary not exceeding two (2) years as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment.

SECTION 364. AMENDATORY 21 O.S. 2021, Section 355, is amended to read as follows:

Section 355. A. It shall be unlawful and deemed a Class D1 felony offense for any member of any board of county commissioners, city council or other governing body of any city, board of trustees of any town, board of directors of any township, board of education of any city or school district, to furnish, for a consideration any material or supplies for the use of the county, city, town, township, or school district.

B. The provisions of this section shall not apply to those municipal officers who are subject to Section 8-113 of Title 11 of the Oklahoma Statutes or to a member of any board of education of a school district in this state which does not include any part of a municipality with a population greater than two thousand five hundred (2,500) according to the latest Federal Decennial Census when the board member is the only person who furnishes the material or supplies within ten (10) miles of the corporate limits of the municipality. However, any activities permitted by this subsection shall not exceed Five Hundred Dollars (\$500.00) for any single activity and shall not exceed Two Thousand Five Hundred Dollars (\$2,500.00) for all activities in any calendar year.

C. It shall not be unlawful for any member of any board of county commissioners, city council or other governing body of any city, board of trustees of any town, board of directors of any township, or board of education of any school district to vote to purchase materials or supplies from a business that employs a member of the governing body or employs the spouse of a member if the member or the spouse of a member has an interest in the business of five percent (5%) or less.

SECTION 365. AMENDATORY 21 O.S. 2021, Section 357, is amended to read as follows:

Section 357. Any member of any public body, such as is specified in Section 355 of this title, who shall be a party to any such contract or purchase therein declared unlawful, or who shall receive any money, warrant, certificate, or other consideration thereunder, or who shall vote for or assent to any such contract or purchase, shall be guilty of a Class D1 felony offense punishable by a fine of not less than Fifty Dollars (\$50.00), and imprisonment ~~in the county jail not less than thirty (30) days, or by a fine of not more than Five Hundred Dollars (\$500.00), with imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title.~~

SECTION 366. AMENDATORY 21 O.S. 2021, Section 358, is amended to read as follows:

Section 358. A. It shall be unlawful and deemed a Class D1 felony offense for any person, firm, corporation, association or agency to make, present, or cause to be presented to any employee or officer of the State of Oklahoma, or to any department or agency thereof, any false, fictitious or fraudulent claim for payment of public funds upon or against the State of Oklahoma, or any department or agency thereof, knowing such claim to be false, fictitious or fraudulent. A violation of this subsection shall be punished as provided in subsection A of Section 359 of this title.

B. It shall be unlawful for any person applying for employment with the State of Oklahoma to make a materially false, fictitious or fraudulent statement or representation on an employment application, knowing such statement or representation to be materially false, fictitious or fraudulent. A violation of this subsection shall be punished as provided in subsection B of Section 359 of this title.

SECTION 367. AMENDATORY 21 O.S. 2021, Section 359, is amended to read as follows:

Section 359. A. Any person, firm, corporation, association or agency found guilty of violating subsection A of Section 358 of this title shall be guilty of a Class D1 felony offense punishable by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the custody of the Department of Corrections for a term not exceeding two (2) years~~ as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment.

B. Any person found guilty of violating subsection B of Section 358 of this title shall be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term not exceeding one (1) year, or by both such fine and imprisonment.

SECTION 368. AMENDATORY 21 O.S. 2021, Section 381, is amended to read as follows:

Section 381. Whoever corruptly gives, offers, or promises to any executive, legislative, county, municipal, judicial, or other public officer, or any employee of the State of Oklahoma or any political subdivision thereof, including peace officers and any other law enforcement officer, or any person assuming to act as such officer, after his election or appointment, either before or after he has qualified or has taken his seat, any gift or gratuity whatever, with intent to influence his act, vote, opinion, decision, or judgment on any matter, question, cause, or proceeding which then may be pending, or may by law come or be brought before him in his official capacity, or as a consideration for any speech, work, or service in connection therewith, shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Three Thousand Dollars (\$3,000.00) and imprisonment in jail not exceeding one (1) year.

SECTION 369. AMENDATORY 21 O.S. 2021, Section 399, is amended to read as follows:

Section 399. Whoever corruptly gives, offers or promises any gift, gratuity or thing of value to any player, participant, coach, referee, umpire, official or any other person having authority in

connection with the conducting of any amateur or professional athletic contest with the intent to influence the action, conduct, judgment, or decision of any such person in, or in connection with, such contest, or as a consideration for such person acting, playing or performing his functions in any such contest, in any manner calculated to affect the result thereof, or in consideration of such person failing to participate or engage in such contest, shall be deemed guilty of bribery, and upon conviction shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for not to exceed five (5) years, as provided for in subsections B through F of Section 20N of this title, or by a fine of not to exceed Three Thousand Dollars (\$3,000.00) and imprisonment in the county jail for not to exceed one (1) year.

SECTION 370. AMENDATORY 21 O.S. 2021, Section 425, is amended to read as follows:

Section 425. A. Any person who engages in a pattern of criminal offenses in two or more counties in this state or who attempts or conspires with others to engage in a pattern of criminal offenses shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the Department of Corrections for a term not exceeding two (2) years, or imprisonment in the county jail for a term not exceeding one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine in an amount not more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment. Such punishment shall be in addition to any penalty imposed for any offense involved in the pattern of criminal offenses. Double jeopardy shall attach upon conviction.

B. For purposes of this act, "pattern of criminal offenses" means:

1. Two or more criminal offenses are committed that are part of the same plan, scheme, or adventure; or

2. A sequence of two or more of the same criminal offenses are committed and are not separated by an interval of more than thirty (30) days between the first and second offense, the second and third, and so on; or

3. Two or more criminal offenses are committed, each proceeding from or having as an antecedent element a single prior incident or pattern of fraud, robbery, burglary, theft, identity theft, receipt

of stolen property, false personation, false pretenses, obtaining property by trick or deception, taking a credit or debit card without consent, or the making, transferring or receiving of a false or fraudulent identification card.

C. Jurisdiction and venue for a pattern of criminal offenses occurring in multiple counties in this state shall be determined as provided in Section 1 of this act.

SECTION 371. AMENDATORY 21 O.S. 2021, Section 443, is amended to read as follows:

Section 443. A. Any person having been imprisoned in a county or city jail awaiting charges on a felony offense or prisoner awaiting trial or having been sentenced on a felony charge to the custody of the Department of Corrections or any other prisoner having been lawfully detained who escapes from a county or city jail, either while actually confined therein, while permitted to be at large as a trusty, or while awaiting transportation to a Department of Corrections facility for execution of sentence, shall be guilty of a Class D1 felony offense punishable by imprisonment of not less than one (1) year nor more than seven (7) years as provided for in subsections B through F of Section 20N of this title.

B. Any person who is an inmate in the custody of the Department of Corrections who escapes from said custody, either while actually confined in a correctional facility, while assigned to an alternative to incarceration authorized by law, while assigned to the Preparole Conditional Supervision Program as authorized by Section 365 of Title 57 of the Oklahoma Statutes or while permitted to be at large as a trusty, shall be guilty of a Class D1 felony offense punishable by imprisonment of not less than two (2) years nor more than seven (7) years as provided for in subsections B through F of Section 20N of this title.

C. For the purposes of this section, an inmate assigned to an alternative to incarceration authorized by law or to the Preparole Conditional Supervision Program shall be considered to have escaped if the inmate cannot be located within a twenty-four hour period or if he or she fails to report to a correctional facility or institution, as directed. This includes any person escaping by absconding from an electronic monitoring device or absconding after removing an electronic monitoring device from their body.

D. For the purposes of this section, if the individual who escapes has felony convictions for offenses other than the offense for which the person was serving imprisonment at the time of the escape, those previous felony convictions may be used for enhancement of punishment pursuant to the provisions of Section 434 of this title. The fact that any such convictions may have been used to enhance punishment in the sentence for the offense for which the person was imprisoned at the time of the escape shall not prevent such convictions from being used to enhance punishment for the escape.

E. Any juvenile or youthful offender lawfully placed in a juvenile detention facility or secure juvenile facility, other than a community intervention center, who escapes from the facility while actually confined therein, who escapes while escorted by a transportation officer, or who escapes while permitted to be on an authorized pass or work program outside the facility shall be guilty of a Class D1 felony offense punishable by imprisonment for not less than one (1) year nor more than three (3) years as provided for in subsections B through F of Section 20N of this title. For purposes of this subsection:

1. A juvenile or youthful offender permitted to be on an authorized pass or work program shall be considered to have escaped if the juvenile or youthful offender cannot be located within a twenty-four-hour period or if the juvenile or youthful offender fails to report to the facility at the specified time, and shall include any juvenile or youthful offender escaping by absconding from an electronic monitoring device or absconding after removing an electronic monitoring device from the body of the juvenile or youthful offender; and

2. "Escape" means a juvenile or youthful offender in lawful custody who has absented himself or herself without official permission from a facility or secure placement, during transport to or from such facility, or failure to return from a pass issued by a facility.

SECTION 372. AMENDATORY 21 O.S. 2021, Section 445, is amended to read as follows:

Section 445. Any person who willfully gains unauthorized entry into any state penal institution, jail, any place where prisoners are located, or the penal institution grounds, upon conviction, shall be guilty of a Class D1 felony offense punishable by

~~imprisonment in the State Penitentiary for not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of this title, or by the imposition of a fine of not less than Five Hundred Dollars (\$500.00) or more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.~~

SECTION 373. AMENDATORY 21 O.S. 2021, Section 453, is amended to read as follows:

Section 453. Any person guilty of falsely preparing any book, paper, record, instrument in writing, or other matter or thing, with intent to produce it, or allow it to be produced as genuine upon any trial, proceeding or inquiry whatever, authorized by law, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 374. AMENDATORY 21 O.S. 2021, Section 456, is amended to read as follows:

Section 456. Any person who gives or offers or promises to give to any witness or person about to be called as a witness in any matter whatever, including contests before United States land officers or townsite commissioners, any bribe upon any understanding or agreement that the testimony of such witness shall be influenced, or who attempts by any other means fraudulently to induce any witness to give false testimony shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title, but if the offer, promise, or bribe is in any way to induce the witness to swear falsely, then it shall be held to be subornation of perjury.

SECTION 375. AMENDATORY 21 O.S. 2021, Section 461, is amended to read as follows:

Section 461. Any clerk, register or other officer having the custody of any record, maps or book, or of any paper or proceeding of any court of justice, filed or deposited in any public office, who is guilty of stealing, willfully destroying, mutilating, defacing, altering or falsifying or unlawfully removing or secreting such record, map, book, paper or proceeding, or who permits any other person so to do, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section

20N of this title, and in addition thereto, such person shall forfeit office.

SECTION 376. AMENDATORY 21 O.S. 2021, Section 462, is amended to read as follows:

Section 462. Any person not an officer such as is mentioned in Section 461 of this title, who is guilty of any of the acts specified in that section shall be guilty of a Class D1 felony offense, punishable by imprisonment ~~in the State Penitentiary not exceeding five (5) years, or in a county jail not exceeding one (1) year~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 377. AMENDATORY 21 O.S. 2021, Section 463, is amended to read as follows:

Section 463. Any person who knowingly procures or offers any false or forged instrument to be filed, registered, or recorded in any public office within this state, which instrument, if genuine, might be filed or registered or recorded under any law of this state or of the United States, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 378. AMENDATORY 21 O.S. 2021, Section 491, is amended to read as follows:

Section 491. Whoever, in a trial, hearing, investigation, deposition, certification or declaration, in which the making or subscribing of a statement is required or authorized by law, makes or subscribes a statement under oath, affirmation or other legally binding assertion that the statement is true, when in fact the witness or declarant does not believe that the statement is true or knows that it is not true or intends thereby to avoid or obstruct the ascertainment of the truth, is guilty of perjury, a Class D1 felony offense. It shall be a defense to the charge of perjury as defined in this section that the statement is true.

SECTION 379. AMENDATORY 21 O.S. 2021, Section 496, is amended to read as follows:

Section 496. Whoever, in one or more trials, hearings, investigations, depositions, certifications or declarations, in

which the making or subscribing of statements is required or authorized by law, makes or subscribes two or more statements under oath, affirmation or other legally binding assertion that the statements are true, when in fact two or more of the statements contradict each other, is guilty of perjury, a Class D1 felony offense.

SECTION 380. AMENDATORY 21 O.S. 2021, Section 500, is amended to read as follows:

Section 500. Perjury is a Class D1 felony offense punishable by imprisonment ~~in the State Penitentiary as follows:~~

~~1. When committed on the trial of an indictment for felony, by imprisonment not less than two (2) years nor more than twenty (20) years;~~

~~2. When committed on any other trial proceeding in a court of justice, by imprisonment for not less than one (1) year nor more than ten (10) years; and~~

~~3. In all other cases by imprisonment not more than five (5) years as provided for in subsections B through F of Section 20N of this title.~~

SECTION 381. AMENDATORY 21 O.S. 2021, Section 504, is amended to read as follows:

Section 504. Whoever procures another to commit perjury is guilty of perjury by subornation. Perjury by subornation is a Class D1 felony offense, punishable as provided in Section 505 of this title. Whoever does any act with the specific intent to commit perjury by subornation but fails to complete that offense is guilty of attempted perjury by subornation.

SECTION 382. AMENDATORY 21 O.S. 2021, Section 505, is amended to read as follows:

Section 505. Any person guilty of subornation of perjury is punishable in the same manner as he would be if personally, upon conviction, guilty of the perjury so procured a Class D1 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 383. AMENDATORY 21 O.S. 2021, Section 531, is amended to read as follows:

Section 531. Any sheriff, coroner, clerk of a court, constable or other ministerial officer, and every deputy or subordinate of any ministerial officer, who mutilates, destroys, conceals, erases, obliterates or falsifies any record or paper appertaining to his office shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 384. AMENDATORY 21 O.S. 2021, Section 540C, is amended to read as follows:

Section 540C. A. It shall be unlawful for any person to willfully fortify an access point into any dwelling, structure, building or other place where a felony offense prohibited by the Uniform Controlled Dangerous Substances Act is being committed, or attempted, and the fortification is for the purpose of preventing or delaying entry or access by a law enforcement officer, or to harm or injure a law enforcement officer in the performance of official duties.

B. For purposes of this section, "fortify an access point" means to willfully construct, install, position, use or hold any material or device designed to injure a person upon entry or to strengthen, defend, restrict or obstruct any door, window or other opening into a dwelling, structure, building or other place to any extent beyond the security provided by a commercial alarm system, lock or deadbolt, or a combination of alarm, lock or deadbolt.

C. Any person violating the provisions of this section shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not more than five (5) years as provided for in subsections B through F of Section 20N of this title, or by a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

SECTION 385. AMENDATORY 21 O.S. 2021, Section 543, is amended to read as follows:

Section 543. Any person who, having knowledge of the actual commission of a crime or violation of statute, takes any money or property of another, or any gratuity or reward, or any engagement or

promise therefor, upon any agreement or understanding, express or implied, to compound or conceal such crime, or violation of statute, or to abstain from any prosecution therefor, or to withhold any evidence thereof, is punishable as follows:

1. By imprisonment for a Class D1 felony in the State Penitentiary not exceeding five (5) years, or in a county jail not exceeding one (1) year offense as provided for in subsections B through F of Section 20N of this title, if the crime compounded is one punishable either by death or by imprisonment in the State Penitentiary for life;

2. By imprisonment for a Class D1 felony in the State Penitentiary not exceeding three (3) years, or in a county jail not exceeding six (6) months offense as provided for in subsections B through F of Section 20N of this title, if the crime compounded was punishable by imprisonment in the State Penitentiary for any other term than for life; or

3. By imprisonment in a county jail not exceeding one (1) year, or by a fine not exceeding Two Hundred Fifty Dollars (\$250.00), or by both such fine and imprisonment, if the crime or violation of statute compounded is a crime punishable by imprisonment in a county jail, or by fine, or is a misdemeanor, or violation of statute for which a pecuniary or other penalty or forfeiture is prescribed.

SECTION 386. AMENDATORY 21 O.S. 2021, Section 579, is amended to read as follows:

Section 579. Any person to whom an infant has been confided for nursing, education, or any other person, who, with intent to deceive any parent or guardian of such child, substitutes or produces to such parent or guardian another child in the place of the one so confided shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding seven (7) years as provided for in subsections B through F of Section 20N of this title.

SECTION 387. AMENDATORY 21 O.S. 2021, Section 588, is amended to read as follows:

Section 588. If any person, firm or corporation shall knowingly and willfully, by means of any device whatsoever, records or attempts to record the proceedings of any grand or petit jury in any court of the State of Oklahoma while such jury is deliberating or

voting or listens to or observes, or attempts to listen to or observe, the proceedings of any grand or petit jury of which he is not a member in any court of the State of Oklahoma while such jury is deliberating or voting shall be guilty of a Class D1 felony offense and shall be fined not more than One Thousand Dollars (\$1,000.00), or imprisoned not more than two (2) years as provided for in subsections B through F of Section 20N of this title, or both. Provided, however, that nothing in this section shall be construed to prohibit the taking of notes by a grand juror in any court of the State of Oklahoma in connection with and solely for the purpose of assisting him in the performance of his duties as such juror.

SECTION 388. AMENDATORY 21 O.S. 2021, Section 861, is amended to read as follows:

Section 861. Every person who administers to any woman, or who prescribes for any woman, or advises or procures any woman to take any medicine, drug or substance, or uses or employs any instrument, or other means whatever, with intent thereby to procure the miscarriage of such woman, unless the same is necessary to preserve her life, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for not less than two (2) years nor more than five (5) years as provided for in subsections B through F of Section 20N of this title.

SECTION 389. AMENDATORY 21 O.S. 2021, Section 872, is amended to read as follows:

Section 872. Any person guilty of the crime of adultery shall be guilty of a Class D1 felony offense and punished by imprisonment in the State Penitentiary not exceeding five (5) years or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 390. AMENDATORY 21 O.S. 2021, Section 883, is amended to read as follows:

Section 883. Any person guilty of bigamy shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title.

SECTION 391. AMENDATORY 21 O.S. 2021, Section 884, is amended to read as follows:

Section 884. Any person who knowingly marries the husband or wife of another, in any case in which such husband or wife would be punishable according to the foregoing provisions, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 392. AMENDATORY 21 O.S. 2021, Section 954, is amended to read as follows:

Section 954. Any person who deals, plays or practices in the State of Oklahoma, or who is in any manner accessory to the dealing, playing or practicing of a swindle known as three-card monte, or any other swindle or confidence game, play or practice, shall be deemed guilty of a Class D1 felony offense and, upon conviction thereof, shall be punished by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or by ~~confinement in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title.

SECTION 393. AMENDATORY 21 O.S. 2021, Section 984, is amended to read as follows:

Section 984. A. Dealing in gambling devices is manufacturing, transferring or possessing with intent to transfer any gambling device or subassembly or essential part thereof.

B. Any person dealing in gambling devices shall be guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of this title, or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

SECTION 394. AMENDATORY 21 O.S. 2021, Section 986, is amended to read as follows:

Section 986. A. Installing communication facilities for gamblers is:

1. Installing communications facilities in a place which the person who installs the facilities knows is a gambling place;

2. Installing communications facilities knowing that they will be used principally for the purpose of transmitting information to be used in making or settling bets; or

3. Knowing that communications facilities are being used principally for the purpose of transmitting information to be used in making or settling bets, allowing their continued use.

B. Any person not an employee of a communications public utility authorized to transact business in this state by the Oklahoma Corporation Commission acting within the scope of his employment, violating subsection A above, who knows or has reason to know said communications facilities will be used in making or settling commercial gambling transactions and installs said facilities with the intent to facilitate said commercial gambling transactions and is found guilty thereof shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~for not more than five (5) years as provided for in subsections B through F of~~ Section 20N of this title, or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

C. When any communications public utility providing telephone communications service is notified in writing by an order of a court of competent jurisdiction, acting within its jurisdiction, that any facility furnished by it is being used principally for the purpose of transmitting or receiving gambling information, it shall discontinue or refuse the leasing, furnishing or maintaining of such facility, after reasonable notice to the subscriber, but no damages, penalty or forfeiture, civil or criminal, shall be found against any such public utility for any act done in compliance with any such court order. Nothing in this section shall be deemed to prejudice the right of any person affected thereby to secure an appropriate determination, as otherwise provided by law, in a court of competent jurisdiction, that such facility should not be discontinued or removed, or should be restored.

SECTION 395. AMENDATORY 21 O.S. 2021, Section 987, is amended to read as follows:

Section 987. A. Dissemination of gambling information is the transmitting or receiving, by means of any communications facilities, information to be used in making or settling bets. Provided that nothing herein shall prohibit a licensed radio or

television station or newspaper of general circulation from broadcasting or disseminating to the public reports of odds or results of legally staged sporting events.

B. Any person found guilty of disseminating gambling information shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~for not more than five (5) years as provided for in subsections B through F of Section 20N of this title,~~ or a fine of not more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

SECTION 396. AMENDATORY 21 O.S. 2021, Section 988, is amended to read as follows:

Section 988. A. A conspiracy is any agreement, combination or common plan or scheme by two or more persons, coupled with an overt act in furtherance of such agreement, combination or common plan or scheme, to violate any section of this act.

B. Any person found guilty of conspiracy shall be guilty of a Class D1 felony offense and shall be punished to the same extent as provided for in the section of this act which such person conspired to violate by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 397. AMENDATORY 21 O.S. 2021, Section 1031, as last amended by Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1031), is amended to read as follows:

Section 1031. A. Except as provided in subsection B, C, D, or E of this section, any person violating any of the provisions of paragraph 1, 2, 3, or 5 of subsection A of Section 1029 or Section 1030 of this title shall, upon conviction, be guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year or by fines as follows: a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00) upon the first conviction for violation of any of such provisions, a fine not more than Five Thousand Dollars (\$5,000.00) upon the second conviction for violation of any of such provisions, and a fine not more than Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or subsequent convictions for violation of any of such provisions, or by both such imprisonment and fine. In addition, the court may require a term of community service not less than forty (40) nor more than eighty (80) hours.

The court in which any such conviction is had shall notify the county superintendent of public health of such conviction.

B. Any person who engages in an act of prostitution with knowledge that he or she is infected with the human immunodeficiency virus shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title.

C. Any person who engages in an act of child prostitution as defined in Section 1030 of this title shall, upon conviction, be guilty of a Class B1 felony offense punishable by imprisonment in the custody of the Department of Corrections for not more than ten (10) years and by fines as follows: a fine not more than Five Thousand Dollars (\$5,000.00) upon the first conviction, a fine not more than Ten Thousand Dollars (\$10,000.00) upon the second conviction, and a fine not more than Fifteen Thousand Dollars (\$15,000.00) upon the third or subsequent convictions.

D. Any person violating any of the provisions of Section 1029 or 1030 of this title within one thousand (1,000) feet of a school or church shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by fines as follows: a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00) upon the first conviction for violation of any of such provisions, a fine not more than Five Thousand Dollars (\$5,000.00) upon the second conviction for violation of any of such provisions, and a fine not more than Seven Thousand Five Hundred Dollars (\$7,500.00) upon the third or subsequent convictions for violation of any of such provisions, or by both such imprisonment and fine. In addition, the court may require a term of community service not less than forty (40) nor more than eighty (80) hours. The court in which any such conviction is had shall notify the county superintendent of public health of such conviction.

E. Any person violating paragraph 4 of subsection A of Section 1029 of this title shall, upon conviction, be guilty of a Class B4 felony offense and shall be punished in accordance with the provisions of subsection B of Section 1040.57 of this title.

SECTION 398. AMENDATORY 21 O.S. 2021, Section 1040.80, as amended by Section 32, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.80), is amended to read as follows:

Section 1040.80. A. As used in this section, the term:

1. "Interactive computer service provider" means any provider to the public of computer access via the Internet to a computer server or similar device used for the storage of graphic, video or images;

2. "Internet" means the international computer network of both federal and nonfederal interoperable packet-switched data networks;

3. "Controlled or owned by" with respect to a server or other storage device means a server or other such device that is entirely owned by the interactive computer service provider or is subject to exclusive management by the interactive computer service provider by agreement or otherwise; and

4. "Child sexual abuse material" means explicit child sexual abuse material as defined in Section 1024.1 of this title.

B. The Attorney General or a law enforcement officer who receives information that an item of alleged child sexual abuse material resides on a server or other storage device controlled or owned by an interactive computer service provider shall:

1. Contact the interactive computer service provider that controls or owns the server or other storage device where the item of alleged child sexual abuse material is located;

2. Inform the interactive computer service provider of the provisions of this section; and

3. Request that the interactive computer service provider voluntarily comply with this section and remove the item of alleged child sexual abuse material from its server or other storage device expeditiously.

C. 1. If an interactive computer service does not voluntarily remove the item of alleged child sexual abuse material in a timely manner, the Attorney General or law enforcement officer shall apply for a court order of authorization to remove the item of alleged child sexual abuse material under this section. The obligation to

remove the item of alleged child sexual abuse material shall not apply to the transmitting or routing of, or the intermediate, temporary storage or caching of an image, information or data that is otherwise subject to this section.

2. The application for a court order shall include:

- a. the authority of the applicant to make such an application,
- b. the identity and qualifications of the investigative or law enforcement officer or agency that, in the official scope of that officer's duties or agency's authority, discovered the images, information, or data,
- c. a particular statement of the facts relied upon by the applicant, including:
 - (1) the identity of the interactive computer service,
 - (2) identification of the item of alleged child sexual abuse material discovered on the server or other storage device controlled or owned by an interactive computer service provider,
 - (3) the particular images, information, or data to be removed or to which access is to be disabled identified by uniform resource locator (URL) or Internet protocol (IP) address, a statement certifying that such content resides on a server or storage device controlled or owned by such interactive computer service provider, and
 - (4) the steps taken to obtain voluntary compliance by such interactive computer service provider with the requirements of this act prior to filing the application,
- d. such additional testimony and documentary evidence in support of the application as the judge may require, and

- e. a showing that there is probable cause to believe that the child sexual abuse material items constitutes a violation of this section.

D. The Attorney General shall notify the interactive computer service provider which is identified in the court's order in accordance with the provisions of this section. The Attorney General shall notify an interactive computer service provider upon the issuance of an order authorizing the removal of the items of alleged child sexual abuse material.

1. The notice by the Attorney General shall include:

- a. a copy of the application made pursuant to subsection C of this section,
- b. a copy of the court order issued pursuant to subsection K of this section,
- c. notification that the interactive computer service shall remove the item of alleged child sexual abuse material contained in the order which resides on a server or other storage device controlled or owned by such interactive service provider and which are accessible to persons located within this state expeditiously after receipt of the notification,
- d. notification of the criminal penalties for failure to remove the item of child sexual abuse material,
- e. notification of the right to appeal the court's order, and
- f. contact information for the Attorney General's Office.

2. An interactive computer service may designate an agent within the state to receive notification pursuant to this section.

E. The interactive computer service provider has the right to request a hearing before the court imposes any penalty under this section.

F. Nothing in this section may be construed as imposing a duty on an interactive computer service provider to actively monitor its

service or affirmatively seek evidence of illegal activity on its service.

G. Notwithstanding any other provision of law to the contrary, any interactive computer service provider that intentionally violates subsection L of this section commits:

1. A misdemeanor for a first offense punishable by a fine of One Thousand Dollars (\$1,000.00);

2. A misdemeanor of a high and aggravated nature for a second offense punishable by a fine of Five Thousand Dollars (\$5,000.00); and

3. A Class D1 felony offense for a third or subsequent offense punishable by a fine of Thirty Thousand Dollars (\$30,000.00) and imprisonment for a maximum of five (5) years.

H. The Attorney General shall have concurrent prosecutorial jurisdiction with a district attorney for violation of this section.

I. The removal of the alleged item of child sexual abuse material which resides on a server or other storage device, shall not, to the extent possible, interfere with any request of a law enforcement agency to preserve records or other evidence, which may be kept by the interactive computer service provider in the normal course of business.

J. Upon consideration of an application for authorization to remove the item of alleged child sexual abuse material that resides on a server or other storage device controlled or owned by an interactive computer service provider as set forth in subsection C of this section, the judge may enter an ex parte order, as requested or as modified, authorizing the removal of the item of alleged child sexual abuse material, if the court determines on the basis of the facts submitted by the applicant that there is or was probable cause for belief that:

1. The item of alleged child sexual abuse material constitutes evidence of an act in violation of this section;

2. The investigative or law enforcement officer or agency acted within the official scope of that officer's duties or agency's authority, in discovering the images, information, or data and has

complied with the requirements of subsection I and subsection K of this section;

3. An item of alleged child sexual abuse material resides on the server or other storage device controlled or owned by the interactive computer service provider and is accessible to persons located in the state; and

4. In the case of an application, other than a renewal or extension, for an order removing the item of alleged child sexual abuse material which was the subject of a previous order authorizing the removal or disabling of access, the application is based upon new evidence or information different from and in addition to the evidence or information offered to support the prior order.

K. Each order authorizing the removal or disabling of access to an alleged item of child sexual abuse material shall contain:

1. The name of the judge authorized to issue the order;

2. A particular description of the images, information, or data to be removed or access to such disabled, identified by a URL or IP address, and a statement of the particular violation of the section to which the images, information, or data relate;

3. The identity of the investigative or law enforcement officer or agency who discovered the images, information, or data and the identity of whoever authorized the application; and

4. Such additional information or instruction as the court deems necessary to execute the order.

L. The court shall review the application and testimony, if offered, and, upon a finding of probable cause, issue an order that:

1. An item of child sexual abuse material resides on a server or other storage device controlled by the interactive computer service provider and is accessible to persons located in the state;

2. The interactive computer service provider shall remove the item residing on a server or other storage device controlled or owned by the interactive computer service provider expeditiously after receiving the order, if practical;

3. The order shall specify that removal of any item covered by the order shall be accomplished in a fashion that prevents or minimizes the removal of, or restriction of access to, images, information, or data that are not subject to the order;

4. Failure of the interactive computer service provider to comply with the court's order is a violation of this section;

5. The removal of the item on the server or other storage device controlled or owned by the interactive computer service provider may not unreasonably interfere with a request by a law enforcement agency to preserve records for a reasonable period and in accordance with law; and

6. Provides the interactive computer service provider notice and opportunity for a hearing before the court imposes any penalty under this subsection.

M. An interactive computer service provider who is served with a court order under subsection L of this section shall remove the item of child sexual abuse material that is the subject of the order expeditiously after receiving the court order, if practicable.

N. 1. An interactive service provider may petition the court for relief for cause from an order issued under subsection L of this section.

2. The petition may be based on considerations of:

- a. the cost or technical feasibility of compliance with the order, or
- b. the inability of the interactive computer service provider to comply with the order without also removing data, images or information that are not subject to this section.

SECTION 399. AMENDATORY 21 O.S. 2021, Section 1040.13b, as amended by Section 1, Chapter 214, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.13b), is amended to read as follows:

Section 1040.13b. A. As used in this section:

1. "Image" includes a photograph, film, videotape, digital recording or other depiction or portrayal of an object, including a human body;

2. "Intimate parts" means the fully unclothed, partially unclothed or transparently clothed genitals, pubic area or female adult nipple; and

3. "Sexual act" means sexual intercourse including genital, anal or oral sex.

B. A person commits nonconsensual dissemination of private sexual images when he or she:

1. Intentionally disseminates an image of another person who is engaged in a sexual act or whose intimate parts are exposed, in whole or in part;

2. Obtains the image under circumstances in which a reasonable person would know or understand that the image was to remain private; and

3. Disseminates the image without the effective consent of the depicted person.

C. The provisions of this section shall not apply to the intentional dissemination of an image of another identifiable person who is engaged in a sexual act or whose intimate parts are exposed when:

1. The dissemination is made for the purpose of a criminal investigation that is otherwise lawful;

2. The dissemination is for the purpose of, or in connection with, the reporting of unlawful conduct;

3. The images involve voluntary exposure in public or commercial settings; or

4. The dissemination serves a lawful purpose.

D. Nothing in this section shall be construed to impose liability upon the following entities solely as a result of content or information provided by another person:

1. An interactive computer service, as defined in 47 U.S.C., Section 230(f)(2);

2. A wireless service provider, as defined in Section 332(d) of the Telecommunications Act of 1996, 47 U.S.C., Section 151 et seq., Federal Communications Commission rules, and the Omnibus Budget Reconciliation Act of 1993, Pub. L. No. 103-66; or

3. A telecommunications network or broadband provider.

E. A person convicted under this section is subject to the forfeiture provisions in Section 1040.54 of this title.

F. Any person who violates the provisions of subsection B of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or both such fine and imprisonment.

G. Any person who violates or attempts to violate the provisions of subsection B of this section and who gains or attempts to gain any property or who gains or attempts to gain anything of value as a result of the nonconsensual dissemination or threatened dissemination of private sexual images shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years as provided for in subsections B through F of Section 20N of this title.~~ A second or subsequent violation of this subsection shall be a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for not more than ten (10) years as provided for in subsections B through F of Section 20N of this title~~ and the offender shall be required to register as a sex offender under the Sex Offenders Registration Act.

H. The state shall not have the discretion to file a misdemeanor charge, pursuant to Section 234 of Title 22 of the Oklahoma Statutes, for a violation pursuant to subsection G of this section.

I. The court shall have the authority to order the defendant to remove the disseminated image should the court find it is in the power of the defendant to do so.

J. Nothing in this section shall prohibit the prosecution of a person pursuant to the provisions of Section 1021.2, 1021.3, 1024.1, 1024.2, or 1040.12a of this title or any other applicable statute.

K. Any person who violates the provisions of subsection B of this section by disseminating three or more images within a six-month period shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for not more than ten (10) years as provided for in subsections B through F of Section 20N of this title.

SECTION 400. AMENDATORY 21 O.S. 2021, Section 1125, is amended to read as follows:

Section 1125. A. A zone of safety is hereby created around elementary, junior high and high schools, permitted or licensed child care centers as defined by the Department of Human Services, playgrounds, parks or the residence of a victim of a sex crime.

1. A person is prohibited from loitering within five hundred (500) feet of any elementary, junior high or high school, permitted or licensed child care center, playground, or park if the person has been convicted of a crime that requires the person to register pursuant to the Sex Offenders Registration Act or the person has been convicted of an offense in another jurisdiction, which offense if committed or attempted in this state, would have been punishable as one or more of the offenses listed in Section 582 of Title 57 of the Oklahoma Statutes and the victim was a child under the age of sixteen (16) years.

2. A person is prohibited from entering any park if:

- a. the person has been designated as a habitual or aggravated sex offender as provided in Section 584 of Title 57 of the Oklahoma Statutes, or
- b. the person has been convicted of an offense in another jurisdiction, which offense, if committed or attempted in this state, would designate the person as a habitual or aggravated sex offender as provided in Section 584 of Title 57 of the Oklahoma Statutes.

3. A person is prohibited from loitering within one thousand (1,000) feet of the residence of his or her victim if:

- a. the person who committed a sex crime against the victim has been convicted of said crime, and
- b. the person is required to register pursuant to the Sex Offenders Registration Act.

B. A person convicted of a violation of subsection A of this section shall be guilty of a Class D1 felony offense punishable by a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the county jail for a term of not more than one (1) year as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation of subsection A of this section shall be guilty of a Class D1 felony offense and shall be punished by a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the custody of the Department of Corrections for a term of not less than three (3) years as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment. This proscription of conduct shall not modify or remove any restrictions currently applicable to the person by court order, conditions of probation or as provided by other provision of law.

C. 1. A person shall be exempt from the prohibition of this section regarding a school or a licensed or permitted child care facility only under the following circumstances and limited to a reasonable amount of time to complete such tasks:

- a. the person is the custodial parent or legal guardian of a child who is an enrolled student at the school or child care facility, and
- b. the person is enrolling, delivering or retrieving such child at the school or licensed or permitted child care center during regular school or facility hours or for school-sanctioned or licensed-or-permitted-child-care-center-sanctioned extracurricular activities.

Prior to entering the zone of safety for the purposes listed in this paragraph, the person shall inform school or child care center administrators of his or her status as a registered sex offender. The person shall update monthly, or as often as required by the school or center, information about the specific times the person will be within the zone of safety as established by this section.

2. This exception shall not be construed to modify or remove any restrictions applicable to the person by court order, conditions of probation, or as provided by other provision of law.

D. The provisions of subsection A of this section shall not apply to any person receiving medical treatment at a hospital or other facility certified or licensed by the State of Oklahoma to provide medical services. As used in this subsection, "medical treatment" shall not include any form of psychological, social or rehabilitative counseling services or treatment programs for sex offenders.

E. Nothing in this section shall prohibit a person, who is registered as a sex offender pursuant to the Sex Offenders Registration Act, from attending a recognized church or religious denomination for worship; provided, the person has notified the religious leader of his or her status as a registered sex offender and the person has been granted written permission by the religious leader.

F. For purpose of prosecution of any violation of this section, the provisions of Section 51.1 of this title shall not apply.

G. As used in this section, "park" means any outdoor public area specifically designated as being used for recreational purposes that is operated or supported in whole or in part by a homeowners' association or a city, town, county, state, federal or tribal governmental authority.

SECTION 401. AMENDATORY 21 O.S. 2021, Section 1161, is amended to read as follows:

Section 1161. A. No person shall intentionally remove the dead body of a human being or any part thereof from the initial site where such dead body is located for any purpose, unless such removal is authorized by a district attorney or his authorized representative or medical examiner or his authorized representative, or is not required to be investigated pursuant to the provisions of Section 938 of Title 63 of the Oklahoma Statutes, said authorization by the district attorney or medical examiner shall not be required prior to the removal of said body. A district attorney having jurisdiction may refuse to prosecute a violation of this subsection if the district attorney determines that circumstances existed which would justify such removal or that such removal was not an act of malice or wantonness.

B. No person shall remove any part of the dead body of a human being from any grave or other place where the same has been buried, or from any place where the same is deposited while awaiting burial, with intent to sell the same, or to dissect it without authority of law, or from malice or wantonness.

C. No person shall willfully or with malicious intent violate or cause damage to the casket or burial vault holding the deceased human remains.

D. Any person convicted of violating any of the provisions of this section shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the State Penitentiary not exceeding five (5) years, or in the county jail not exceeding one (1) year~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 402. AMENDATORY 21 O.S. 2021, Section 1162, is amended to read as follows:

Section 1162. Whoever purchases, or who receives, except for the purpose of burial, any dead body of a human being, knowing the same has been removed contrary to Section 1161 of this title shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 403. AMENDATORY 21 O.S. 2021, Section 1171, is amended to read as follows:

Section 1171. A. Every person who hides, waits or otherwise loiters in the vicinity of any private dwelling house, apartment building, any other place of residence, or in the vicinity of any locker room, dressing room, restroom or any other place where a person has a right to a reasonable expectation of privacy, with the unlawful and willful intent to watch, gaze, or look upon any person in a clandestine manner, shall, upon conviction, be guilty of a misdemeanor. The violator shall be punished by imprisonment in the county jail for a term of not more than one (1) year, or by a fine

not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

B. Every person who uses photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person without the knowledge and consent of such person when the person viewed is in a place where there is a right to a reasonable expectation of privacy, or who publishes or distributes any image obtained from such act, shall, upon conviction, be guilty of a Class D1 felony offense. The violator shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term of not more than five (5) years as provided for in subsections B through F of Section 20N of this title,~~ or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. Every person who uses photographic, electronic or video equipment in a clandestine manner for any illegal, illegitimate, prurient, lewd or lascivious purpose with the unlawful and willful intent to view, watch, gaze or look upon any person and capture an image of a private area of a person without the knowledge and consent of such person and knowingly does so under circumstances in which a reasonable person would believe that the private area of the person would not be visible to the public, regardless of whether the person is in a public or private place shall, upon conviction, be guilty of a misdemeanor. The violator shall be punished by imprisonment in the county jail for a term of not more than one (1) year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

D. As used in this section, the phrase "private area of the person" means the naked or undergarment-clad genitals, pubic area, buttocks, or any portion of the areola of the female breast of that individual.

SECTION 404. AMENDATORY 21 O.S. 2021, Section 1172, is amended to read as follows:

Section 1172. A. It shall be unlawful for a person who, by means of a telecommunication or other electronic communication device, willfully either:

1. Makes any comment, request, suggestion, or proposal which is obscene, lewd, lascivious, filthy, or indecent;

2. Makes a telecommunication or other electronic communication including text, sound or images with intent to terrify, intimidate or harass, or threaten to inflict injury or physical harm to any person or property of that person;

3. Makes a telecommunication or other electronic communication, whether or not conversation ensues, with intent to put the party called in fear of physical harm or death;

4. Makes a telecommunication or other electronic communication, including text, sound or images whether or not conversation ensues, without disclosing the identity of the person making the call or communication and with intent to annoy, abuse, threaten, or harass any person at the called number;

5. Knowingly permits any telecommunication or other electronic communication under the control of the person to be used for any purpose prohibited by this section; and

6. In conspiracy or concerted action with other persons, makes repeated calls or electronic communications or simultaneous calls or electronic communications solely to harass any person at the called number(s).

B. As used in this section, "telecommunication" and "electronic communication" mean any type of telephonic, electronic or radio communications, or transmission of signs, signals, data, writings, images and sounds or intelligence of any nature by telephone, including cellular telephones, wire, cable, radio, electromagnetic, photoelectronic or photo-optical system or the creation, display, management, storage, processing, transmission or distribution of images, text, voice, video or data by wire, cable or wireless means, including the Internet. The term includes:

1. A communication initiated by electronic mail, instant message, network call, or facsimile machine including text, sound or images;

2. A communication made to a pager; or

3. A communication including text, sound or images posted to a social media or other public media source.

C. Use of a telephone or other electronic communications facility under this section shall include all use made of such a facility between the points of origin and reception. Any offense under this section is a continuing offense and shall be deemed to have been committed at either the place of origin or the place of reception.

D. Except as provided in subsection E of this section, any person who is convicted of the provisions of subsection A of this section, shall be guilty of a misdemeanor.

E. Any person who is convicted of a second offense under this section shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 405. AMENDATORY 21 O.S. 2021, Section 1192, is amended to read as follows:

Section 1192. Any person who shall inoculate himself or any other person or shall suffer himself to be inoculated with smallpox, syphilis or gonorrhea and shall spread or cause to be spread to any other persons with intent to or recklessly be responsible for the spread of or prevalence of such infectious disease, shall be deemed a felon, and, upon conviction thereof, guilty of a Class D1 felony offense and shall be punished by imprisonment in the State Penitentiary for not more than five (5) years nor less than two (2) years as provided for in subsections B through F of Section 20N of this title.

SECTION 406. AMENDATORY 21 O.S. 2021, Section 1229, is amended to read as follows:

Section 1229. For livestock utilized for exhibition purposes, it shall be unlawful for any person to inject into the livestock or cause the livestock to ingest any drug, chemical or substance that is not labeled for use on animals, or to administer any chemical or substance used on livestock for the specific purpose of altering the appearance of livestock or to alter the muscle or fat content of the animal's carcass or to perform any surgical procedure to alter the appearance of the livestock. Ordinary and customary veterinarian procedures, including but not limited to dehorning, branding, tagging or notching ears, castrating, deworming, vaccinating or docking the tail of farm animals shall not be prohibited. Surgery of any kind performed to change the natural contour or appearance of

the animal's body or hide, shall be prohibited by this section. Any violation of the provisions of this section shall be a misdemeanor, upon conviction, punishable by a fine of not less than One Thousand Dollars (\$1,000.00), nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the county jail for a term not less than thirty (30) days nor more than one (1) year, or by both such fine and imprisonment. A second or subsequent violation of the provisions of this section shall be a Class D1 felony offense, upon conviction, punishable by a fine of not less than One Thousand Dollars (\$1,000.00), nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the State Penitentiary for a term not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment.

SECTION 407. AMENDATORY 21 O.S. 2021, Section 1230.3, is amended to read as follows:

Section 1230.3. Any person who knowingly and willfully transports or causes the transportation of hazardous waste within the State of Oklahoma without a proper manifest, as prescribed in the Oklahoma Hazardous Waste Management Act, commits the offense of unlawful hazardous waste transportation which shall be deemed a Class D1 felony offense.

SECTION 408. AMENDATORY 21 O.S. 2021, Section 1230.4, is amended to read as follows:

Section 1230.4. Any person required by law to have a permit or authorization from the Oklahoma Department of Environmental Quality, the Oklahoma Corporation Commission or the Oklahoma Department of Agriculture to receive, store, treat, process, recycle or dispose of waste, who without such permit or authorization knowingly and willfully receives, stores, treats, processes, recycles or disposes of waste, commits the offense of unlawful waste management which shall be deemed a Class D1 felony offense.

SECTION 409. AMENDATORY 21 O.S. 2021, Section 1230.5, is amended to read as follows:

Section 1230.5. A. It shall be unlawful to knowingly and willfully:

1. Make false statements, include false data or omit material information in an application for a waste permit, or for a waste

authorization, from the Oklahoma Department of Environmental Quality, the Oklahoma Corporation Commission or the Oklahoma Department of Agriculture;

2. Make false statements, include false data or omit material information in a waste manifest, waste label, or other waste compliance document, record or plan required by law to be created, maintained or submitted to any state agency;

3. Submit a false sample of waste for laboratory analysis;

4. Make false statements or include false data in, or omit material information from, a laboratory analysis of waste;

5. Tamper with an environmental monitoring device to compromise or impair the accuracy of the device; or

6. Provide hazardous waste to another person for transportation without providing a proper manifest as prescribed in the Oklahoma Hazardous Waste Management Act.

B. Any person who violates the provisions of this section commits the offense of unlawful misrepresentation of waste which shall be deemed a Class D1 felony offense.

SECTION 410. AMENDATORY 21 O.S. 2021, Section 1230.6, is amended to read as follows:

Section 1230.6. Any person who knowingly and willfully fails to secure a permit required by or pursuant to law, and who, without lawful permit or authorization, knowingly and willfully disposes, directs the disposal or aids and abets the disposal of hazardous waste into a sanitary sewer system without appropriate pretreatment, or at a solid waste landfill, transfer station or processing facility, or at any unpermitted disposal place commits the offense of unlawful disposal of hazardous waste which shall be deemed a Class D1 felony offense.

SECTION 411. AMENDATORY 21 O.S. 2021, Section 1265.4, is amended to read as follows:

Section 1265.4. Whoever attempts to commit any of the crimes defined by Sections 1265.1 through 1265.14 of this title shall be liable to one-half (1/2) the punishment prescribed for the completed crime. In addition to the acts which constitute an attempt to

commit a crime under the law of this state, the solicitation or incitement of another to commit any of the crimes defined by Sections 1265.1 through 1265.14 of this title not followed by the commission of the crime, the collection or assemblage of any materials with the intent that the same are to be used then or at a later time in the commission of such crime, or the entry, with or without permission, of a building, enclosure or other premises of another with the intent to commit any such crime therein or thereon shall constitute an attempt to commit such crime and shall be deemed a Class D1 felony offense.

SECTION 412. AMENDATORY 21 O.S. 2021, Section 1278, is amended to read as follows:

Section 1278.

UNLAWFUL INTENT TO CARRY

Any person in this state who carries or wears any deadly weapons or dangerous instrument whatsoever with the intent or for the avowed purpose of unlawfully injuring another person shall, upon conviction, be guilty of a Class D1 felony offense punishable by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the custody of the Department of Corrections for a period not exceeding two (2) years~~ as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment. The mere possession of such a weapon or dangerous instrument, without more, however, shall not be sufficient to establish intent as required by this section.

Any person convicted of violating the provisions of this section after having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act shall have the license revoked and shall be liable for an administrative fine of One Thousand Dollars (\$1,000.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section.

SECTION 413. AMENDATORY 21 O.S. 2021, Section 1320.10, is amended to read as follows:

Section 1320.10. No person, except those specifically authorized by the state or federal government, shall:

1. Teach or demonstrate to any group of persons the use, application or making of any firearm, explosive or incendiary device or application of physical force capable of causing injury or death to a person knowing or intending that such firearm, explosive or incendiary device or application of physical force will be employed for use in, or in furtherance of, a riot or civil disorder; or

2. Assemble with one or more persons for the purpose of training with, practicing with or being instructed in the use of any firearm, explosive or incendiary device or application of physical force capable of causing injury or death to a person, intending to employ such firearm, explosive or incendiary device or application of physical force for use in, or in furtherance of, a riot or civil disorder. Any violation of this section shall be a Class D1 felony offense and shall be punishable by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 414. AMENDATORY 21 O.S. 2021, Section 1411, is amended to read as follows:

Section 1411. Any person being the master, owner or agent of any vessel, or officer or agent of any railroad, express or transportation company, or otherwise being or representing any carrier who delivers any bill of lading, receipt or other voucher, or by which it appears that any merchandise of any description has been shipped on board of any vessel, or delivered to any railroad, express or transportation company or other carrier, unless the same has been so shipped or delivered, and is at the time actually under the control of such carrier, or the master, owner or agent of such vessel, or some officer or agent of such company, to be forwarded as expressed in such bill of lading, receipt or voucher, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

SECTION 415. AMENDATORY 21 O.S. 2021, Section 1412, is amended to read as follows:

Section 1412. Any person carrying on the business of a warehouseman, wharfinger or other depositary of property, who issues any receipt, bill of lading or other voucher for any merchandise of any description which has not been actually received upon the premises of such person, and is not under his actual control at the time of issuing such instrument, whether such instrument is issued

to a person as being the owner of such merchandise, or as security for any indebtedness, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

SECTION 416. AMENDATORY 21 O.S. 2021, Section 1414, is amended to read as follows:

Section 1414. Any person mentioned in Section 1411 or 1412 of this title, who issued any second or duplicate receipt or voucher of a kind specified in those two sections, at a time while any former receipt or voucher for the merchandise specified in the second receipt is outstanding and uncanceled, without writing across the face of the same the word "Duplicate," in a plain and legible manner, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

SECTION 417. AMENDATORY 21 O.S. 2021, Section 1415, is amended to read as follows:

Section 1415. Any person mentioned in Section 1411 or 1412 of this title, who sells, hypothecates or pledges any merchandise for which any bill of lading, receipt or voucher has been issued by him without the consent in writing thereto of the person holding such bill, receipt or voucher, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

SECTION 418. AMENDATORY 21 O.S. 2021, Section 1483, is amended to read as follows:

Section 1483. Every person who extorts or attempts to extort any money or other property from another, under circumstances not amounting to robbery, by means of force or any threat such as is mentioned in Section 1482 of this title, upon conviction, shall be guilty of a Class D1 felony offense. A conviction for extortion is punishable by imprisonment ~~in the State Penitentiary for a term not exceeding five (5) years as provided for in subsections B through F~~

of Section 20N of this title. A conviction for attempted extortion is a Class D3 felony offense punishable by imprisonment in the State Penitentiary for a term not exceeding two (2) years as provided for in subsections B through F of Section 20P of this title.

SECTION 419. AMENDATORY 21 O.S. 2021, Section 1485, is amended to read as follows:

Section 1485. Every person, who by any extortionate means, obtains from another his signature to any paper or instrument, whereby, if such signature were freely given, any property would be transferred, or any debt, demand, charge or right of action created, is, upon conviction, guilty of a Class D1 felony offense punishable in the same manner as if the actual delivery of such property or payment of the amount of such debt, demand, charge or right of action were obtained as provided for in subsections B through F of Section 20N of this title.

SECTION 420. AMENDATORY 21 O.S. 2021, Section 1486, is amended to read as follows:

Section 1486. Every person who, with intent to extort any money or other property from another, sends to any person any letter or other writing, whether subscribed or not, expressing or implying, or adapted to imply, any threat, such as is specified in the second section of this article, is, upon conviction, guilty of a Class D1 felony offense punishable in the same manner as if such money or property were actually obtained by means of such threat as provided for in subsections B through F of Section 20N of this title.

SECTION 421. AMENDATORY 21 O.S. 2021, Section 1488, is amended to read as follows:

Section 1488. Blackmail is verbally or by written or printed communication and with intent to extort or gain any thing of value from another or to compel another to do an act against his or her will:

1. Accusing or threatening to accuse any person of a crime or conduct which would tend to degrade and disgrace the person accused;

2. Exposing or threatening to expose any fact, report or information concerning any person which would in any way subject such person to the ridicule or contempt of society; or

3. Threatening to report a person as being illegally present in the United States, and is coupled with the threat that such accusation or exposure will be communicated to a third person or persons unless the person threatened or some other person pays or delivers to the accuser or some other person some thing of value or does some act against his or her will. Blackmail is a Class D1 felony offense punishable by imprisonment in the State Penitentiary for not to exceed five (5) years as provided for in subsections B through F of Section 20N of this title, or a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

SECTION 422. AMENDATORY 21 O.S. 2021, Section 1521, is amended to read as follows:

Section 1521. Every person who shall lease or rent, for any period of time whatsoever, any motor vehicle and, with intent to cheat and defraud, who pays the fees for such lease or rental by means of a false, bogus or worthless check written for the sum of less than One Thousand Dollars (\$1,000.00) shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or both such fine and imprisonment. If the value of the worthless check is One Thousand Dollars (\$1,000.00) or more, any person convicted hereunder shall be deemed guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the State Penitentiary for a term not exceeding seven (7) years as provided for in subsections B through F of Section 20N of this title,~~ or by a fine not to exceed Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

SECTION 423. AMENDATORY 21 O.S. 2021, Section 1533.1, is amended to read as follows:

Section 1533.1. A. It is unlawful for any person to willfully and with fraudulent intent obtain the name, address, Social Security number, date of birth, place of business or employment, debit, credit or account numbers, driver license number or any other personal identifying information of another person, living or dead, with intent to use, sell or allow any other person to use or sell such personal identifying information to obtain or attempt to obtain money, credit, goods, property or service in the name of the other person without the consent of that person.

B. It is unlawful for any person to use with fraudulent intent the personal identity of another person, living or dead, or any information relating to the personal identity of another person, living or dead, to obtain or attempt to obtain credit or anything of value.

C. It is unlawful for any person with fraudulent intent to lend, sell, or otherwise offer the use of such person's own name, address, Social Security number, date of birth or any other personal identifying information or document to any other person with the intent to allow such other person to use the personal identifying information or document to obtain or attempt to obtain any identifying document in the name of such other person.

D. It is unlawful for any person to willfully create, modify, alter or change any personal identifying information of another person with fraudulent intent to obtain any money, credit, goods, property, service or any benefit or thing of value, or to control, use, waste, hinder or encumber another person's credit, accounts, goods, property, title, interests, benefits or entitlements without the consent of that person.

E. Any person convicted of violating any provision of this section shall be guilty of identity theft. Any person who violates the provisions of subsection A, B or D of this section shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of this title, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Any person who violates the provisions of subsection A, B or D of this section, and the victim is an individual who is less than eighteen (18) years of age, shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years as provided for in subsections B through F of Section 20N of this title, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Any person who violates the provisions of subsection C of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed one (1) year, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Restitution to the victim may be ordered in addition to any criminal

penalty imposed by the court. The victim of identity theft may bring a civil action for damages against any person participating in furthering the crime or attempted crime of identity theft.

SECTION 424. AMENDATORY 21 O.S. 2021, Section 1544, is amended to read as follows:

Section 1544. If the false token by which any money or property is obtained in violation of the first and second preceding sections of this article, is a promissory note or negotiable evidence of debt purporting to be issued by or under the authority of any banking company or corporation not in existence, the person guilty of such cheat shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary not exceeding seven (7) years as provided for in subsections B through F of Section 20N of this title, instead of by punishment prescribed by those sections.

SECTION 425. AMENDATORY 21 O.S. 2021, Section 1550.28, is amended to read as follows:

Section 1550.28. ~~(a)~~ A. A person other than the cardholder or a person authorized by him who, with intent to defraud (1) the issuer, (2) a person or organization providing money, goods, services or anything else of value, or (3) any other person, signs a credit card or debit card violates this subsection and is, upon conviction, is guilty of a Class D1 felony offense and subject to the penalties set forth in subsection A of Section 1550.33 ~~(a) 1550.33 of Title 21 of the Oklahoma Statutes~~ this title.

~~(b)~~ B. When a person, other than the cardholder or a person authorized by him, possesses any credit card or debit card which is signed or not signed, such possession shall be a ~~crime~~ Class D1 felony offense and subject to the penalties set forth in Section 1550.33 of ~~Title 21 of the Oklahoma Statutes~~ this title.

SECTION 426. AMENDATORY 21 O.S. 2021, Section 1550.31, is amended to read as follows:

Section 1550.31. ~~(a)~~ A. A person other than the cardholder possessing one or more incomplete credit cards or debit cards, with intent to complete them without the consent of the issuer, or a person possessing, with knowledge of its character, machinery, plates or any other contrivance designed to reproduce instruments purporting to be the credit cards or debit cards of an issuer who has not consented to the preparation of such credit cards or debit

cards, is, upon conviction, guilty of ~~an~~ a Class D1 felony offense and is subject to the penalties set forth in subsection B of Section 1550.33(b) 1550.33 of this title.

~~(b)~~ B. A credit card or debit card is "incomplete" if part of the matter, other than the signature of the cardholder, which an issuer requires to appear on the credit card or debit card before it can be used by a cardholder has not yet been stamped, embossed, imprinted or written on it.

SECTION 427. AMENDATORY 21 O.S. 2021, Section 1550.33, is amended to read as follows:

Section 1550.33. A. A person who is subject to the penalties of this subsection shall be guilty of a ~~misdemeanor~~ Class D1 felony offense and fined not more than One Thousand Dollars (\$1,000.00), or ~~imprisoned in the county jail not to exceed one (1) year as provided for in subsections B through F of Section 20N of this title,~~ or both fined and imprisoned.

B. A person who is subject to the penalties of this subsection shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for not more than seven (7) years as provided for in subsections B through F of Section 20N of this title.~~

C. A person subject to the penalties of this subsection who received goods or services or any other item which has a value of One Thousand Dollars (\$1,000.00) or more shall be guilty of a Class D3 felony offense and fined not more than Three Thousand Dollars (\$3,000.00), ~~or imprisoned in the custody of the Department of Corrections for not more than three (3) years as provided for in subsections B through F of Section 20P of this title,~~ or both fined and imprisoned. If the value is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00), imprisoned in the county jail for not more than one (1) year, or both fined and imprisoned. For purposes of this subsection, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of

several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

SECTION 428. AMENDATORY 21 O.S. 2021, Section 1550.41, is amended to read as follows:

Section 1550.41. A. As used in this section and Section 1550.42 of this title, "identification document", "identification card", or "identification certificate" means any printed form which contains:

1. The name and photograph of a person;
2. The name and any physical description of a person;
3. The name and social security number of a person; or
4. Any combination of information provided for in paragraphs 1 through 3 of this subsection; and

which by its format, is capable of leading a person to believe said document, card, or certificate has been issued for the purpose of identifying the person named thereon, but shall not include any printed form which, on its face, conspicuously bears the term "NOT FOR IDENTIFICATION" in not less than six-point type.

B. It is a misdemeanor for any person:

1. To purchase an identification document, identification card, or identification certificate which bears altered or fictitious information concerning the date of birth, sex, height, eye color, weight, a fictitious or forged name or signature or a photograph of any person, other than the person named thereon;

2. To display or cause or permit to be displayed or to knowingly possess an identification document, identification card or identification certificate which bears altered or fictitious information concerning the date of birth, sex, height, eye color, weight, or fictitious or forged name or signature or a photograph of any person, other than the person named thereon;

3. To display or cause or permit to be displayed or to knowingly possess any counterfeit or fictitious identification document, identification card, or identification certificate; or

4. To use the "Great Seal of the State of Oklahoma" or facsimile thereof, on any identification document, identification card, or identification certificate which is not issued by an entity of this state or political subdivision thereof, or by the United States. Provided, nothing in this paragraph shall be construed to prohibit the use of the "Great Seal of the State of Oklahoma" for authorized advertising, including, but not limited to, business cards, calling cards and stationery.

C. It is a Class D1 felony offense for any person:

1. To create, publish or otherwise manufacture an identification document, identification card or identification certificate or facsimile thereof, or to create, manufacture or possess an engraved plate or other such device for the printing of an identification document, identification card or identification certificate or facsimile thereof, which purports to identify the bearer of such document, card, or certificate whether or not intended for use as identification, and includes, but is not limited to, documents, cards, and certificates purporting to be driver licenses, nondriver identification cards, birth certificates, social security cards, and employee identification cards, except as authorized by state or federal law;

2. To sell or offer for sale an identification document, identification card, or identification certificate or facsimile thereof, which purports to identify the bearer of such document, card, or certificate whether or not intended for use as identification, and includes, but is not limited to, documents, cards, and certificates purporting to be driver licenses, nondriver identification cards, birth certificates, social security cards, and employee identification cards, except as authorized by state or federal law; or

3. To display or present an identification document, identification card or identification certificate which bears altered, false or fictitious information for the purpose of:

- a. committing or aiding in the commission of a felony in any commercial or financial transaction,
- b. misleading a peace officer in the performance of duties, or
- c. avoiding prosecution.

D. 1. The violation of any of the provisions of subsection B of this section shall constitute a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00).

2. The violation of any of the provisions of subsection C of this section shall constitute a Class D1 felony offense and, upon conviction thereof, shall be punishable by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or a term of imprisonment in the State Penitentiary not to exceed seven (7) years as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment.

E. Notwithstanding any provision of this section, the chief administrator of a federal or state law enforcement, military, or intelligence agency may request the Commissioner of the Department of Public Safety or State Commissioner of Health to authorize the issuance of an identification document, identification card, or identification certificate within the scope of their authority which would otherwise be a violation of this section, to identify a law enforcement officer or agent as another person for the sole purpose of aiding in a criminal investigation or a military or intelligence operation. A person displaying or possessing such identification shall not be prosecuted for a violation of this section. Upon termination of the investigation or operation, the person to whom such identification document, identification card or identification certificate was issued shall return such identification to the Department of Public Safety or State Department of Health, as appropriate.

SECTION 429. AMENDATORY 21 O.S. 2021, Section 1550, is amended to read as follows:

Section 1550. A. Any person who, while in the commission or attempted commission of a felony, has in his possession or under his control a firearm, the factory serial number or identification number of which has been removed, defaced, altered, obliterated or mutilated in any manner, upon conviction, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for a period of not less than two (2) years nor more than five (5) years as provided for in subsections B through F of Section 20N of this title, or by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

B. Any person who removes, defaces, alters, obliterates or mutilates in any manner the factory serial number or identification number of a firearm, or in any manner participates therein, upon conviction, shall be guilty of a misdemeanor punishable by imprisonment in the county jail for not to exceed one (1) year, or by a fine of not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

C. 1. Upon a conviction of a violation of this section, the court clerk, sheriff, peace officer or other person having custody of the firearm shall immediately deliver the firearm to the Commissioner of Public Safety, who shall preserve the firearm pending an order of the court.

2. At the conclusion of a trial or proceeding for a violation of this section, if a finding is made that the factory serial number or identification number of the firearm has been removed, defaced, altered, obliterated or mutilated, the court shall issue a written order to the Commissioner of Public Safety for destruction of the firearm, unless the defendant files a timely motion to preserve the firearm pending appeal. At the conclusion of the appeal, if a finding is made that the factory serial number or identification number of the firearm has been removed, defaced, altered, obliterated or mutilated, the Court of Criminal Appeals or the trial court shall issue a written order to the Commissioner for destruction of the firearm.

SECTION 430. AMENDATORY 21 O.S. 2021, Section 1571, is amended to read as follows:

Section 1571. Every person who, with intent to defraud, forges, or counterfeits the great or privy seal of this state, the seal of any public office authorized by law, the seal of any court of record, including judge of county seals, or the seal of any corporation created by the laws of this state, or of any other state, government or country, or any other public seal authorized or recognized by the laws of this state, or of any other state, government or country, or who falsely makes, forges or counterfeits any impression purporting to be the impression of any such seal, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 431. AMENDATORY 21 O.S. 2021, Section 1572, is amended to read as follows:

Section 1572. Every person who, with intent to defraud, falsely alters, destroys, corrupts or falsifies:

1. Any record of any will, codicil, conveyance or other instrument, the record of which is, by law, evidence; or,

2. Any record of any judgment in a court of record, or any enrollment of any decree of a court of equity; or,

3. The return of any officer, court or tribunal to any process of any court,

is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 432. AMENDATORY 21 O.S. 2021, Section 1573, is amended to read as follows:

Section 1573. Every person who, with intent to defraud, falsely makes, forges or alters, any entry in any book of records, or any instrument purporting to be any record or return specified in the last section; and any abstracter, his officer, agent or employee, who, with intent to defraud, falsely makes or alters any abstract entry or copy thereof in any material matter, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 433. AMENDATORY 21 O.S. 2021, Section 1574, is amended to read as follows:

Section 1574. If any officer authorized to take the acknowledgment or proof of any conveyance of real property, or of any other instrument which by law may be recorded, knowingly and falsely certifies that any such conveyance or instrument was acknowledged by any party thereto, or was proved by any subscribing witness, when in truth such conveyance or instrument was not acknowledged or proved as certified, he is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 434. AMENDATORY 21 O.S. 2021, Section 1580, is amended to read as follows:

Section 1580. Any officer or agent of any corporation or joint stock association formed or existing under or by virtue of the laws of this state, or of any other state, government or country, who, within this state, willfully signs or procures to be signed, with

intent to issue, sell or pledge, or to cause to be issued, sold or pledged, or who willfully issues, sells or pledges, or causes to be issued, sold or pledged, any false or fraudulent certificate or other evidence of the ownership or transfer of any share or shares of the capital stock of such corporation or association, whether of full paid shares or otherwise, or of any interest in its property or profits, or of any certificate or other evidence of such ownership, transfer or interest, or any instrument purporting to be a certificate or other evidence of such ownership, transfer or interest, the signing, issuing, selling or pledging of which has not been duly authorized by the board of directors or other managing body of such corporation or association having authority to issue the same, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 435. AMENDATORY 21 O.S. 2021, Section 1581, is amended to read as follows:

Section 1581. Any officer or agent of any corporation or joint stock association formed or existing under or by virtue of the laws of this state, or of any other state, government or country, who, within this state, willfully reissues, sells or pledges, or causes to be reissued, sold or pledged, any surrendered or canceled certificate, or other evidence of the ownership or transfer of any share or shares of the capital stock of such corporation or association, or of an interest in its property or profits, with intent to defraud, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 436. AMENDATORY 21 O.S. 2021, Section 1582, is amended to read as follows:

Section 1582. Any officer or agent of any corporation, municipal or otherwise, of any joint stock association formed or existing under or by virtue of the laws of this state, or of any other state, government or country, who, within this state, willfully signs or procures to be signed with intent to issue, sell or pledge, or cause to be issued, sold or pledged, or who willfully issues, sells or pledges, or causes to be issued, sold or pledged, any false or fraudulent bond or other evidence of debt against such corporation or association of any instrument purporting to be a bond or other evidence of debt against such corporation or association, the signing, issuing, selling or pledging of which has not been duly authorized by the board of directors or common council or other managing body of officers of such corporation having authority to

issue the same, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 437. AMENDATORY 21 O.S. 2021, Section 1583, is amended to read as follows:

Section 1583. Every person who counterfeits any gold or silver coin, whether of the United States or any foreign government or country, with intent to sell, utter, use or circulate the same as genuine, within this state, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 438. AMENDATORY 21 O.S. 2021, Section 1584, is amended to read as follows:

Section 1584. Every person who counterfeits any gold or silver coin, whether of the United States or of any foreign country or government, with intent to export the same, or permit them to be exported to injure or defraud any foreign government, or the subjects thereof, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 439. AMENDATORY 21 O.S. 2021, Section 1585, is amended to read as follows:

Section 1585. Every person who, with intent to defraud, falsely marks, alters, forges or counterfeits:

1. Any instrument in writing, being or purporting to be any process issued by any competent court, magistrate, or officer of being or purporting to be any pleading, proceeding, bond or undertaking filed or entered in any court, or being or purporting to be any license or authority authorized by any statute; or,

2. Any instrument of writing, being or purporting to be the act of another by which any pecuniary demand or obligation is, or purports to be created, increased, discharged or diminished, or by which any rights or property whatever, are, or purport to be, transferred, conveyed, discharged, diminished, or in any manner affected, the punishment of which is not hereinbefore prescribed, by which false marking, altering, forging or counterfeiting, any person may be affected, bound or in any way injured in his person or property, is guilty of a forgery in the second degree, a Class D1 felony offense.

SECTION 440. AMENDATORY 21 O.S. 2021, Section 1586, is amended to read as follows:

Section 1586. Every person who, with intent to defraud, makes any false entry or falsely alters any entry made in any book of accounts kept in the office of the State Auditor and Inspector, or in the office of the Treasurer of this state or of any county treasurer, by which any demand or obligation, claim, right or interest either against or in favor of the people of this state, or any county or town, or any individual, is or purports to be discharged, diminished, increased, created, or in any manner affected, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 441. AMENDATORY 21 O.S. 2021, Section 1587, is amended to read as follows:

Section 1587. Every person who, with intent to defraud, forges, counterfeits, or falsely alters any ticket, check or other paper or writing to entitle the holder or proprietor thereof to a passage upon any railroad, or in any vessel or other public conveyance; and every person who, with like intent, sells, exchanges or delivers, or keeps or offers for sale, exchange or delivery, or receives upon any purchase, exchange or delivery any such ticket, knowing the same to have been forged, counterfeited or falsely altered is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 442. AMENDATORY 21 O.S. 2021, Section 1588, is amended to read as follows:

Section 1588. Every person who forges, counterfeits or alters any postage or revenue stamp of the United States, or who sells or offers to keep for sale, as genuine or as forged, any such stamp, knowing it to be forged, counterfeited or falsely altered, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 443. AMENDATORY 21 O.S. 2021, Section 1589, is amended to read as follows:

Section 1589. Every person who, with intent to defraud, makes any false entry, or falsely alters any entry made in any book of accounts kept by any corporation within this state, or in any book of accounts kept by any such corporation or its officers, and delivered or intended to be delivered to any person dealing with such corporation, by which any pecuniary obligation, claim or credit

is, or purports to be, discharged, diminished, increased, created or in any manner affected, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 444. AMENDATORY 21 O.S. 2021, Section 1590, is amended to read as follows:

Section 1590. Every person who being a member or officer or in the employment of any corporation, association or partnership, falsifies, alters, erases, obliterates or destroys any account or book of accounts or records belonging to such corporation, association or partnership, or appertaining to their business or makes any false entries in such account or book or keeps any false account in such business with intent to defraud his employers, or to conceal any embezzlement of their money, or property, or any defalcation or other misconduct, committed by any person in the management of their business, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 445. AMENDATORY 21 O.S. 2021, Section 1591, is amended to read as follows:

Section 1591. Every person who has in his possession any counterfeit of any gold or silver coin, whether of the United States or any foreign country or government, knowing the same to be counterfeit, with intent to sell or to use, circulate or export the same, as true or as false, or by causing the same to be uttered or passed, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 446. AMENDATORY 21 O.S. 2021, Section 1593, is amended to read as follows:

Section 1593. Every person who, by any false representation, artifice or deceit, procures from another his signature to any instrument, the false making of which would be forgery, and which the party signing would not have executed had he known the facts and effect of the instrument, is guilty of forgery in the second degree, a Class D1 felony offense.

SECTION 447. AMENDATORY 21 O.S. 2021, Section 1621, is amended to read as follows:

Section 1621. Forgery is punishable as follows:

1. Forgery in the first degree is a Class B3 felony offense punishable by imprisonment not less than seven (7) years nor more than twenty (20) years; and

2. Forgery in the second degree is a Class D1 felony offense punishable by imprisonment ~~not exceeding seven (7) years~~ as provided for in subsections B through F of Section 20N of this title.

3. Forgery in the third degree is:

- a. If the value of the forgery is less than One Thousand Dollars (\$1,000.00), a misdemeanor punishable by confinement for not more than one (1) year and by a fine not exceeding One Thousand Dollars (\$1,000.00).
- b. If the value of the forgery is One Thousand Dollars (\$1,000.00) or more, a Class D1 felony offense punishable by imprisonment ~~not exceeding seven (7) years~~ as provided for in subsections B through F of Section 20N of this title.
- c. If the total or aggregate value of the forgery is Two Thousand Dollars (\$2,000.00) or more, a Class D1 felony offense punishable by imprisonment ~~not exceeding seven (7) years~~ as provided for in subsections B through F of Section 20N of this title.

SECTION 448. AMENDATORY 21 O.S. 2021, Section 1639, is amended to read as follows:

Section 1639. A. In every case of a fraudulent insolvency of a moneyed corporation not licensed to conduct insurance business in the State of Oklahoma, every director thereof who participated in such fraud is guilty of a misdemeanor.

B. In every case of a fraudulent insolvency of a moneyed corporation licensed to conduct the business of insurance in the State of Oklahoma, every director thereof who participated in such fraud is guilty of a Class D1 felony offense punishable by up to five (5) years of incarceration as provided for in subsections B through F of Section 20N of this title and a fine of up to Fifty Thousand Dollars (\$50,000.00).

SECTION 449. AMENDATORY 21 O.S. 2021, Section 1663, is amended to read as follows:

Section 1663. A. Any person who commits workers' compensation fraud, upon conviction, shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for not exceeding seven (7) years as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. Any person who commits workers' compensation fraud and who has a prior felony conviction of workers' compensation fraud shall receive a two-year penalty enhancement for each prior conviction in addition to the sentence provided above.

B. For the purposes of this section, workers' compensation fraud shall include, but not be limited to, any act or omission prohibited by subsection C of this section and committed by a person with the intent to injure, defraud or deceive another with respect to any of the following:

1. A claim for payment or other benefit pursuant to a contract of insurance;

2. An application for the issuance of a contract of insurance;

3. The rating of a contract of insurance or any risk associated with the contract;

4. Premiums paid on any contract of insurance whether or not the contract was actually issued;

5. Payments made in accordance with the terms of a contract of insurance;

6. An application for any license which is required by the Oklahoma Insurance Code, Title 36 of the Oklahoma Statutes;

7. An application for a license which is required for the organization, operation or maintenance of a health maintenance organization pursuant to Section 2501 et seq. of Title 63 of the Oklahoma Statutes;

8. A request for any approval, license, permit or permission required by the Workers' Compensation Act, by the rules of the Workers' Compensation Court or by the rules of the Workers' Compensation Court Administrator necessary to secure compensation as required by Section 61 of Title 85 of the Oklahoma Statutes;

9. The financial condition of an insurer or purported insurer;

10. The acquisition of any insurer; or

11. A contract of insurance or a Certification of Non-Coverage Under the Workers' Compensation Act.

C. A person is guilty of workers' compensation fraud who:

1. Presents, causes to be presented or intends to present to another, any statement as part of or in support of any of the purposes described in subsection B of this section knowing that such statement contains any false, fraudulent, incomplete or misleading information concerning any fact or thing material to the purpose for the statement;

2. Assists, abets, solicits or conspires with another to prepare or make any statement that is intended to be presented to, used by or relied upon by another in connection with or in support of any of the purposes described in subsection B of this section knowing that such statement contains any false, fraudulent, incomplete or misleading information concerning any fact or thing material to the purpose of the statement;

3. Conceals, attempts to conceal or conspires to conceal any information concerning any fact material to any of the purposes described in subsection B of this section;

4. Solicits, accepts or conspires to solicit or accept new or renewal insurance risks by or for an insolvent insurer;

5. Removes, attempts to remove or conspires to remove the assets or records of the insurer or a material part thereof, from the place of business of the insurer or from a place of safekeeping of the insurer;

6. Conceals, attempts to conceal or conspires to conceal the assets or records of the insurer or a material part thereof;

7. Diverts, attempts to divert, or conspires to divert funds of an insurer or other person in connection with:

a. a contract of insurance,

- b. the business of an insurer, or
- c. the formation, acquisition or dissolution of an insurer;

8. Solicits, accepts or conspires to solicit or accept any benefit in exchange for violating any provision of this section;

9. Conceals, attempts to conceal, conspires to conceal or fails to disclose any change in any material fact, circumstance or thing for which there is a duty to disclose to another; or

10. Alters, falsifies, forges, distorts, counterfeits or otherwise changes any material statement, form, document, contract, application, certificate, or other writing with the intent to defraud, deceive, or mislead another.

D. It shall not be a defense to an allegation of a violation of this section that the person accused did not have a contractual relationship with the insurer.

E. For the purposes of this section:

1. "Contract of insurance" includes, but is not limited to, workers' compensation insurance or any other means of securing compensation permitted by the Workers' Compensation Act or reinsurance for such insurance or other means of securing compensation;

2. "Insurer" includes, but is not limited to, any person who is engaged in the business of making contracts of insurance;

3. "Person" means any individual or entity, whether incorporated or not, and in the case of an entity, includes those persons directly responsible for the fraudulent actions of the entity;

4. "Statement" includes, but is not limited to, any oral, written, computer-generated or otherwise produced notice, proof of loss, bill of lading, receipt for payment, invoice, account, certificate, survey affidavit, book, paper, writing, estimate of property damage, bill for services, diagnosis, prescription, medical record, x-ray, test result or other evidence of loss, injury or expense; and

5. "Work" does not include activities that result in nominal economic gain.

SECTION 450. AMENDATORY 21 O.S. 2021, Section 1681, is amended to read as follows:

Section 1681. Any person who willfully administers poison to any animal, the property of another, and every person who maliciously exposes any poisonous substance with intent that the same shall be taken by any such animal, shall be guilty of a Class D1 felony offense and shall be punishable by imprisonment ~~in the State Penitentiary not exceeding three (3) years, or in a county jail not exceeding one (1) year~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Two Hundred Fifty Dollars (\$250.00), or by both such fine and imprisonment.

SECTION 451. AMENDATORY 21 O.S. 2021, Section 1719, is amended to read as follows:

Section 1719. Every person who shall take, steal and carry away any domestic fowl, or fowls, and any person purchasing or receiving such domestic fowl, or fowls, knowing them to have been stolen, shall be guilty of grand larceny, a Class D1 felony offense, regardless of the value thereof, and upon conviction shall be punished by imprisonment ~~in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of this title~~, or by a fine not exceeding Two Hundred Dollars (\$200.00), ~~or by confinement in the county jail not exceeding two (2) months~~, or by both such fine and imprisonment.

SECTION 452. AMENDATORY 21 O.S. 2021, Section 1719.1, is amended to read as follows:

Section 1719.1. A. For the purpose of this section:

1. "Domesticated fish or game" means all birds, mammals, fish and other aquatic forms and all other animals, regardless of classifications, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include every part of any individual species when such domesticated fish or game are not in the wild and are in the possession of a person currently licensed to possess such fish or game; and

2. "Taking" means the pursuing, killing, capturing, trapping, snaring and netting of domesticated fish or game or placing, setting, drawing or using any net, trap or other device for taking domesticated fish or game and includes specifically every attempt to take such domesticated fish or game.

B. Any domesticated fish or game shall be considered the personal property of the owner.

C. Any person who shall take any domesticated fish or game, with the intent to deprive the owner of said fish or game, and any person purchasing or receiving such domesticated fish or game knowing them to have been stolen, shall:

1. Upon conviction, if the current market value of said domesticated fish or game is less than One Thousand Dollars (\$1,000.00), be guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term not to exceed sixty (60) days, or by both such fine and imprisonment; or

2. Upon conviction, if the current market value of said domesticated fish or game is One Thousand Dollars (\$1,000.00) or more, be guilty of a Class D1 felony offense and shall be punished by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State Penitentiary for a term of not more than five (5) years as~~ provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment.

SECTION 453. AMENDATORY 21 O.S. 2021, Section 1723, is amended to read as follows:

Section 1723. Any person entering and stealing any money or other thing of value from any house, railroad car, tent, booth or temporary building shall be guilty of larceny from the house. Larceny from the house is a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of this title.

SECTION 454. AMENDATORY 21 O.S. 2021, Section 1726, is amended to read as follows:

Section 1726. A. Any person who may be found in this state with more than one (1) pound of mercury in his possession, and who

does not have valid written evidence of his title to such mercury, shall be guilty of a Class D1 felony offense and upon conviction thereof shall be punishable by imprisonment ~~in the State Penitentiary for a term not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

B. It shall be a defense to any charge under this section that the person so charged (1) is a bona fide miner or processor of mercury or (2) that the mercury possessed by such person is, while in his possession, an integral part of a tool, instrument, or device used for a beneficial purpose. In any complaint, information, or indictment brought under this section, it shall not be necessary to negative any exception, excuse, exemption, or defense provided in this section, and the burden of proof of any such exception, excuse, exemption or defense shall be upon the defendant.

SECTION 455. AMENDATORY 21 O.S. 2021, Section 1727, is amended to read as follows:

Section 1727. Any person who shall enter upon any premises, easement, or right-of-way with intent to steal or remove without the consent of the owner, or with intent to aid or assist in stealing or removing any copper wire, copper cable, or copper tubing from and off of any appurtenance on such premises, easement, or right-of-way shall be guilty of a Class D1 felony offense and upon conviction shall be punished by ~~confinement in the State Penitentiary for not less than one (1) year nor more than five (5) years, or by confinement in the county jail for not less than ninety (90) days nor more than two hundred (200) days~~ as provided for in subsections B through F of Section 20N of this title, or shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 456. AMENDATORY 21 O.S. 2021, Section 1728, is amended to read as follows:

Section 1728. Any person who shall receive, transport, or possess in this state stolen copper wire, copper cable, or copper tubing under such circumstances that he knew or should have known that the same was stolen shall upon conviction thereof be guilty of a Class D1 felony offense and shall be confined ~~in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years, or shall be confined in the county jail for not less~~

~~than ninety (90) days nor more than two hundred (200) days as provided for in subsections B through F of Section 20N of this title,~~ or shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment.

SECTION 457. AMENDATORY 21 O.S. 2021, Section 1751, is amended to read as follows:

Section 1751. Any person who maliciously, wantonly or negligently either:

1. Removes, displaces, injures or destroys any part of any railroad, or railroad equipment, whether for steam or horse cars, or any track of any railroad, or of any branch or branchway, switch, turnout, bridge, viaduct, culvert, embankment, station house, or other structure or fixture, or any part thereof, attached to or connected with any railroad; or

2. Places any obstruction upon the rails or tracks of any railroad, or any branch, branchway, or turnout connected with any railroad,

shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding four (4) years or in a county jail not less than six (6) months as provided for in subsections B through F of Section 20N of this title.~~

SECTION 458. AMENDATORY 21 O.S. 2021, Section 1752.1, is amended to read as follows:

Section 1752.1. A. Any person shall be guilty of a misdemeanor if the person:

1. Without consent of the owner or the owner's agent, enters or remains on railroad property, knowing that it is railroad property;

2. Throws an object at a train, or rail-mounted work equipment; or

3. Maliciously or wantonly causes in any manner the derailment of a train, railroad car or rail-mounted work equipment.

B. Any person shall be guilty of a Class D1 felony offense if the person commits an offense specified in subsection A of this

section which results in a demonstrable monetary loss, damage or destruction of railroad property when said loss is valued at more than One Thousand Five Hundred Dollars (\$1,500.00) or results in bodily injury to a person. Any person shall be guilty of a Class D1 felony offense if the person discharges a firearm or weapon at a train, or rail-mounted work equipment.

C. Any person violating the misdemeanor provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail not exceeding one (1) year or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both such fine and imprisonment. Any person violating the felony provisions of this section shall be deemed guilty of a Class D1 felony offense, and upon conviction shall be punished by imprisonment ~~in the State Penitentiary not exceeding four (4) years.~~ If personal injury results, such person shall be punished by imprisonment in the State Penitentiary as provided for in subsections B through F of Section 20N of this title.

D. Subsection A of this section shall not be construed to interfere with the lawful use of a public or private crossing.

E. Nothing in this section shall be construed as limiting a representative of a labor organization which represents or is seeking to represent the employees of the railroad, from conducting such business as provided under the Railway Labor Act, 45 U.S.C., Section 151 et seq.

F. As used in this section "railroad property" includes, but is not limited to, any train, locomotive, railroad car, caboose, rail-mounted work equipment, rolling stock, work equipment, safety device, switch, electronic signal, microwave communication equipment, connection, railroad track, rail, bridge, trestle, right-of-way or other property that is owned, leased, operated or possessed by a railroad.

SECTION 459. AMENDATORY 21 O.S. 2021, Section 1767.1, is amended to read as follows:

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

1. Place in, upon, under, against or near to any building, car, truck, aircraft, motor or other vehicle, vessel, railroad, railway

car, or locomotive or structure, any explosive or incendiary device with unlawful intent to destroy, throw down, or injure, in whole or in part, such property, or conspire, aid, counsel or procure the destruction of any building, public or private, or any car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure; or

2. Place in, upon, under, against or near to any building, car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure, any explosive or incendiary device with intent to destroy, throw down, or injure in whole or in part, under circumstances that, if such intent were accomplished, human life or safety would be endangered thereby; or

3. By the explosion of any explosive or the igniting of any incendiary device destroy, throw down, or injure any property of another person, or cause injury to another person; or

4. Manufacture, sell, transport, or possess any explosive, the component parts of an explosive, an incendiary device, or simulated bomb with knowledge or intent that it or they will be used to unlawfully kill, injure or intimidate any person, or unlawfully damage any real or personal property; or

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

6. Injure, damage or attempt to damage by an explosive or incendiary device any person, persons, or property, whether real or personal; or

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

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

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

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

SECTION 460. AMENDATORY 21 O.S. 2021, Section 1777, is amended to read as follows:

Section 1777. Any person who maliciously draws up or removes or cuts or otherwise injures any piles fixed in the ground and used for securing any bank or dam of any river, canal, drain, aqueduct, marsh, reservoir, pool, port, dock, quay, jetty or lock, shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding five (5) years and not less than two (2) years, or by imprisonment in a county jail not exceeding one (1) year as provided for in subsections B through F of~~ Section 20N of this title, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

SECTION 461. AMENDATORY 21 O.S. 2021, Section 1837, is amended to read as follows:

Section 1837. Any person who shall designedly place any hard or solid substance or article in any stack, shock, sheaf or load of unthreshed grain, or in any bin, bag, sack or load of unthreshed grain, or seed, or shall designedly place any matches or other inflammable, combustible or explosive substance in any unginned cotton with the intent to injure or destroy any such grain, seed, or cotton, or any machinery which may be used for threshing or grinding such grain or seed or ginning such cotton, shall be deemed guilty of a Class D1 felony offense, and upon conviction shall be punished by ~~confinement in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years as provided for in~~ subsections B through F of Section 20N of this title.

SECTION 462. AMENDATORY 21 O.S. 2021, Section 1873, is amended to read as follows:

Section 1873. A. Any person who intentionally sells an unlawful telecommunication device or material, including hardware, data, computer software, or other information or equipment, knowing

that the purchaser or a third person intends to use such material in the manufacture of an unlawful telecommunication device shall, upon conviction, be guilty of a ~~schedule F Class D3 felony, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title.~~

B. If the offense under this section involves the intentional sale of five or more unlawful telecommunication devices within a six-month period, the person committing the offense, upon conviction, shall be guilty of a ~~Schedule E Class D1 felony, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of this title.~~

SECTION 463. AMENDATORY 21 O.S. 2021, Section 1874, is amended to read as follows:

Section 1874. A. Any person who intentionally ~~manufacturers~~ manufactures an unlawful telecommunication device shall, upon conviction, be guilty of a ~~Schedule F Class D3 felony, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title.~~

B. If the offense under this section involves the intentional manufacture of five or more unlawful telecommunication devices within a six-month period, the person committing the offense shall, upon conviction, be guilty of a ~~Schedule E Class D1 felony, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of this title.~~

SECTION 464. AMENDATORY 21 O.S. 2021, Section 1904, is amended to read as follows:

Section 1904. It shall be unlawful to remove any baggage, cargo or other item transported upon a bus or stored in a terminal without consent of the owner of such property or the company, or its duly authorized representative. Any person violating this section shall be guilty of a Class D1 felony offense and, upon conviction, shall be punished by a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by both such fine and imprisonment.

The actual value of an item removed in violation of this section shall not be material to the crime herein defined.

SECTION 465. AMENDATORY 21 O.S. 2021, Section 1958, is amended to read as follows:

Section 1958. No person shall communicate with, store data in, or retrieve data from a computer system or computer network for the purpose of using such access to violate any of the provisions of the Oklahoma Statutes.

Any person convicted of violating the provisions of this section shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the State Penitentiary for a term of not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

SECTION 466. AMENDATORY 21 O.S. 2021, Section 1976, is amended to read as follows:

Section 1976. A. It shall be unlawful for any person to knowingly reproduce for sale any sound recording produced without the written consent of the owner of the original recording, provided, however, that this section shall only apply to sound recordings initially fixed prior to February 15, 1972, and shall not apply to motion pictures or other audiovisual works.

B. A violation of this section involving less than one hundred articles shall constitute a misdemeanor, and shall, upon conviction,

be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00).

C. A violation of this section involving one hundred or more articles shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a term not to exceed five (5) years as provided for in~~ subsections B through F of Section 20N of this title, or both such fine and imprisonment.

D. A second or subsequent conviction for a violation of this section shall constitute a Class D1 felony offense and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by imprisonment ~~in the State Penitentiary for a term not less than two (2) years nor more than five (5) years as provided for in~~ subsections B through F of Section 20N of this title, or both such fine and imprisonment.

SECTION 467. AMENDATORY 21 O.S. 2021, Section 1977, is amended to read as follows:

Section 1977. A. It shall be unlawful for any person to knowingly sell or offer for sale any sound recording that has been produced or reproduced in violation of the provisions of Sections 1975 through 1981 of this title, knowing, or having reasonable grounds to know, that the sounds or images thereon have been produced or reproduced without the consent of the owner.

B. A violation of this section involving less than one hundred articles shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00).

C. A violation of this section involving one hundred or more articles shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a term not more than five (5) years as provided for in~~ subsections B through F of Section 20N of this title, or both such fine and imprisonment.

D. A second or subsequent conviction for a violation of this section shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed One Hundred

Thousand Dollars (\$100,000.00), or by imprisonment ~~in the State Penitentiary for a term not less than two (2) years nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

SECTION 468. AMENDATORY 21 O.S. 2021, Section 1978, is amended to read as follows:

Section 1978. A. It shall be unlawful for any person to knowingly and without the written consent of the owner, transfer or cause to be transferred to any article or sound recording or otherwise reproduce for sale, any performance, whether live before an audience or transmitted by wire or through the air by radio or television, with the intent to sell or cause to be sold for profit or used to promote the sale of any article or product.

B. A violation of this section involving less than one hundred articles shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00).

C. A violation of this section involving one hundred or more articles shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a term not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

D. A second or subsequent conviction for a violation of this section shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00) or by imprisonment ~~in the State Penitentiary for a term not less than two (2) years nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

SECTION 469. AMENDATORY 21 O.S. 2021, Section 1979, is amended to read as follows:

Section 1979. A. It shall be unlawful for any person to advertise, or offer for rental, sale, resale, distribution or circulation, or rent, sell, resell, distribute or circulate, or cause to be sold, resold, distributed or circulated, or possess for such purposes any article, which does not clearly and conspicuously

display thereon in clearly readable print the actual true name and address of the manufacturer thereof.

B. A violation of this section involving less than seven articles upon which motion pictures or other audiovisual works are recorded or less than one hundred other articles or sound recordings, shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00).

C. A violation of this section involving seven or more articles upon which motion pictures or other audiovisual works are recorded or one hundred or more other articles or sound recordings, shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a term not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

D. A second or subsequent conviction for a violation of this section shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00) or by imprisonment ~~in the State Penitentiary for a term not less than two (2) years nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

SECTION 470. AMENDATORY 21 O.S. 2021, Section 1980, is amended to read as follows:

Section 1980. A. It shall be unlawful for any person to make, manufacture, sell, distribute, offer for sale, issue or place in circulation or knowingly have in his possession for purposes of commercial advantage or private financial gain, a counterfeit label affixed or designed to be affixed to a phonorecord, a copy of a motion picture or other audiovisual work, recording or article.

B. A violation of this section involving less than seven articles upon which motion pictures or other audiovisual works are recorded or less than one hundred other articles or sound recordings, shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00).

C. A violation of this section involving seven or more articles upon which motion pictures or other audiovisual works are recorded or one hundred or more other articles or sound recordings, shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a term not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

D. A second or subsequent conviction for a violation of this section shall constitute a Class D1 felony offense, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by imprisonment in the State Penitentiary for a term not less than two (2) years nor more than five (5) years as provided for in subsections B through F of Section 20N of this title, or both such fine and imprisonment.

SECTION 471. AMENDATORY 21 O.S. 2021, Section 1990.2, is amended to read as follows:

Section 1990.2. A. Except as provided in subsections B and C of this section, a person who knowingly and with intent to sell or distribute, uses, displays, advertises, distributes, offers for sale, sells or possesses any item that bears a counterfeit mark or any service that is identified by a counterfeit mark shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one (1) year, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

B. Any person who commits any prohibited act proscribed in subsection A of this section shall, upon conviction, be guilty of a ~~Schedule G~~ Class D1 felony offense punishable by imprisonment as provided in the state's sentencing matrix for in subsections B through F of Section 20N of this title, or by a fine of not more than the retail value of such items or services, or both such fine and imprisonment, if either:

1. The person has one previous conviction under any provision of this section; or

2. At least one of the following exists:

- a. the violation involves more than one hundred but fewer than one thousand items that bear the counterfeit mark, or
- b. the total retail value of all of the items or services that bear or are identified by the counterfeit mark is more than One Thousand Dollars (\$1,000.00) but less than Ten Thousand Dollars (\$10,000.00).

C. Any person who knowingly manufactures or produces with intent to sell or distribute any item that bears a counterfeit mark or any service that is identified by a counterfeit mark shall, upon conviction, be guilty of a ~~Schedule F~~ Class D1 felony offense punishable by imprisonment as provided in the state's sentencing matrix for in subsections B through F of Section 20N of this title, or by a fine not exceeding three times the retail value of such items or services, or by both such fine and imprisonment.

D. Any person who commits any prohibited act proscribed by subsection A of this section shall, upon conviction, be guilty of a ~~Schedule E~~ Class D1 felony offense punishable by imprisonment as provided in the state's sentencing matrix for in subsections B through F of Section 20N of this title, or by a fine not exceeding three times the retail value of such items or services, or by both such fine and imprisonment if either:

1. The person has two or more previous convictions under this section; or

2. At least one of the following exists:

- a. the violation involves at least one thousand items that bear the counterfeit mark, or
- b. the total retail value of all of the items or services that bear or are identified by the counterfeit mark is at least Ten Thousand Dollars (\$10,000.00).

E. For purposes of this section, any person who knowingly has possession, custody or control of at least twenty-six items that bear a counterfeit mark is presumed to possess the items with intent to sell or distribute the items.

F. In any criminal proceeding in which a person is convicted of a violation of any provision of this section, the court may order

the convicted person to pay restitution to the intellectual property owner in addition to any other provision allowed by law.

G. The investigating law enforcement officer may seize any item that bears a counterfeit mark and all other personal property that is employed or used in connection with a violation of this section, including any items, objects, tools, machines, equipment, instrumentalities or vehicles. All personal property seized pursuant to this section shall be subject to forfeiture according to Section 1738 of ~~Title 21 of the Oklahoma Statutes~~ this title.

H. After a forfeiture has been ordered by the district court, a law enforcement officer shall destroy all seized items that bear a counterfeit mark; however, if the counterfeit mark is removed from the seized items, the intellectual property owner may recommend to the court that the seized items be donated to a charitable organization.

I. Any certificate of registration of any intellectual property pursuant to state or federal law is prima facie evidence of the facts stated in the certificate of registration and may be used at trial.

J. In addition to other remedies allowed by law, an intellectual property owner who sustains a loss as a result of any violation of this section may file a civil action against the defendant for recovery of up to treble damages and the costs of the suit including reasonable attorney fees.

K. The remedies provided in this section are cumulative to all other civil and criminal remedies provided by law.

L. For the purposes of this section, the quantity or retail value of items or services includes the aggregate quantity or retail value of all items that the defendant manufactures, uses, displays, advertises, distributes, offers for sale, sells or possesses and that bear a counterfeit mark or that are identified by a counterfeit mark.

SECTION 472. AMENDATORY 21 O.S. 2021, Section 1993, is amended to read as follows:

Section 1993. A. It shall be unlawful for any unauthorized person to refocus, reposition, cover, manipulate, disconnect, or otherwise tamper with or disable a security or surveillance camera

or security system. Any person violating the provisions of this subsection shall be guilty, upon conviction, of a misdemeanor punishable by a fine of not more than Five Thousand Dollars (\$5,000.00).

B. It shall be unlawful for any person to use, refocus, reposition, cover, manipulate, disconnect, or otherwise tamper with or disable a security or surveillance camera or security system for the purpose of avoiding detection when committing, attempting to commit, or aiding another person to commit or attempt to commit any misdemeanor. Any person violating the provisions of this section shall be guilty, upon conviction, of a misdemeanor punishable by imprisonment for not more than one year in the county jail, or a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

C. It shall be unlawful for any person to use, refocus, reposition, cover, manipulate, disconnect, or otherwise tamper with or disable a security or surveillance camera or security system for the purpose of avoiding detection when committing, attempting to commit, or aiding another person to commit or attempt to commit any felony. Any person violating the provisions of this section shall be guilty, upon conviction, of a Class D1 felony offense, punishable by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

SECTION 473. AMENDATORY 21 O.S. 2021, Section 2100.1, is amended to read as follows:

Section 2100.1. Any sex offender required to be registered pursuant to the Oklahoma Sex Offenders Registration Act who engages in ice cream truck vending, whether or not licensed in this state as a mobile food unit, shall ~~be~~, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment in the custody of the Department of Corrections for a term up to two and one-half (2 1/2) years as provided for in subsections B through F of Section 20N of this title, or by a fine in an amount not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. A sheriff or police officer may arrest without a warrant any person who the officer has probable cause to believe has violated the provisions of this section.

SECTION 474. AMENDATORY 22 O.S. 2021, Section 60.6, is amended to read as follows:

Section 60.6. A. Except as otherwise provided by this section, any person who:

1. Has been served with an emergency temporary, ex parte or final protective order or foreign protective order and is in violation of such protective order, upon conviction, shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) or by a term of imprisonment in the county jail of not more than one (1) year, or by both such fine and imprisonment; and

2. After a previous conviction of a violation of a protective order, is convicted of a second or subsequent offense pursuant to the provisions of this section shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by a term of imprisonment ~~in the custody of the Department of Corrections for not less than one (1) year nor more than three (3) years as provided for in subsections B through F of Section 20N of Title 21 of the~~ Oklahoma Statutes, or by a fine of not less than Two Thousand Dollars (\$2,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

B. 1. Any person who has been served with an emergency temporary, ex parte or final protective order or foreign protective order who violates the protective order and causes physical injury or physical impairment to the plaintiff or to any other person named in said protective order shall, upon conviction, be guilty of a misdemeanor and shall be punished by a term of imprisonment in the county jail for not less than twenty (20) days nor more than one (1) year. In addition to the term of imprisonment, the person may be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00).

2. Any person who is convicted of a second or subsequent violation of a protective order which causes physical injury or physical impairment to a plaintiff or to any other person named in the protective order shall be guilty of a Class D1 felony offense and shall be punished by a term of imprisonment in the custody of the Department of Corrections of not less than one (1) year nor more than five (5) years, or by a fine of not less than Three Thousand Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

3. In determining the term of imprisonment required by this section, the jury or sentencing judge shall consider the degree of physical injury or physical impairment to the victim.

4. The provisions of this subsection shall not affect the applicability of Sections 644, 645, 647 and 652 of Title 21 of the Oklahoma Statutes.

C. The minimum sentence of imprisonment issued pursuant to the provisions of paragraph 2 of subsection A and paragraph 2 of subsection B of this section shall not be subject to statutory provisions for suspended sentences, deferred sentences or probation, provided the court may subject any remaining penalty under the jurisdiction of the court to the statutory provisions for suspended sentences, deferred sentences or probation.

D. In addition to any other penalty specified by this section, the court shall require a defendant to undergo the treatment or participate in the counseling services necessary to bring about the cessation of domestic abuse against the victim or to bring about the cessation of stalking or harassment of the victim. For every conviction of violation of a protective order:

1. The court shall specifically order as a condition of a suspended sentence or probation that a defendant participate in counseling or undergo treatment to bring about the cessation of domestic abuse as specified in paragraph 2 of this subsection;

2. a. The court shall require the defendant to participate in counseling or undergo treatment for domestic abuse by an individual licensed practitioner or a domestic abuse treatment program certified by the Attorney General. If the defendant is ordered to participate in a domestic abuse counseling or treatment program, the order shall require the defendant to attend the program for a minimum of fifty-two (52) weeks, complete the program, and be evaluated before and after attendance of the program by a program counselor or a private counselor.
- b. A program for anger management, couples counseling, or family and marital counseling shall not solely qualify for the counseling or treatment requirement for domestic abuse pursuant to this subsection. The counseling may be ordered in addition to counseling

specifically for the treatment of domestic abuse or per evaluation as set forth below. If, after sufficient evaluation and attendance at required counseling sessions, the domestic violence treatment program or licensed professional determines that the defendant does not evaluate as a perpetrator of domestic violence or does evaluate as a perpetrator of domestic violence and should complete other programs of treatment simultaneously or prior to domestic violence treatment, including but not limited to programs related to the mental health, apparent substance or alcohol abuse or inability or refusal to manage anger, the defendant shall be ordered to complete the counseling as per the recommendations of the domestic violence treatment program or licensed professional;

3. a. The court shall set a review hearing no more than one hundred twenty (120) days after the defendant is ordered to participate in a domestic abuse counseling program or undergo treatment for domestic abuse to assure the attendance and compliance of the defendant with the provisions of this subsection and the domestic abuse counseling or treatment requirements.
- b. The court shall set a second review hearing after the completion of the counseling or treatment to assure the attendance and compliance of the defendant with the provisions of this subsection and the domestic abuse counseling or treatment requirements. The court may suspend sentencing of the defendant until the defendant has presented proof to the court of enrollment in a program of treatment for domestic abuse by an individual licensed practitioner or a domestic abuse treatment program certified by the Attorney General and attendance at weekly sessions of such program. Such proof shall be presented to the court by the defendant no later than one hundred twenty (120) days after the defendant is ordered to such counseling or treatment. At such time, the court may complete sentencing, beginning the period of the sentence from the date that proof of enrollment is presented to the court, and schedule reviews as required by subparagraphs a and b of this paragraph and paragraphs 4 and 5 of this subsection. The court

shall retain continuing jurisdiction over the defendant during the course of ordered counseling through the final review hearing;

4. The court may set subsequent or other review hearings as the court determines necessary to assure the defendant attends and fully complies with the provisions of this subsection and the domestic abuse counseling or treatment requirements;

5. At any review hearing, if the defendant is not satisfactorily attending individual counseling or a domestic abuse counseling or treatment program or is not in compliance with any domestic abuse counseling or treatment requirements, the court may order the defendant to further or continue counseling, treatment, or other necessary services. The court may revoke all or any part of a suspended sentence, deferred sentence, or probation pursuant to Section 991b of this title and subject the defendant to any or all remaining portions of the original sentence;

6. At the first review hearing, the court shall require the defendant to appear in court. Thereafter, for any subsequent review hearings, the court may accept a report on the progress of the defendant from individual counseling, domestic abuse counseling, or the treatment program. There shall be no requirement for the victim to attend review hearings; and

7. If funding is available, a referee may be appointed and assigned by the presiding judge of the district court to hear designated cases set for review under this subsection. Reasonable compensation for the referees shall be fixed by the presiding judge. The referee shall meet the requirements and perform all duties in the same manner and procedure as set forth in Sections 1-8-103 and 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees appointed in juvenile proceedings.

E. Emergency temporary, ex parte and final protective orders shall include notice of these penalties.

F. When a minor child violates the provisions of any protective order, the violation shall be heard in a juvenile proceeding and the court may order the child and the parent or parents of the child to participate in family counseling services necessary to bring about the cessation of domestic abuse against the victim and may order community service hours to be performed in lieu of any fine or imprisonment authorized by this section.

G. Any district court of this state and any judge thereof shall be immune from any liability or prosecution for issuing an order that requires a defendant to:

1. Attend a treatment program for domestic abusers certified by the Attorney General;

2. Attend counseling or treatment services ordered as part of any final protective order or for any violation of a protective order; and

3. Attend, complete, and be evaluated before and after attendance by a treatment program for domestic abusers certified by the Attorney General.

H. At no time, under any proceeding, may a person protected by a protective order be held to be in violation of that protective order. Only a defendant against whom a protective order has been issued may be held to have violated the order.

I. In addition to any other penalty specified by this section, the court may order a defendant to use an active, real-time, twenty-four-hour Global Positioning System (GPS) monitoring device as a condition of a sentence. The court may further order the defendant to pay costs and expenses related to the GPS device and monitoring.

SECTION 475. AMENDATORY 22 O.S. 2021, Section 1263, is amended to read as follows:

Section 1263. Any officer who shall sell, barter, give away, or otherwise dispose of any whiskey or any intoxicating liquor, including beer, so seized by order of the court, shall be guilty of a Class D1 felony offense. A violation of any provision of this section shall be punished by a fine of not less than Fifty Dollars (\$50.00), nor more than Two Thousand Dollars (\$2,000.00), and imprisonment of not less than thirty (30) days in jail, nor more than five (5) years in the State Penitentiary.

SECTION 476. AMENDATORY 22 O.S. 2021, Section 1264, is amended to read as follows:

Section 1264. Any officer willfully making a false affidavit, as provided in Section 1261 of this title, shall be guilty of the felony of perjury, a Class D1 felony offense, and, upon conviction

~~therefor, shall be imprisoned in the State Penitentiary not less than two (2) years nor more than five (5) years for each offense as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.~~

SECTION 477. AMENDATORY 26 O.S. 2021, Section 9-118, is amended to read as follows:

Section 9-118. Any person who defaces a voting device, breaks, tampers with, impairs, impedes or otherwise interferes with the maintenance, adjustment, delivery, use or operation of any voting device or part thereof shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 478. AMENDATORY 26 O.S. 2021, Section 16-101, is amended to read as follows:

Section 16-101. Any person deemed guilty of a Class D1 felony offense under the provisions of this act shall, upon conviction, be ~~confined in the State Penitentiary for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or fined not more than Fifty Thousand Dollars (\$50,000.00), or both.

SECTION 479. AMENDATORY 26 O.S. 2021, Section 16-102, is amended to read as follows:

Section 16-102. Any person who votes more than once at any election, who votes in a precinct after having transferred voter registration to a new precinct, or who, knowing that he or she is not eligible to vote at an election, willfully votes at said election shall be deemed guilty of a Class D1 felony offense. Any voter covered by Section 14-116 of this title who willingly votes and submits an absentee ballot pursuant to Section 14-104.1 of this title later than the day of the election shall be deemed guilty of a Class D1 felony offense. Any person who knowingly votes and submits an absentee ballot issued to another person shall be deemed guilty of a Class D1 felony offense.

SECTION 480. AMENDATORY 26 O.S. 2021, Section 16-102.1, is amended to read as follows:

Section 16-102.1. Any unauthorized person who knowingly removes a ballot from a polling place or who knowingly carries a ballot into a polling place shall be deemed guilty of a Class D1 felony offense.

SECTION 481. AMENDATORY 26 O.S. 2021, Section 16-102.2, is amended to read as follows:

Section 16-102.2. Any person who knowingly executes a false application for an absentee ballot shall be deemed guilty of a Class D1 felony offense.

SECTION 482. AMENDATORY 26 O.S. 2021, Section 16-103, is amended to read as follows:

Section 16-103. Any person who knowingly swears or affirms a false affidavit in order to become eligible to vote, to obtain and vote a provisional ballot, to obtain and vote an absentee ballot, or to cause the cancellation of a qualified elector's voter registration, shall be deemed guilty of a Class D1 felony offense.

SECTION 483. AMENDATORY 26 O.S. 2021, Section 16-103.1, is amended to read as follows:

Section 16-103.1. Any person who knowingly causes any qualified elector to be invalidly registered or anyone who knowingly causes any unqualified person to be registered shall be deemed guilty of a Class D1 felony offense. Any person who knowingly causes the collection or submission of voter registration forms containing false, fraudulent or fictitious information shall be deemed guilty of a Class D1 felony offense.

SECTION 484. AMENDATORY 26 O.S. 2021, Section 16-104, is amended to read as follows:

Section 16-104. Any person, notary public or other official authorized to administer oaths who notarizes, verifies, acknowledges or attests to the signature on the affidavit of an absent voter or on the attestation of an incapacitated voter, without the person whose affidavit or attestation is being taken actually appearing in person before said person, notary public or official authorized to administer oaths, shall be deemed guilty of a Class D1 felony offense.

SECTION 485. AMENDATORY 26 O.S. 2021, Section 16-105, is amended to read as follows:

Section 16-105. A. Any person who knowingly conspires to commit fraud or perpetrates fraud, or who steals supplies used to conduct an election, in order to change a voter's vote, or to change the composition of the official ballot or ballots, or to change the counting of the ballots, or to change the certification of the results of an election, shall be deemed guilty of a Class D1 felony offense.

B. At every precinct there shall be posted information, provided by the State Election Board, which states the penalties for voter fraud and states that, if voter fraud is suspected, complaints should be reported to the State Election Board.

C. The State Election Board shall, upon receiving the complaint:

1. Document such complaint and request the name and mailing address of the person making the complaint;

2. Send a letter to the person making the complaint, stating the penalties for voter fraud and the option of contacting the district attorney in the county where such fraud is suspected; and

3. Provide the district attorney's name and phone number.

D. All information relating to voter complaints shall remain confidential until after the complaint has resulted in a conviction or a plea of guilty or nolo contendere.

SECTION 486. AMENDATORY 26 O.S. 2021, Section 16-106, is amended to read as follows:

Section 16-106. Any person who offers, solicits or accepts something of value intended to directly or indirectly influence the vote of the person soliciting or accepting same shall be deemed guilty of a Class D1 felony offense; provided, the gifting of an envelope, stamp, or both an envelope and stamp for the purpose of mailing in a ballot shall not be considered something of value.

SECTION 487. AMENDATORY 26 O.S. 2021, Section 16-107, is amended to read as follows:

Section 16-107. Any person who shall offer or give to another anything of value to induce or cause such other person to withdraw

from a political contest as a candidate or nominee at any election shall be deemed guilty of a Class D1 felony offense.

SECTION 488. AMENDATORY 26 O.S. 2021, Section 16-108, is amended to read as follows:

Section 16-108. Any person who shall solicit or accept from another anything of value for withdrawing from any political contest as a candidate or nominee for any office at any election shall be deemed guilty of a Class D1 felony offense.

SECTION 489. AMENDATORY 26 O.S. 2021, Section 16-109, as amended by Section 3, Chapter 147, O.S.L. 2023 (26 O.S. Supp. 2024, Section 16-109), is amended to read as follows:

Section 16-109. A. Any person who, by means of coercion, providing false or misleading information or any other method, knowingly attempts to prevent a qualified elector from becoming registered, or a registered voter from voting, shall be deemed guilty of a Class D1 felony offense.

B. Any person who, directly or indirectly, utters or addresses any threat or intimidation to any election official with intent to improperly influence an election shall be deemed guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for a term not to exceed six (6) months, or by both such fine and imprisonment.

SECTION 490. AMENDATORY 26 O.S. 2021, Section 16-120, is amended to read as follows:

Section 16-120. Any person who causes to be printed, or who has in his or her possession ballots or blank or fraudulent voter identification cards not authorized by law shall be deemed guilty of a Class D1 felony offense.

SECTION 491. AMENDATORY 27A O.S. 2021, Section 2-7-109, is amended to read as follows:

Section 2-7-109. A. In order to protect the public health and safety and the environment of this state, the Department, pursuant to the Oklahoma Hazardous Waste Management Act, shall not issue, renew, or transfer a permit for a hazardous waste facility for treatment, storage, recycling or disposal to any person who:

1. Is not in substantial compliance with a final agency order or any final order or judgment of a court of record secured by any state or federal agency relating to the generation, storage, transportation, treatment, recycling or disposal of "hazardous waste", as such term is defined by the Oklahoma Hazardous Waste Management Act, or by the United States Environmental Protection Agency pursuant to the federal Resource Conservation and Recovery Act;

2. Has evidenced a reckless disregard for the protection of the public and the environment as demonstrated by a history of noncompliance with environmental laws and rules resulting in endangerment of human health or the environment; or

3. Has as an affiliated person any person who is described by paragraph 1 or 2 of this subsection.

B. 1. Except as provided in paragraph 2 of this subsection, all applicants for the issuance, renewal or transfer of any hazardous waste permit, license, certification or operational authority issued by the Department shall file a disclosure statement with their applications.

2. If the applicant is a publicly held company required to file periodic reports under the Securities and Exchange Act of 1934, or a wholly owned subsidiary of a publicly held company, the applicant shall not be required to submit a disclosure statement, but shall submit the most recent annual and quarterly reports required by the Securities and Exchange Commission, which provide information regarding legal proceedings in which the applicant has been involved. The applicant shall submit such other relevant information as the Department may require that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

C. The Department is authorized to revoke, or to refuse to issue, to renew, or to transfer a permit for a hazardous waste facility for treatment, storage, recycling or disposal to any person who:

1. Is not, due solely to the actions or inactions of the applicant or affiliated person, in substantial compliance with any final agency order or final order or judgment of a court of record secured by the Department issued pursuant to the provisions of the Oklahoma Hazardous Waste Management Act;

2. Is not, due solely to the actions or inactions of the applicant or affiliated person, in substantial compliance with any final agency order or final order or judgment of a court of record secured by any state or federal agency, as determined by that agency, relating to the generation, storage, transportation, treatment, recycling or disposal of any "hazardous waste", as such term is defined by the Oklahoma Hazardous Waste Management Act, or by the United States Environmental Protection Agency pursuant to the federal Resource Conservation and Recovery Act;

3. Has evidenced a history of a reckless disregard for the protection of the public health and safety or the environment through a history of noncompliance with state or federal environmental laws, including without limitation the rules of the Department or the United States Environmental Protection Agency regarding the generation, storage, transportation, treatment, recycling or disposal of any "hazardous waste", as such term is defined by the Oklahoma Hazardous Waste Management Act, or by the United States Environmental Protection Agency pursuant to the federal Resource Conservation and Recovery Act; or

4. Has as an affiliated person any person who is described by paragraphs 1, 2 or 3 of this subsection.

D. 1. An application for a permit for a hazardous waste facility for treatment, storage, recycling or disposal or a renewal thereof shall be signed under oath by the applicant.

2. The Department may refuse to renew, or may suspend or revoke, a permit issued pursuant to the Oklahoma Hazardous Waste Management Act for a hazardous waste facility for treatment, storage, recycling or disposal to any person who has failed to disclose or states falsely any information required pursuant to the provisions of this section. Any person who willfully fails to disclose or states falsely any such information, upon conviction, shall be guilty of a Class D1 felony offense and may be punished by imprisonment for not more than five (5) years or fined not more than One Hundred Thousand Dollars (\$100,000.00), or both such fine and imprisonment.

E. Noncompliance with a final agency order or final order or judgment of a court of record which has been set aside by a court on appeal of such final order or judgment shall not be considered a final order or judgment for the purposes of this section.

F. The Board shall promulgate rules pursuant to the Administrative Procedures Act as may be necessary and appropriate to implement the provisions of this section.

G. The provisions of this section shall apply to:

1. Any pending or future application for a permit for land disposal or treatment of hazardous waste, except treatment at a facility accepting hazardous waste exclusively for the purpose of conducting research and design tests; and

2. Any application for a permit for hazardous waste treatment, storage, recycling or disposal which is initially submitted to the Department after July 31, 1992, or which has not been determined by the Department to be technically complete by December 31, 1993, regardless of the initial submittal date.

SECTION 492. AMENDATORY 27A O.S. 2021, Section 2-10-302, is amended to read as follows:

Section 2-10-302. A. 1. Except as provided in paragraph 2 of this subsection, all applicants for the issuance or transfer of any solid waste permit, license, certification or operational authority shall file a disclosure statement with their applications.

2. If the applicant is a publicly held company required to file periodic reports under the Securities and Exchange Act of 1934, or a wholly owned subsidiary of a publicly held company, the applicant shall not be required to submit a disclosure statement, but shall submit the most recent annual and quarterly reports required by the Securities and Exchange Commission, which provide information regarding legal proceedings in which the applicant has been involved. The applicant shall submit such other information as the Department of Environmental Quality may require pursuant to this section that relates to the competency, reliability, or responsibility of the applicant and affiliated persons.

B. The Department is authorized to revoke or to refuse to issue, amend, modify, renew or transfer a permit for the disposal of solid waste from or to any person or an affiliated person who:

1. Is not, due solely to the applicant's actions or inactions, in substantial compliance with any final agency order or final order or judgment of a court of record secured by the Department issued

pursuant to the provisions of the Oklahoma Solid Waste Management Act; or

2. Is not in substantial compliance with any final agency order or final order or judgment of a court of record secured by any state or federal agency, as determined by that agency, relating to the storage, transfer, transportation, treatment or disposal of any solid waste; or

3. Has evidenced a history of a reckless disregard for the protection of the public health and safety or the environment through a history of noncompliance with state or federal environmental laws, including without limitation the rules of the Department, regarding the storage, transfer, transportation, treatment or disposal of any solid or hazardous waste.

C. The application shall be signed under oath by the applicant.

D. The Department may suspend or revoke a permit issued pursuant to the Oklahoma Solid Waste Management Act to any person who has failed to disclose or states falsely any information required pursuant to the provisions of this section.

E. Any person who willfully fails to disclose or states falsely any such information, upon conviction, shall be guilty of a Class D1 felony offense and ~~may shall~~ be punished by imprisonment ~~for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both such fine and imprisonment.

F. Noncompliance with a final agency order or final order or judgment of a court of record which has been set aside by a court on appeal of such final order or judgment shall not be considered a final order or judgment for the purposes of this section.

SECTION 493. AMENDATORY 27A O.S. 2021, Section 2-10-801, is amended to read as follows:

Section 2-10-801. A. In order to protect public health and preserve the expectation of future disposal capability of areas local to a disposal site, except as otherwise provided by this section, no disposal site shall accept more than two hundred (200) tons per day of solid waste generated more than fifty (50) miles from the disposal site unless a permit application for a new

disposal site is submitted and approved by the Department for such waste.

The waste generated within the fifty-mile local area shall not be considered in calculating the two-hundred-ton limit.

B. New and existing landfills, incinerators, or other sites designed, constructed and operated in accordance with the most environmentally protective solid waste regulations adopted by the Board shall be subject to neither the two-hundred-ton nor the fifty-mile limit.

C. The Department may grant a temporary waiver to the limit specified in this section in the event of an emergency. Any such waiver so granted may be conditioned on development of additional capacity in the area where the waste is generated.

D. Before any disposal site accepts for disposal any solid waste generated outside the territorial limits of this state in excess of two hundred (200) tons per day:

1. The operator of the disposal site shall submit to the Department for approval a disposal plan prepared by either the generator or shipper as set out in the rules promulgated by the Board. Such plans as a minimum shall indicate the type and amount of solid waste generated, the handling, storage, treatment, disposal method and the disposal site to be used. The disposal plans shall be kept current by the persons submitting the original disposal plans and the Department shall be advised not less than five (5) working days prior to the day on which such changes are to be implemented.

Persons storing or shipping recyclable materials in an environmentally acceptable manner for the purpose of recycling shall be required to file disposal plans required by this subsection only for those wastes which are to be disposed.

2. The disposal site shall be designed, constructed and operated in accordance with the most environmentally protective solid waste rules promulgated by the Board. For landfills, the most environmentally protective solid waste regulations shall be any of those regulations promulgated by the Board for the largest population category and which include leachate collection in the landfill design, and which were effective when the application for disposal plan approval was filed with the Department.

E. Operators of solid waste disposal sites shall reject shipments of solid waste brought into this state which do not meet all the applicable requirements of this section. All rejected solid waste shall be taken out of state by the same persons who brought it into this state in violation of the provisions of this section.

F. Fly ash and bottom ash generated by coal-fired facilities located outside the territorial limits of this state in excess of two hundred (200) tons per day shall be constructively reutilized or disposed of only in an active or inactive mining operation subject to the provisions contained in Title 45 of the Oklahoma Statutes.

G. Willful violation of this section shall constitute a Class D1 felony offense punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00), or imprisonment of not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

SECTION 494. AMENDATORY 36 O.S. 2021, Section 311.1, is amended to read as follows:

Section 311.1. A. Any insurer who files with the Insurance Commissioner any statement required by this Code knowing such statement to be fraudulent and materially false, upon conviction, shall be guilty of a Class D1 felony offense, for which the punishment shall be a fine of not to exceed Fifty Thousand Dollars (\$50,000.00). Any officer, actuary, or employee of such insurer who causes such statement to be filed, knowing the fraudulent and materially false nature thereof, upon conviction, shall be guilty of a Class D1 felony offense, for which the punishment for each occurrence shall be a fine of not to exceed Twenty-five Thousand Dollars (\$25,000.00), or commitment to the custody of the Department of Corrections for not less than one (1) year and not more than five (5) years imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both said fine and commitment imprisonment, and shall never again be permitted to act as an actuary, officer, or director of any insurer licensed to do business in this state.

B. Any insurer who fails without reasonable cause and permission of the Commissioner to timely file any statement required by this Code shall be subject, after notice and opportunity for hearing, to censure, suspension or revocation of certificate.

Annual statements filed after the first day of March without express written advance permission of the Commissioner shall be accompanied by a late filing fee in the amount of Two Hundred Fifty Dollars (\$250.00) or One Hundred Dollars (\$100.00) per day, whichever is greater. Repeated willful violations, after notice and opportunity for hearing, may subject the insurer to both censure, suspension, or revocation of certificate and civil penalty of not less than One Hundred Dollars (\$100.00) nor more than Ten Thousand Dollars (\$10,000.00) for each occurrence in addition to the late filing fee.

C. Prosecution or administrative action for any violation of the provisions of this section shall be commenced within four (4) years after the violation is discovered.

SECTION 495. AMENDATORY 36 O.S. 2021, Section 1435.26, as amended by Section 6, Chapter 225, O.S.L. 2022 (36 O.S. Supp. 2024, Section 1435.26), is amended to read as follows:

Section 1435.26. A. It shall be unlawful for any person whose license to act as an insurance producer, limited lines producer, managing general agent, or surplus lines insurance broker has been suspended, revoked, surrendered, or refused to do or perform any of the acts of an insurance producer, limited lines producer, managing general agent, or surplus lines insurance broker. Any person convicted of violating the provisions of this section shall be guilty of a Class D1 felony offense and shall be punished by the imposition of a fine of not more than Five Thousand Dollars (\$5,000.00), or shall be committed to the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or be punished by both said fine and commitment to custody imprisonment.

B. It shall be unlawful for any insurance producer, limited lines producer, managing general agent, or surplus lines insurance broker to assist, aid, or conspire with a person whose license as an insurance producer, limited lines producer, managing general agent, or surplus lines insurance broker, has been suspended, revoked, surrendered, or refused to engage in any acts as an insurance producer, limited lines producer, managing general agent, or surplus lines insurance broker. Any person convicted of violating the provisions of this section shall be guilty of a Class D1 felony offense and shall be punished by the imposition of a fine of not more than Five Thousand Dollars (\$5,000.00), or shall be committed to the custody of the Department of Corrections for not less than

~~one (1) year nor more than five (5) years imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or be punished by both said fine and commitment to custody imprisonment.~~

C. Except for those persons exempt from licensure, it shall be unlawful for any person to do or perform any of the acts of an insurance producer, limited lines producer, managing general agent, or surplus lines insurance broker without being duly licensed. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor and shall be punished by the imposition of a fine of not more than Five Hundred Dollars (\$500.00) or imprisonment in the county jail for not less than six (6) months nor more than one (1) year, or be punished by both said fine and imprisonment.

SECTION 496. AMENDATORY 36 O.S. 2021, Section 1643, is amended to read as follows:

Section 1643. A. Any insurer failing, without just cause, to file any registration statement as required in this act shall be required, after notice and hearing, to pay a penalty of Five Hundred Dollars (\$500.00) for each day's delay, to be recovered by the Insurance Commissioner and the penalty so recovered shall be paid as provided in Section 307.5 of Title 36 of the Oklahoma Statutes. The maximum penalty under this section is One Hundred Thousand Dollars (\$100,000.00). The Commissioner may reduce the penalty if the insurer demonstrates to the Commissioner that the imposition of the penalty would constitute a financial hardship to the insurer.

B. Every director or officer of an insurance holding company system who knowingly violates, participates in or assents to, or who knowingly shall permit any of the officers or agents of the insurer to engage in, transactions or make investments which have not been properly reported or submitted pursuant to subsection A of Section 5 of this act, paragraph 2 of subsection A of Section 6 of this act or subsection B of Section 6 of this act, or which violate this act, shall pay, in their individual capacity, a civil forfeiture of not more than Twenty-five Thousand Dollars (\$25,000.00) per violation, after notice and hearing before the Commissioner. In determining the amount of the civil forfeiture, the Commissioner shall take into account the appropriateness of the forfeiture with respect to the gravity of the violation, the history of previous violations, and such other matters as justice may require.

C. Whenever it appears to the Commissioner that any insurer subject to this act or any director, officer, employee or agent thereof has engaged in any transaction or entered into a contract which is subject to Section 6 of this act and which would not have been approved had the approval been requested, the Commissioner may order the insurer to cease and desist immediately any further activity under that transaction or contract. After notice and hearing the Commissioner may also order the insurer to void any contracts and restore the status quo if the action is in the best interest of the policyholders, creditors or the public.

D. Whenever it appears to the Commissioner that any insurer or any director, officer, employee or agent thereof has committed a willful violation of this act, the Commissioner may submit such information to the district attorney for Oklahoma County for appropriate action against the insurer or the responsible director, officer, employee or agent thereof. Any insurer which willfully violates this act may be fined not more than One Hundred Thousand Dollars (\$100,000.00). Any individual who willfully violates this act ~~may~~ shall, upon conviction, be guilty of a Class D3 felony offense and shall be fined in his or her individual capacity not more than Fifty Thousand Dollars (\$50,000.00), or be imprisoned for not more than one (1) to three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

E. Any officer, director or employee of an insurance holding company system who willfully and knowingly subscribes to or makes or causes to be made any false statements or false reports or false filings with the intent to deceive the Commissioner in the performance of his or her duties under this act, upon conviction, shall be guilty of a Class D1 felony offense and shall be imprisoned for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or fined One Hundred Fifty Thousand Dollars (\$150,000.00), or both. Any fines imposed shall be paid by the officer, director or employee in his or her individual capacity.

F. Whenever it appears to the Commissioner that any person has committed a violation of Section 3 of this act which prevents the full understanding of the enterprise risk to the insurer by affiliates or by the insurance holding company system, the violation may serve as an independent basis for disapproving dividends or distributions and for placing the insurer under an order of

supervision in accordance with Article 18 of Title 36 of the Oklahoma Statutes.

SECTION 497. AMENDATORY 36 O.S. 2021, Section 6130, is amended to read as follows:

Section 6130. A. Any officer, director, agent, or employee of any organization subject to the terms of Sections 6121 through 6136.18 of this title who makes or attempts to make any contract in violation of the provisions of Sections 6121 through 6136.18 of this title, or who refuses to allow an inspection of the records of the organization, or who violates any other provision of Sections 6121 through 6136.18 of this title, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a term of not more than ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, and a fine not exceeding Ten Thousand Dollars (\$10,000.00), and ordered to pay restitution to the victim. Each violation of any provision of Sections 6121 through 6136.18 of this title shall be deemed a separate offense and prosecuted individually.

B. The violation of any provision of Sections 6121 through 6136.18 of this title shall constitute a cause for the Oklahoma Funeral Board to revoke, or to refuse to issue or renew, any license issued pursuant to the provisions of Sections 396 through 396.33 of Title 59 of the Oklahoma Statutes. The violation of any provision of Sections 6121 through 6136.18 of this title shall constitute a cause for the Insurance Commissioner to issue a notice and order to show cause why the licensee shall not be censured, have the license of the licensee suspended or revoked, be subject to a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00), or be subject to both such fine and punishment.

SECTION 498. AMENDATORY 37A O.S. 2021, Section 3-101, is amended to read as follows:

Section 3-101. A. No person shall manufacture, rectify, sell, possess, store, import into or export from this state, transport or deliver any alcoholic beverage except as specifically provided in the Oklahoma Alcoholic Beverage Control Act. Provided, that nothing herein shall prevent the possession and transportation of alcoholic beverages for the personal use of the possessor and his or her family and guests, so long as the Oklahoma excise tax has been paid

thereon, except for beer. Provided, further, that nothing herein shall prevent a person from making beer, cider or wine, by simple fermentation and without distillation for personal use if the maker of such beverages has first applied for and possesses a valid personal use permit issued by the ABLE Commission and the total volume of beer, cider or wine produced in any given calendar year is less than two hundred (200) gallons. No beverages made pursuant to a personal use permit shall be sold or offered for sale.

B. 1. Any duly licensed physician or dentist may possess and use alcoholic beverages in the strict practice of the profession and any hospital or other institution caring for sick or diseased persons may possess and use alcoholic beverages for the treatment of bona fide patients of such hospital or institution. Any drugstore employing a licensed pharmacist may possess and use alcoholic beverages in the preparation of prescriptions of duly licensed physicians.

2. The possession, transportation and dispensation of wine by any authorized representative of any church for the conducting of a bona fide rite or religious ceremony conducted by such church shall not be prohibited by the Oklahoma Alcoholic Beverage Control Act; nor shall such act prevent the sale, shipping or delivery of sacramental wine by any person holding a sacramental wine supplier license issued pursuant to the Oklahoma Alcoholic Beverage Control Act to any religious corporation or society of this state holding a valid exemption from taxation issued pursuant to Section 501(a) of the Internal Revenue Code, 1954, and listed as an exempt organization in Section 501(c)(3) of the Internal Revenue Code, 1954, of the United States, as amended.

3. Provided further, that nothing in the Oklahoma Alcoholic Beverage Control Act shall prevent the possession, transportation and sale of alcoholic beverages within military reservations and in accordance with the laws and rules governing such military reservations, provided that the Oklahoma excise tax has been paid on such beverages.

C. 1. Except as otherwise authorized by law, it is unlawful for any brewer, manufacturer, wine and spirits wholesaler, beer distributor or retailer of alcoholic beverages, located and doing business from outside this state, to make retail sales of alcoholic beverages to purchasers located in this state or to ship alcoholic beverages sold at retail to persons located in this state. Any person who engages in the sale or shipping of alcoholic beverages in

violation of the provisions of this subsection, upon conviction, shall be guilty of a Class D1 felony offense punishable by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, if the sale or delivery is made to a person under twenty-one (21) years of age, or a misdemeanor, if the sale or delivery is made to a person twenty-one (21) years of age or older.

2. The fine for a violation of this subsection shall be not more than Five Thousand Dollars (\$5,000.00).

3. In addition, if the person holds a license issued by the ABLE Commission, the license shall be revoked pursuant to Section 60 of this act.

D. All brewers, importers, brokers and others who sell beer or cider to licensed beer distributors in Oklahoma or manufacturers, importers, brokers and others who sell cider to licensed beer distributors in Oklahoma, regardless of whether such sales are consummated within or without the state, must obtain a license, as the case may be, in order to sell beer or cider intended for consumption within the State of Oklahoma.

SECTION 499. AMENDATORY 37A O.S. 2021, Section 6-101, is amended to read as follows:

Section 6-101. A. No person shall:

1. Knowingly sell, deliver or furnish alcoholic beverages to any person under twenty-one (21) years of age;

2. Sell, deliver or knowingly furnish alcoholic beverages to an intoxicated person or to any person who has been adjudged insane or mentally deficient;

3. Open a retail container or consume alcoholic beverages on the premises of a package store, grocery store, convenience store or drug store, unless otherwise permitted by law;

4. Import into this state, except as provided for in the Oklahoma Alcoholic Beverage Control Act, any alcoholic beverages; provided, that nothing herein shall prohibit the importation or possession for personal use of not more than one (1) liter of alcoholic beverages upon which the Oklahoma excise tax is delinquent;

5. Receive, possess or use any alcoholic beverage in violation of the provisions of the Oklahoma Alcoholic Beverage Control Act;

6. Knowingly transport into, within or through this state more than one (1) liter of alcoholic beverages upon which the Oklahoma excise tax has not been paid unless the person accompanying or in charge of the vehicle transporting same shall possess a true copy of a bill of lading, invoice, manifest or other document particularly identifying that alcoholic beverages are being transported and showing the name and address of the consignor and consignee; provided, this prohibition shall not apply to the first one hundred eighty (180) liters of alcoholic beverages classified as household goods by military personnel, age twenty-one (21) or older, when entering Oklahoma from temporary active assignment outside the contiguous United States;

7. Knowingly transport in any vehicle upon a public highway, street or alley any alcoholic beverage except in the original container which shall not have been opened and the seal upon which shall not have been broken and from which the original cap or cork shall not have been removed, unless the opened container be in the rear trunk or rear compartment, which shall include the spare tire compartment in a vehicle commonly known as a station wagon and panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion;

8. Consume spirits in public except on the premises of a licensee of the ABLE Commission who is authorized to sell or serve spirits by the individual drink, or be intoxicated in a public place. This provision shall be cumulative and in addition to existing law;

9. Forcibly resist lawful arrest, or by physical contact interfere with an investigation of any infringement of the Oklahoma Alcoholic Beverage Control Act or with any lawful search or seizure being made by a law enforcement officer or an employee of the ABLE Commission, when such person knows or should know that such acts are being performed by a state, county or municipal officer or employee of the ABLE Commission;

10. Manufacture, duplicate, counterfeit or in any way imitate any bottle club membership card required to be issued by the ABLE Commission without the permission of the ABLE Commission;

11. Consume or possess alcoholic beverages on the licensed premises of a bottle club unless such person possesses a valid membership card for that club issued by the club;

12. Knowingly possess any bottle club membership card required to be issued by the ABLE Commission which has been manufactured, counterfeited, imitated or in any way duplicated without the permission of the ABLE Commission; or

13. Knowingly and willfully permit any individual under twenty-one (21) years of age who is an invitee to the person's residence, any building, structure or room owned, occupied, leased or otherwise procured by the person or on any land owned, occupied, leased or otherwise procured by the person, to possess or consume any alcoholic beverage as defined by Section 1-103 of this title, any controlled dangerous substance as defined in the Uniform Controlled Dangerous Substances Act, or any combination thereof, in such place.

B. Except as provided for in subsection C of this section, punishment for violation of paragraph 13 of subsection A of this section shall be as follows:

1. Any person who is convicted of a violation of the provisions of paragraph 13 of subsection A of this section shall be deemed guilty of a misdemeanor for the first offense and be punished by a fine of not more than Five Hundred Dollars (\$500.00) and shall be required to attend a victims impact panel program as defined in Section 991a of Title 22 of the Oklahoma Statutes;

2. Any person who, within ten (10) years after previous convictions of a violation:

- a. of paragraph 13 of subsection A of this section,
- b. of the provisions of any law of another state prohibiting the offense provided for in paragraph 13 of subsection A of this section, or
- c. in a municipal criminal court of record for the violation of a municipal ordinance prohibiting the offense provided for in paragraph 13 of subsection A of this section,

shall be guilty of a misdemeanor and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00) and shall be required

to attend a victims impact panel program as defined in Section 991a of Title 22 of the Oklahoma Statutes;

3. Any person who, within ten (10) years after two or more previous convictions of a violation:

- a. of paragraph 13 of subsection A of this section,
- b. of the provisions of any law of another state prohibiting the offense provided for in paragraph 13 of subsection A of this section, or
- c. in a municipal criminal court of record for the violation of a municipal ordinance prohibiting the offense provided for in paragraph 13 of subsection A of this section, or
- d. or any combination of two or more thereof,

shall be guilty of a Class D1 felony offense and shall be punished by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment and shall be required to attend a victims impact panel program as defined in Section 991a of Title 22 of the Oklahoma Statutes.

C. Any person who violates paragraph 13 of subsection A of this section, and such actions cause great bodily injury or the death of a person, shall, in addition to any other penalty provided by law, be guilty of a Class D1 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment and shall be required to attend a victims impact panel program as defined in Section 991a of Title 22 of the Oklahoma Statutes.

D. Except as provided in subsection C of Section 6-126 of this title, any person who shall engage in any of the following and disturb the peace of any person:

1. In any public place, or in or upon any passenger coach, streetcar, or in or upon any other vehicle commonly used for the transportation of passengers, or in or about any depot, platform, waiting station or room, drink or otherwise consume any intoxicating liquor unless authorized by the Oklahoma Alcoholic Beverage Control Act, intoxicating substance or intoxicating compound of any kind, or inhale glue, paint or other intoxicating substance;

2. Be drunk or intoxicated in any public or private road, or in any passenger coach, streetcar or any public place or building, or at any public gathering, from drinking or consuming such intoxicating liquor, intoxicating substance or intoxicating compound or from inhalation of glue, paint or other intoxicating substance; or

3. Be drunk or intoxicated from any cause,

shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Ten Dollars (\$10.00), nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than five (5) days nor more than thirty (30) days or by both such fine and imprisonment.

SECTION 500. AMENDATORY 37A O.S. 2021, Section 6-123, is amended to read as follows:

Section 6-123. Any person selling or keeping a package store open to sell any alcoholic beverage during any day or hours not authorized by the Oklahoma Alcoholic Beverage Control Act, and any person selling or permitting the sale of alcoholic beverages at a grocery store, convenience store or drug store during any day or hours not authorized by the Oklahoma Alcoholic Beverage Control Act shall be guilty of a misdemeanor for a first violation, and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation shall be guilty of a Class D1 felony offense, and shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. The ABLE Commission shall revoke the license of any person convicted of a violation of this section.

SECTION 501. AMENDATORY 40 O.S. 2021, Section 5-107, is amended to read as follows:

Section 5-107.

WRONGFUL DISCLOSURE OF INFORMATION.

If any employee or member of the Board of Review or the Oklahoma Employment Security Commission or any employee of the Commission, or any employee of a governmental unit, private business or nonprofit entity that is allowed access to information under Section 4-508 of this title, makes any disclosure of confidential information or otherwise violates Section 4-508 of this title, or if any person who has obtained any list of applicants for work, or of claimants or recipients of benefits, under Section 5-101 et seq. of this title shall use or permit the use of such list for any political purpose, such individual shall be guilty of a ~~misdemeanor~~ Class D1 felony offense and shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or imprisoned ~~for not longer than ninety (90) days~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both.

SECTION 502. AMENDATORY 40 O.S. 2021, Section 169, is amended to read as follows:

Section 169. Any person who shall hire, aid, abet or assist in hiring through private detective agencies or otherwise, persons to guard with arms or deadly weapons of any kind, other persons or property, or any person who shall come into this state armed with deadly weapons of any kind for any such purpose, without a permit, in writing, from the Governor, shall be guilty of a Class D1 felony offense, and on conviction thereof shall be imprisoned ~~in the State Penitentiary not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~. Provided, that nothing herein contained shall be construed to interfere with the right of any person, corporations, society, association or organization in guarding and protecting their property as provided by law; but this section shall be construed only to apply in cases where workmen are brought into the state or induced to go from one place to another in the state by any false pretenses, false advertising, or deceptive representation, or brought into the state under arms or removed from one place to another in the state under arms.

SECTION 503. AMENDATORY 40 O.S. 2021, Section 183, is amended to read as follows:

Section 183. Should any employee enter such boiler, firebox, or smoke chamber, while the same is under pressure of steam, at the command or order of his employer, or the agent of such employer, and while inside of such boiler, firebox or smoke chamber, meet with an accident resulting in his death, the person or persons commanding or ordering him to enter such boiler, firebox, or smoke chamber, shall be guilty of manslaughter in the second degree, a Class D1 felony offense punishable as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 504. AMENDATORY 42 O.S. 2021, Section 142.4, is amended to read as follows:

Section 142.4. Any original contractor who falsifies any statement regarding liens on labor or material to any owner of a dwelling, upon conviction, shall be guilty of a Class D1 felony offense punishable as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 505. AMENDATORY 42 O.S. 2021, Section 142.6, is amended to read as follows:

Section 142.6. A. For the purposes of this section:

1. "Claimant" means a person, other than an original contractor, that is entitled or may be entitled to a lien pursuant to Section 141 of this title; and

2. "Person" means any individual, corporation, partnership, unincorporated association, or other entity.

B. 1. Prior to the filing of a lien statement pursuant to Section 143.1 of this title, but no later than seventy-five (75) days after the last date of supply of material, services, labor, or equipment in which the claimant is entitled or may be entitled to lien rights, the claimant shall send to the last-known address of the original contractor and an owner of the property a pre-lien notice pursuant to the provisions of this section. Provided further, no lien affecting property then occupied as a dwelling by an owner shall be valid unless the pre-lien notice provided in this section was sent within seventy-five (75) days of the last

furnishing of materials, services, labor or equipment by the claimant.

2. The provisions of this section shall not be construed to require:

- a. a pre-lien notice with respect to any retainage held by agreement between an owner, contractor, or subcontractor, or
- b. more than one pre-lien notice during the course of a construction project in which material, services, labor, or equipment is furnished.

A pre-lien notice sent in compliance with this section for the supply of material, services, labor, or equipment that entitles or may entitle a claimant to lien rights shall protect the claimant's lien rights for any subsequent supply of material, services, labor, or equipment furnished during the course of a construction project.

3. Except as otherwise required in paragraph 1 of this subsection, the pre-lien notice requirements shall not apply to a claimant:

- a. whose claim relates to the supply of material, services, labor, or equipment furnished in connection with a residential project. For the purposes of this subparagraph, the term "residential" shall mean a single family or multifamily project of four or fewer dwelling units, none of which are occupied by an owner, or
- b. whose aggregate claim is less than Ten Thousand Dollars (\$10,000.00).

4. The pre-lien notice shall be in writing and shall contain, but not be limited to, the following:

- a. a statement that the notice is a pre-lien notice,
- b. the complete name, address, and telephone number of the claimant, or the claimant's representative,
- c. the date of supply of material, services, labor, or equipment,

- d. a description of the material, services, labor, or equipment,
- e. the name and last-known address of the person who requested that the claimant provide the material, services, labor, or equipment,
- f. the address, legal description, or location of the property to which the material, services, labor, or equipment has been supplied,
- g. a statement of the dollar amount of the material, services, labor, or equipment furnished or to be furnished, and
- h. the signature of the claimant, or the claimant's representative.

5. A rebuttable presumption of compliance with paragraph 1 of this subsection shall be created if the pre-lien notice is sent as follows:

- a. hand delivery supported by a delivery confirmation receipt,
- b. automated transaction pursuant to Section 15-115 of Title 12A of the Oklahoma Statutes, or
- c. certified mail, return receipt requested. Notice by certified mail, return receipt requested, shall be effective on the date mailed.

6. The claimant may request in writing, the request to be sent in the manner as provided in paragraph 5 of this subsection, that the original contractor provide to the claimant the name and last-known address of an owner of the property. Failure of the original contractor to provide the claimant with the information requested within five (5) days from the date of receipt of the request shall render the pre-lien notice requirement to the owner of the property unenforceable.

C. At the time of the filing of the lien statement, the claimant shall furnish to the county clerk a notarized affidavit verifying compliance with the pre-lien notice requirements of this

section. Any claimant who falsifies the affidavit shall be guilty of a misdemeanor, and upon conviction thereof may be punished by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the county jail for not more than thirty (30) days, or by both such fine and imprisonment. If the value of the property embezzled is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the claimant shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

D. Failure of the claimant to comply with the pre-lien notice requirements of this section shall render that portion of the lien claim for which no notice was sent invalid and unenforceable.

SECTION 506. AMENDATORY 43 O.S. 2021, Section 14, is amended to read as follows:

Section 14. Any minister of the Gospel, or other person authorized to solemnize the rites of matrimony within this state, who shall knowingly solemnize the rites of matrimony between persons prohibited by this chapter, from intermarrying shall be deemed guilty of a Class D1 felony offense, and upon conviction thereof shall be fined in any sum not exceeding Five Hundred Dollars (\$500.00) and imprisonment ~~in the State Penitentiary not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 507. AMENDATORY 43 O.S. 2021, Section 123, is amended to read as follows:

Section 123. It shall be unlawful for either party to an action for divorce whose former husband or wife is living to marry in this state a person other than the divorced spouse within six (6) months from date of decree of divorce granted in this state, or to cohabit with such other person in this state during said period if the marriage took place in another state; and if an appeal be commenced from said decree, it shall be unlawful for either party to such cause to marry any other person and cohabit with such person in this state until the expiration of thirty (30) days from the date on which final judgment shall be rendered pursuant to such appeal. Any person violating the provisions of this section by such marriage shall be deemed guilty of the Class D1 felony offense of bigamy and shall be punished as provided for in subsections B through F of

Section 20N of Title 21 of the Oklahoma Statutes. Any person violating the provisions of this section by such cohabitation shall be deemed guilty of the Class D1 felony offense of adultery and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

An appeal from a judgment granting or denying a divorce shall be made in the same manner as in any other civil case.

SECTION 508. AMENDATORY 43A O.S. 2021, Section 2-219, is amended to read as follows:

Section 2-219. Any officer or employee of a facility who maliciously assaults, beats, batters, abuses, or uses mechanical restraints, or willfully aids, abets, advises or permits any consumer confined therein to be maliciously assaulted, beaten, battered, abused, or mechanically restrained shall be guilty of a Class D1 felony offense, and on conviction thereof shall be punished by imprisonment ~~in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine not exceeding Five Hundred Dollars (\$500.00), or both fine and imprisonment.

SECTION 509. AMENDATORY 43A O.S. 2021, Section 3-601, as amended by Section 2, Chapter 250, O.S.L. 2023 (43A O.S. Supp. 2024, Section 3-601), is amended to read as follows:

Section 3-601. A. Any Class II controlled dangerous substance, when used in this state by an opioid substitution treatment program for persons with a history of opioid addiction to or physiologic dependence on controlled dangerous substances, shall only be used:

1. In treating persons with a history of addiction;
2. In treating persons with a one-year history of opioid addiction to or physiologic dependence on controlled dangerous substances, as defined by the Code of Federal Regulations, and documentation of attempting another type of treatment; or
3. If clinically appropriate, the program physician may waive the requirement of a one-year history of opioid addiction for consumers within six (6) months of release from a penal institution, for consumers with a pregnancy verified by the program physician, or for consumers having previously received treatment for opioid

addiction and within two (2) years of discharge from that treatment episode.

B. Any conviction for a violation of the provisions of this section or any rules promulgated pursuant to the provisions of this section shall be a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

C. For the purposes of this section, "opioid substitution treatment program" means a person, private physician, or organization that administers or dispenses an opioid drug to a narcotic addict for the purposes of detoxification or maintenance treatment or provides, when necessary and appropriate, comprehensive medical and rehabilitation services. A private physician who administers buprenorphine with a waiver from the Drug Enforcement Administration shall not be considered an opioid substitution treatment program.

D. An opioid substitution treatment program shall be certified by the Board of Mental Health and Substance Abuse Services, or the Commissioner of Mental Health and Substance Abuse Services upon delegation by the Board, and registered with the federal Drug Enforcement Administration for the use of an opioid drug to treat narcotic addiction.

E. The Board of Mental Health and Substance Abuse Services shall promulgate rules and standards for the certification of all programs, private facilities, and organizations which provide opioid substitution treatment directed to those physiologically dependent on or addicted to opioids. These facilities and organizations shall be known as "Opioid Substitution Treatment Programs". Only certified facilities may receive and assist opioid-dependent and addicted persons by providing Class II controlled substances in opioid substitution treatment and rehabilitation.

F. The Board of Mental Health and Substance Abuse Services shall promulgate rules and standards regulating the treatment and services provided by opioid substitution treatment programs. Failure to comply with rules and standards promulgated by the Board shall be grounds for revocation, suspension or nonrenewal of certification.

G. An opioid substitution treatment program shall comply with all federal requirements for opioid treatment programs provided by

42 C.F.R., Subpart C including but not limited to the requirement to provide drug abuse testing services provided by 42 C.F.R., Section 8.12(f)(6). Drug abuse testing shall be directly observed by an employee or contractor of the opioid substitution treatment program.

H. Opioid substitution treatment programs shall notify the Department of Mental Health and Substance Abuse Services of plans to close or relocate within a minimum of thirty (30) days prior to closure or relocation.

I. Failure to comply with rules and standards promulgated by the Board of Mental Health and Substance Abuse Services pursuant to this section or failure to comply with the requirements of 42 C.F.R., Subpart C shall be grounds for reprimand, suspension, revocation or nonrenewal of certification.

SECTION 510. AMENDATORY 43A O.S. 2021, Section 11-113, is amended to read as follows:

Section 11-113. A. Any person who willfully conceals, cancels, defaces, alters, or obliterates the advance directive for mental health treatment of another without the declarant's consent, or who falsifies or forges a revocation of an advance directive of another, shall be, upon conviction, guilty of a misdemeanor.

B. A person who in any way falsifies or forges the advance directive for mental health treatment of another person, or who willfully conceals or withholds personal knowledge of a revocation of an advance directive for mental health treatment, shall be, upon conviction, guilty of a misdemeanor.

C. A person who requires or prohibits the execution of an advance directive for mental health treatment as a condition for being insured for, or receiving, health care services shall be, upon conviction, guilty of a misdemeanor.

D. A person who coerces or fraudulently induces another person to execute a declaration or revocation shall be, upon conviction, guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

E. The sanctions provided in this section do not displace any sanction applicable under any other law.

SECTION 511. AMENDATORY 47 O.S. 2021, Section 4-102, is amended to read as follows:

Section 4-102. A. A person not entitled to possession of a vehicle who, without the consent of the owner and with intent to deprive the owner, temporarily or otherwise, of the vehicle or its possession, takes, uses or drives the vehicle shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

B. A person not entitled to possession of an implement of husbandry who, without the consent of the owner and with intent to deprive the owner, temporarily or otherwise, of the implement of husbandry or its possession, takes, uses or drives the implement of husbandry shall, upon conviction, be guilty of a Class D1 felony offense punishable in accordance with the provisions of Section 17-102 of this title.

SECTION 512. AMENDATORY 47 O.S. 2021, Section 4-103, is amended to read as follows:

Section 4-103. A. A person not entitled to the possession of a vehicle who receives, possesses, conceals, sells, or disposes of it, knowing the vehicle to be stolen or converted under circumstances constituting a crime shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

B. A person not entitled to the possession of an implement of husbandry who receives, possesses, conceals, sells or disposes of it, knowing the implement of husbandry to be stolen or converted under circumstances constituting a crime shall, upon conviction, be guilty of a Class D1 felony offense punishable in accordance with the provisions of Section 17-102 of this title.

SECTION 513. AMENDATORY 47 O.S. 2021, Section 4-107, as amended by Section 35, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024, Section 4-107), is amended to read as follows:

Section 4-107. A. Any person or persons who shall destroy, remove, cover, alter or deface, or cause to be destroyed, removed,

covered, altered or defaced, the engine number or other distinguishing number of any vehicle in this state, without first giving notice of such act to Service Oklahoma, upon such form as Service Oklahoma may prescribe, or any person who shall give a wrong description in any application for the registration of any vehicle in this state for the purpose of concealing or hiding the identity of such vehicle, shall be deemed guilty of a Class D1 felony offense and upon conviction thereof shall be punished by imprisonment ~~in the custody of the Oklahoma Department of Corrections for a term of not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. A person who buys, receives, possesses, sells or disposes of a vehicle or an engine for a vehicle, knowing that the identification number of the vehicle or engine has been removed or falsified, shall, upon conviction, be guilty of a misdemeanor.

C. A person who buys, receives, possesses, sells or disposes of a vehicle or an engine for a vehicle, with knowledge that the identification number of the vehicle or engine has been removed or falsified and with intent to conceal or misrepresent the identity of the vehicle or engine, shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

D. A person who removes a license plate from a vehicle or affixes to a vehicle a license plate not authorized by law for use on said vehicle with intent to conceal or misrepresent the identity of the vehicle or its owner shall, upon conviction, be guilty of a misdemeanor.

E. As used in this section:

1. "Identification number" includes an identifying number, serial number, engine number or other distinguishing number or mark, placed on a vehicle or engine by its manufacturer or by authority of the Oklahoma Tax Commission or in accordance with the laws of another state or country;

2. "Remove" includes deface, cover and destroy; and

3. "Falsify" includes alter and forge.

F. An identification number may be placed on a vehicle or engine by its manufacturer in the regular course of business or placed or restored on a vehicle or engine by authority of Service Oklahoma without violating this section; provided, an identification number so placed or restored is not falsified.

SECTION 514. AMENDATORY 47 O.S. 2021, Section 4-107a, is amended to read as follows:

Section 4-107a. A. It shall be unlawful for any person to:

1. Knowingly and intentionally destroy, remove, cover, alter or deface, or cause to be destroyed, covered, removed, altered or defaced the trim tag plate of a motor vehicle manufactured from 1953 to 1977;

2. Knowingly affix a counterfeit trim tag plate to a motor vehicle;

3. Manufacture, offer for sale, sell, introduce, import or deliver for sale or use in this state a counterfeit trim tag plate; or

4. Offer for sale, sell, introduce, import or deliver for sale or use in this state a trim tag plate that was affixed to a motor vehicle at the time of manufacture but has since been removed or become dislodged.

B. Paragraph 1 of subsection A of this section shall not apply to:

1. Any person who engages in repair of a motor vehicle, provided that removal of the vehicle's trim tag plate is reasonably necessary for repair of a part of the vehicle to which the trim tag plate is affixed, and provided that such trim tag plate is not intentionally destroyed, altered or defaced; or

2. Removal of a trim tag from a motor vehicle which is being junked or otherwise destroyed, if the removal is being done for historical documentation purposes by a person actively involved in judging events or for historical documentation of classic motor vehicles and reasonable precaution is taken to ensure that the tag is not sold or affixed to another motor vehicle.

C. Any person convicted of violating the provisions of this act shall be guilty of a misdemeanor. Any person convicted of violating the provisions of this act a second or subsequent time shall be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

D. In addition to any other civil remedy available, a person defrauded as a result of a violation of this act may bring a civil action against any person who knowingly violated this act regardless of whether that person has been convicted of a violation of this act. A person defrauded as a result of a violation of this act may recover treble their actual compensatory damages. In any action brought pursuant to this subsection, the court may award reasonable costs, including costs of expert witnesses, and attorney fees to the prevailing party.

E. As used in this section:

1. "Trim tag plate" means a plate or tag affixed to a motor vehicle by the manufacturer which displays numbers, symbols, or codes that identify characteristics of the vehicle including, but not limited to, date of manufacture, body style, paint color, engine option, transmission option, trim option, general option, interior option, and interior color;

2. "Counterfeit trim tag plate" means:

- a. any trim tag plate manufactured by a person or entity other than the original manufacturer of a motor vehicle upon which the trim tag plate is designed to be affixed, unless the trim tag has been permanently stamped, in the same manner as other information on the trim tag, with the words "REPLACEMENT TAG" in letters measuring at least one-eighth (1/8) of an inch in height, or
- b. any trim tag plate which has been altered from its original manufactured condition so as to change any of its numbers, symbols, or codes; and

3. "Motor vehicle" means the same as defined in Section 1-134 of ~~Title 47 of the Oklahoma Statutes~~ this title.

SECTION 515. AMENDATORY 47 O.S. 2021, Section 4-110, is amended to read as follows:

Section 4-110. A. Except as otherwise authorized by law, it shall be unlawful for any person to commit any of the following acts:

1. To lend or to sell to, or knowingly permit the use of by, one not entitled thereto any certificate of title or number plate issued to or in the custody of the person so lending or permitting the use thereof;

2. To alter or in any manner change a certificate of title, registration certificate or number plate issued under the laws of this state or any other state;

3. To purchase identification or number plates on an assigned certificate of title. This paragraph shall be applicable to all persons except bona fide registered dealers in used motor vehicles who are holders of current and valid used motor vehicle dealers' licenses;

4. To sell or dispose of, in any manner, a used vehicle without delivering to the purchaser an Oklahoma certificate of title in such purchaser's name or one properly and completely assigned to the purchaser at the time of sale.

Anyone violating any of the provisions of this subsection, upon conviction, shall be guilty of a misdemeanor and shall be fined not less than Ten Dollars (\$10.00) and not to exceed One Hundred Dollars (\$100.00).

B. Except as otherwise authorized by law, no person shall:

1. Lend or sell to, or knowingly permit the use of by, one not entitled thereto any certificate of title issued for a manufactured home, manufactured home registration receipt, Manufactured Home Registration Decal or excise tax receipt;

2. Alter or in any manner change a certificate of title issued for a manufactured home under the laws of this state or any other state;

3. Remove or alter a manufactured home registration receipt, Manufactured Home Registration Decal or excise tax receipt attached

to a certificate of title or attach such receipts to a certificate of title with the intent to misrepresent the payment of the required excise tax and registration fees;

4. Purchase identification, manufactured home registration receipt, Manufactured Home Registration Decal or excise tax receipt on an assigned certificate of title.

Anyone violating the provisions of this subsection, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

C. Any violation of any portion of this section for which a specific penalty has not been imposed shall constitute a misdemeanor and upon conviction thereof the person having violated it shall be fined not less than Ten Dollars (\$10.00) and not to exceed One Hundred Dollars (\$100.00).

SECTION 516. AMENDATORY 47 O.S. 2021, Section 6-301, as amended by Section 76, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024, Section 6-301), is amended to read as follows:

Section 6-301. It shall be unlawful for any person to commit any of the acts specified in paragraph 1 or 2 of this section in relation to an Oklahoma driver license or identification card authorized to be issued by Service Oklahoma pursuant to the provisions of Sections 6-101 through 6-309 of this title or any driver license or other evidence of driving privilege or identification card authorized to be issued by the state of origin.

1. It is a misdemeanor for any licensee:

- a. to display or cause or permit to be displayed one's own license after such license has been suspended, revoked or canceled or to possess one's own license after having received notice of its suspension, revocation, or cancellation,
- b. to lend one's own license or identification card to any other person or knowingly permit the use thereof by another,
- c. to display or cause or permit to be displayed or to possess a license or identification card issued to

oneself which bears altered information concerning the date of birth, expiration date, sex, height, eye color, weight or license or card number,

- d. to fail or refuse to surrender to Service Oklahoma upon its lawful demand any license or identification card which has been suspended, revoked or canceled,
- e. to permit any unlawful use of a license or identification card issued to oneself,
- f. to do any act forbidden or fail to perform any act required by this chapter, excepting those acts as provided in paragraph 2 of this section,
- g. to display or represent as one's own, any license or identification card not issued to such person, unless under conditions provided in subparagraph e of paragraph 2 of this section, or
- h. to add to, delete from, alter, or deface the required information on a driver license or identification card.

2. It is a felony for any person:

- a. to create, publish or otherwise manufacture an Oklahoma or other state license or identification card or facsimile thereof, or to create, manufacture or possess an engraved plate or other such device, card, laminate, digital image or file, or software for the printing of an Oklahoma or other state license or identification card or facsimile thereof, except as authorized pursuant to this title,
- b. to display or cause or permit to be displayed or to knowingly possess any state counterfeit or fictitious license or identification card,
- c. to display or cause to be displayed or to knowingly possess any state license or identification card bearing a fictitious or forged name or signature,
- d. to display or cause to be displayed or to knowingly possess any state license or identification card

bearing the photograph of any person, other than the person named thereon as licensee,

- e. to display or represent as one's own, any license or identification card not issued to him or her, for the purpose of committing a fraud in any commercial transaction or to mislead a peace officer in the performance of his or her duties, or
- f. to use a false or fictitious name in any application for a license or identification card or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application.

3. It is a felony for any employee or person authorized to issue or approve the issuance of licenses or identification cards under this title to knowingly issue or attempt to issue a license or identification card or to knowingly give approval for, cause, or attempt to cause a license or identification card to be issued:

- a. to a person not entitled thereto,
- b. bearing erroneous information thereon, or
- c. bearing the photograph of a person other than the person named thereon.

Such conduct shall be grounds for termination of employment of the employee.

4. The violation of any of the provisions of paragraph 1 of this section shall constitute a misdemeanor and shall, upon conviction thereof, be punishable by a fine of not less than Twenty-five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00); the violation of any of the provisions of paragraph 2 or 3 of this section shall constitute a Class D1 felony offense and shall, upon conviction thereof, be punishable by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or a term of imprisonment in the custody of the Department of Corrections not to exceed seven (7) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

5. Notwithstanding any provision of this section, Service Oklahoma may, upon the request of the chief administrator of a law enforcement, military, or intelligence agency, authorize the issuance to and display, and possession by a person of a license which would otherwise be a violation of this section, for the sole purpose of aiding in a criminal investigation or a military or intelligence operation. While acting pursuant to such authorization by Service Oklahoma, such person shall not be prosecuted for a violation under this section. Upon termination of such investigation or operation or upon request, Service Oklahoma shall forthwith cause such license to be returned to Service Oklahoma.

SECTION 517. AMENDATORY 47 O.S. 2021, Section 11-207, is amended to read as follows:

Section 11-207. A. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down or remove any official traffic-control device, including any nine-one-one (911) emergency telephone service route markers, or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

B. If a violation of subsection A of this section results in personal injury to or death of any person, the person committing the violation shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 518. AMENDATORY 47 O.S. 2021, Section 17-102, is amended to read as follows:

Section 17-102. A. 1. Any person who is convicted of a violation of any of the provisions of the Uniform Vehicle Code declared by the Code or by other laws of this state to constitute a felony except those offenses specified in subsection A of Section 4-102 of this title relating to unauthorized use of a vehicle and subsection A of Section 4-103 of this title, relating to receiving or disposing of a vehicle, shall be guilty of a Class D1 felony offense and shall be punished ~~by imprisonment in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~, or by a fine of

not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

2. Any person who is convicted of a violation of any of the provisions of the Uniform Vehicle Code declared by the Code or by other laws of this state to constitute a Class D1 felony offense shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. The conviction of any person, as prescribed in this section, when the offense occurred during a period when the driving privileges of the person were under suspension, revocation, cancellation, denial, or disqualification or the person had not been granted driving privileges by Oklahoma or any other state, shall result in the doubling of the appropriate fine, as provided for in subsection A of this section, and the doubling of all court costs and all fees collected by the court on behalf of any other entity, unless waived by the court.

C. One-half (1/2) of any fine collected pursuant to the provisions of subsection B of this section, shall be deposited to the Trauma Care Assistance Revolving Fund created in Section 1-2522 of Title 63 of the Oklahoma Statutes.

SECTION 519. AMENDATORY 52 O.S. 2021, Section 108, is amended to read as follows:

Section 108. Every person who, having taken an oath that he will testify, declare or depose before the Commission, in any proceeding, or at any hearing before said Commission, authorized and provided for under the provisions of this act, shall willfully and contrary to such oath state any material matter which he knows to be false, is guilty of the Class D1 felony offense of perjury, and upon conviction, shall be punished ~~by imprisonment in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 520. AMENDATORY 52 O.S. 2021, Section 114, is amended to read as follows:

Section 114. Any person who knowingly and willfully delays or obstructs any Proration Umpire, any assistant or deputy of the Proration Umpire, or any agent or employee of the Commission, in the

performance of any duty enjoined upon such proration umpire, assistant or deputy of such Proration Umpire, or agent, or employee of the Commission, by the provisions of this act or by any lawful order, rule or regulation of the Commission; or who knowingly and willfully delays or obstructs any public officer of the state, or of any municipal subdivision thereof in the discharge or attempted discharge of any duty of his office, arising by virtue of or growing out of the enforcement of or an attempt to enforce the provisions of this act, or any lawful order, rule, or regulation of the Commission made in pursuance of the provisions hereof; or who attempts by means of any threat or violence to deter or prevent any such Proration Umpire, assistant, or deputy of the Proration Umpire, or any agent or employee of the Commission from performing any duty imposed upon them when such duty arises by virtue of or grows out of the attempt to enforce the provisions of this act or of any lawful order, rule, or regulation of the Commission made hereunder, shall be guilty of a misdemeanor and upon conviction thereof may be punished by fine not exceeding Five Hundred Dollars (\$500.00), or by confinement in the county jail not exceeding six (6) months, or both. If such threat or violence, or such attempted interference or obstruction is accompanied by the use or attempted use of firearms by any such person so offending, then such person shall be guilty of a Class D1 felony offense and, upon conviction, ~~may~~ shall be punished by imprisonment in the State Penitentiary for a period of not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 521. AMENDATORY 52 O.S. 2021, Section 115, is amended to read as follows:

Section 115. If two or more persons conspire to violate any provision of this act, or any lawful order, rule, or regulation of the Commission fixing the method, manner, amount and rate of production of oil or gas from any common source of supply in the State of Oklahoma or conspire to produce oil or gas from any well or wells in any common source of supply in the State of Oklahoma in excess of the allowable production permitted from such well or wells as fixed and determined by any lawful order, rule, or regulation of the Commission or conspire to avoid making or filing any report, map or drawing, or to file any false report, map or drawing with respect to the method, manner, time, place, amount, or rate of production of oil or gas from any well or wells in any common source of supply in the State of Oklahoma, or conspire to avoid the making or filing of any report, map or drawing, or to file any false report, map or

drawing, with respect to the removal or transportation of oil or gas by any means whatsoever, from any common source of supply, as may be prescribed or required by this act or by any lawful order, rule, or regulation of the Commission; or conspire to make any false statement therein with respect to any material matter contained therein, and one or more such parties shall do any act to effect the object of any such conspiracy, then each of the parties to any such conspiracy shall, upon conviction, be guilty of a Class D1 felony offense in any court having jurisdiction of the offense, be fined not more than Five Thousand Dollars (\$5,000.00), or imprisoned in the State Penitentiary for a period of not exceeding five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both.

SECTION 522. AMENDATORY 52 O.S. 2021, Section 117, is amended to read as follows:

Section 117. Whoever corruptly gives, offers or promises to give to any member of the Commission, Proration Umpire, assistant or deputy of a Proration Umpire, Proration Attorney, or agent or employee of the Commission, any gift or gratuity whatsoever with an intent to influence any such officer or person in his acts or conduct with respect to (a) enforcing any order, rule or regulation of the Commission made under this act, or (b) the discharge of any duty by any such officer or person imposed upon him by the provisions of this act, or by any order, rule, or regulation of the Commission issued and promulgated under the provisions of this act, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~, and by a fine not exceeding Five Thousand Dollars (\$5,000.00).

SECTION 523. AMENDATORY 52 O.S. 2021, Section 235, is amended to read as follows:

Section 235. Any person or agent of a corporation, who takes gas, or aids or abets in the taking of gas, except as herein provided, either directly or indirectly, as an individual, officer, agent, or employee of any corporation, shall be guilty of the Class D1 felony offense of grand larceny, and, upon conviction thereof, shall be sentenced ~~to the State Penitentiary not to exceed five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~.

SECTION 524. AMENDATORY 56 O.S. 2021, Section 26.18, is amended to read as follows:

Section 26.18. Every applicant for emergency relief or general assistance shall make a written application, containing a written certification, under penalty of perjury, alleging that all facts set out in such application are true and correct. And said application shall be forthwith acted upon, with dispatch and without delay.

Any person, whose duty it is to pass upon the eligibility of persons to participate in any benefits provided in this act, who shall knowingly, willfully or intentionally allow, or cause to be allowed, any claim to any person known to be ineligible for such relief, or, who aids, or abets, or persuades any person to sign an application to obtain by means of a willfully false statement or representation or other fraudulent device, assistance to which an applicant is not entitled or assistance greater than that to which an applicant is justly entitled shall be guilty of a Class D1 felony offense, and upon conviction thereof shall be imprisoned ~~not less than one (1) year or more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or be fined not less than One Hundred Dollars (\$100.00) or more than One Thousand Dollars (\$1,000.00), or be both so fined and imprisoned in the discretion of the court.

SECTION 525. AMENDATORY 56 O.S. 2021, Section 1005, is amended to read as follows:

Section 1005. A. It shall be unlawful and deemed a Class D1 felony offense for any person to willfully and knowingly:

1. Make or cause to be made a claim, knowing the claim to be false, in whole or in part, by commission or omission;

2. Make or cause to be made a statement or representation for use in obtaining or seeking to obtain authorization to provide a good or a service knowing the statement or representation to be false, in whole or in part, by commission or omission;

3. Make or cause to be made a statement or representation for use by another in obtaining a good or a service under the Oklahoma Medicaid Program, knowing the statement or representation to be false, in whole or in part, by commission or omission;

4. Make or cause to be made a statement or representation for use in qualifying as a provider of a good or a service under the Oklahoma Medicaid Program, knowing the statement or representation to be false, in whole or in part, by commission or omission;

5. Charge any recipient or person acting on behalf of a recipient, money or other consideration in addition to or in excess of rates of remuneration established under the Oklahoma Medicaid Program;

6. Solicit or accept a benefit, pecuniary benefit, or kickback in connection with goods or services paid or claimed by a provider to be payable by the Oklahoma Medicaid Program; or

7. Having submitted a claim for or received payment for a good or a service under the Oklahoma Medicaid Program, fail to maintain or destroy such records as required by law or the rules of the Oklahoma Health Care Authority for a period of at least six (6) years following the date on which payment was received.

Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. For the purposes of this section, a person shall be deemed to have made or caused to be made a claim, statement, or representation if the person:

1. Had the authority or responsibility to make the claim, statement, or representation, to supervise those who made the claim, statement, or representation, or to authorize the making of the claim, statement, or representation, whether by operation of law, business or professional practice, or office procedure; and

2. Exercised such authority or responsibility or failed to exercise such authority or responsibility and as a direct or indirect result, the false statement was made.

C. The provisions of this section shall not be construed to prohibit any payment, business arrangement or payment practice not prohibited by 42 U.S.C., Section 1320a-7b(b) or any regulations promulgated pursuant thereto or to prohibit any payment, business arrangement or payment practice not prohibited by Section 1-742 of Title 63 of the Oklahoma Statutes.

D. For the purposes of this section, a person shall be deemed to have known that a claim, statement, or representation was false if the person knew, or by virtue of the person's position, authority or responsibility, had reason to know, of the falsity of the claim, statement or representation.

E. Any employee of the State Department of Health, the Department of Human Services or the Oklahoma Health Care Authority who knowingly or willfully fails to promptly report a violation of the Oklahoma Medicaid Program, subject to the provisions of this section, to the chief administrative officer of such agency or the State Attorney General shall, upon conviction thereof, be guilty of a misdemeanor.

SECTION 526. AMENDATORY 56 O.S. 2021, Section 1005.1, is amended to read as follows:

Section 1005.1. A. As used in this section:

1. "Administrative sanction" means the court may enter an order making an individual who violates a provision of this section ineligible for assistance for a specified period of time. Such order shall be communicated to the Oklahoma Health Care Authority Legal Division; and

2. "Insure Oklahoma" means the program administered by the Oklahoma Health Care Authority pursuant to Sections 1010.1 through 1010.13 of Title 56 of the Oklahoma Statutes.

B. Any individual who:

1. Obtains or attempts to obtain, or aids, abets or assists any individual to obtain, by means of a false statement or representation, or by false impersonation, or by a fictitious transfer, conveyance or encumbrance of property or income, or by a knowing and willful failure to report to the Department of Human Services or the Oklahoma Health Care Authority income, personal property, real property, household members, or other material eligibility factors at the time of application or during the receipt of assistance, or by other fraudulent device, assistance to which an applicant is not entitled or assistance greater than that to which an applicant is justly entitled shall be guilty of a misdemeanor or a felony;

2. By sale, barter, purchase, theft, acquisition, possession or use of any medical identification card or any other device authorizing participation in the Oklahoma Medicaid Program, knowingly obtains, aids, abets or assists any individual to obtain or attempt to obtain assistance to which an individual is not entitled shall be guilty of a misdemeanor or a felony; or

3. Attempts to obtain Medicaid or Insure Oklahoma benefits by omitting income, personal property, household members, or other material eligibility factors shall, upon conviction, be guilty of a misdemeanor punishable by either a fine of three times the amount of assistance, or up to three (3) months in the county jail. In addition, the individual may also be punished by an administrative sanction regarding Medicaid benefits. The court shall have discretion in determining penalties.

C. If the acts in either paragraph 1 or 2 of subsection B of this section or both paragraphs 1 and 2 of subsection B of this section cause the Oklahoma Health Care Authority to determine that an individual or family is eligible for Medicaid or the Insure Oklahoma program and the aggregate amount of assistance paid on behalf of the individual or individuals is less than Five Thousand Dollars (\$5,000.00), the penalty, upon conviction, shall be a misdemeanor punishable by fine or imprisonment, or both a fine and imprisonment for three (3) months or an administrative sanction regarding Medicaid benefits in the discretion of the court. If the acts in paragraph 1 or 2 of subsection B of this section or both paragraphs 1 and 2 of subsection B of this section cause the Oklahoma Health Care Authority to determine an individual or family eligible for Medicaid or the Insure Oklahoma program and the aggregate amount of assistance paid on behalf of the individual or individuals is equal to or greater than Five Thousand Dollars (\$5,000.00), the penalty, upon conviction, shall be a Class D1 felony offense punishable by fine or imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both a fine and imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or an administrative sanction regarding Medicaid benefits in the discretion of the court.

SECTION 527. AMENDATORY 57 O.S. 2021, Section 22, is amended to read as follows:

Section 22. A. Except as otherwise provided in this section, any detention officer, deputy sheriff, or other person employed as

jail operations staff by a county, city, or other entity that operates a jail who receives compensation from any person other than the sheriff or jail administrator for providing goods, tobacco products, or services for the benefit of an inmate, upon conviction, shall be guilty of a misdemeanor if the compensation is an amount of less than Five Hundred Dollars (\$500.00), punishable by up to six (6) months in the county jail, or a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment and shall be guilty of a Class D1 felony offense if the compensation is an amount of Five Hundred Dollars (\$500.00) or more, punishable by imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

B. The provisions of this section shall not apply to any person operating, or employed by, a vendor facility licensed by the State Department of Rehabilitation Services pursuant to Sections 71 through 78 of Title 7 of the Oklahoma Statutes for purposes of carrying out the provisions of the Randolph-Sheppard Act, 20 U.S.C.A., Section 107 et seq., or any other duly authorized vendor.

SECTION 528. AMENDATORY 57 O.S. 2021, Section 222, is amended to read as follows:

Section 222. A. It shall be unlawful to use prisoners assigned to said public works project on any property other than public property, except that inmate labor may be used on private property for a public purpose.

B. As used in this section "public purpose" means a purpose affecting the inhabitants of the state or political subdivision utilizing the inmate labor, as a group, and not merely as individuals. The work performed shall be essentially public and for the general good of the inhabitants of the state or political subdivision, and may include eradication of graffiti on private buildings or harvesting Eastern Red Cedar trees. For purposes of this section:

1. "Graffiti" shall include but not be limited to any inscription, slogan or drawing, crudely scratched, drawn, printed, painted or scribbled on a wall or other surface visible to the public and which is likely to endanger the health or safety of the public. Provided, however, that this definition shall never be

construed to include any sign or advertising device lawfully erected or installed by the owner of property, lessee or authorized agent; and

2. "Owner" means the owner of record as shown by the most current tax rolls of the county treasurer.

C. The purpose of the work performed shall be to aid the federal government, a state agency or a political subdivision, utilizing the inmate labor in the exercise of a governmental function. Any person convicted of willfully violating the provisions of this section shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 529. AMENDATORY 57 O.S. 2021, Section 599, is amended to read as follows:

Section 599. Any person required to register pursuant to the provisions of the Mary Rippey Violent Crime Offenders Registration Act who violates any provision of the act shall, upon conviction, be guilty of a Class D1 felony. ~~Any person convicted of a violation of this section offense and shall be punished by incarceration in a correctional facility for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or~~ a fine not to exceed Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment.

SECTION 530. AMENDATORY 59 O.S. 2021, Section 328.49, is amended to read as follows:

Section 328.49. A. The Board of Dentistry shall be responsible for the enforcement of the provisions of the State Dental Act against all persons who are in violation thereof, including, but not limited to, individuals who practice or attempt to practice dentistry or dental hygiene without proper authorization from the Board.

B. 1. It shall be unlawful for any person, except a licensed dentist, to:

a. practice or attempt to practice dentistry,

- b. hold oneself out to the public as a dentist or as a person who practices dentistry, or
- c. employ or use the words "Doctor" or "Dentist", or the letters "D.D.S." or "D.M.D.", or any modification or derivative thereof, when such use is intended to give the impression that the person is a dentist.

2. It shall be unlawful for any person, except a registered dental hygienist, to:

- a. practice or attempt to practice dental hygiene,
- b. hold oneself out to the public as a dental hygienist or as a person who practices dental hygiene, or
- c. employ or use the words "Registered Dental Hygienist", or the letters "R.D.H.", or any modification or derivative thereof, when such use is intended to give the impression that the person is a dental hygienist.

3. It shall be unlawful for any person to:

- a. give false or fraudulent evidence or information to the Board in an attempt to obtain any license or permit from the Board, or
- b. aid or abet another person in violation of the State Dental Act.

4. Each day a person is in violation of any provision of this subsection shall constitute a separate criminal offense and, in addition, the district attorney may file a separate charge of medical battery for each person who is injured as a result of treatment performed in violation of this subsection.

C. 1. If a person violates any of the provisions of subsection B of this section, the Board shall refer the alleged violation to the district attorney of the county in which the violation is alleged to have occurred to bring a criminal action in that county against the person. At the request of the Board, district attorney or Attorney General, attorneys employed or contracted by the Board may assist the district attorney or Attorney General in prosecuting charges under the State Dental Act or any violation of law relating

to or arising from an investigation conducted by the Board of Dentistry upon approval of the Board or the Executive Director.

2. Any person who violates any of the provisions of paragraph 1 or 3 of subsection B of this section, upon conviction, shall be guilty of a Class D1 felony offense punishable by a fine in an amount not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

Any person who violates any of the provisions of paragraph 2 of subsection B of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine in an amount not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the county jail for a term of not more than ninety (90) days, or by both such fine and imprisonment. Any second or subsequent violation of paragraph 2 of subsection B of this section, upon conviction, shall be a felony punishable by a fine in an amount not less than One Thousand Five Hundred Dollars (\$1,500.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than two (2) years, or by both such fine and imprisonment.

D. The Board may initiate a civil action, pursuant to Chapter 24 of Title 12 of the Oklahoma Statutes, seeking a temporary restraining order or injunction, without bond, commanding a person to refrain from engaging in conduct which constitutes a violation of any of the provisions of subsection B of this section. In a civil action filed pursuant to this subsection, the prevailing party shall be entitled to recover costs and reasonable attorney fees.

E. In addition to any other penalties provided herein, any person found guilty of contempt of court by reason of the violation of any injunction prohibiting the unlicensed practice of dentistry now in effect or hereafter entered pursuant to any provision of the State Dental Act or any preceding state dental act, shall be punished by imprisonment in the county jail for a term of not less than thirty (30) days nor more than one (1) year, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One

Thousand Dollars (\$1,000.00). The court may also require the defendant to furnish a good and sufficient bond in a penal sum to be set by the court, not less than One Thousand Dollars (\$1,000.00), which shall be conditioned upon future compliance in all particulars with the injunction entered, and in the event of failure of the defendant to furnish such bond when so ordered, the defendant shall be confined in the county jail pending compliance therewith. Such bond shall be mandatory as to any person hereafter found guilty of a second contempt of court for violation of any injunction entered pursuant to the State Dental Act, or any preceding state dental act.

SECTION 531. AMENDATORY 59 O.S. 2021, Section 353.17A, is amended to read as follows:

Section 353.17A. It shall be unlawful and deemed a Class D1 felony offense to impersonate a pharmacist. If a person impersonates a pharmacist and causes patient harm, then, upon conviction, it the person shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 532. AMENDATORY 59 O.S. 2021, Section 353.24, is amended to read as follows:

Section 353.24. A. It shall be unlawful for any licensee or other person to:

1. Forge or increase the quantity of drug in any prescription, or to present a prescription bearing forged, fictitious or altered information or to possess any drug secured by such forged, fictitious or altered prescription;

2. Sell, offer for sale, barter or give away any unused quantity of drugs obtained by prescription, except through a program pursuant to the Utilization of Unused Prescription Medications Act or as otherwise provided by the State Board of Pharmacy;

3. Sell, offer for sale, barter or give away any drugs damaged by fire, water, or other causes without first obtaining the written approval of the Board or the State Department of Health;

4. No person, firm or business establishment shall offer to the public, in any manner, their services as a "pick-up station" or intermediary for the purpose of having prescriptions filled or

delivered, whether for profit or gratuitously. Nor may the owner of any pharmacy or drug store authorize any person, firm or business establishment to act for them in this manner with these exceptions:

- a. patient-specific filled prescriptions may be delivered or shipped to a prescriber's clinic for pick-up by those patients whom the prescriber has individually determined and documented do not have a permanent or secure mailing address,
- b. patient-specific filled prescriptions for drugs which require special handling written by a prescriber may be delivered or shipped to the prescriber's clinic for administration or pick-up at the prescriber's office,
- c. patient-specific filled prescriptions, including sterile compounded drugs, may be delivered or shipped to a prescriber's clinic where they shall be administered,
- d. patient-specific filled prescriptions for patients with end-stage renal disease (ESRD) may be delivered or shipped to a prescriber's clinic for administration or final delivery to the patient,
- e. patient-specific filled prescriptions for radiopharmaceuticals may be delivered or shipped to a prescriber's clinic for administration or pick-up, or
- f. patient-specific filled prescriptions may be delivered or shipped by an Indian Health Services (IHS) or federally recognized tribal health organization operating under the IHS in the delivery of the prescriptions to a pharmacy operated by the IHS or a federally recognized tribal health organization for pick-up by an IHS or tribal patient.

However, nothing in this paragraph shall prevent a pharmacist or an employee of the pharmacy from personally receiving a prescription or delivering a legally filled prescription to a residence, office or place of employment of the patient for whom the prescription was written. Provided further, the provisions of this paragraph shall not apply to any Department of Mental Health and Substance Abuse Services employee or any person whose facility contracts with the Department of Mental Health and Substance Abuse Services whose

possession of any dangerous drug, as defined in Section 353.1 of this title, is for the purpose of delivery of a mental health consumer's medicine to the consumer's home or residence. Nothing in this paragraph shall prevent veterinary prescription drugs from being shipped directly from an Oklahoma licensed wholesaler or distributor registered with the Oklahoma Board of Veterinary Medical Examiners to a client; provided, such drugs may be dispensed only on prescription of a licensed veterinarian and only when an existing veterinary-client-patient relationship exists. Nothing in this paragraph shall prevent dialysate and peritoneal dialysis devices from being shipped directly from an Oklahoma licensed manufacturer, wholesaler or distributor to an ESRD patient or patient's designee, consistent with subsection F of Section 353.18 of this title;

5. Sell, offer for sale or barter or buy any professional samples except through a program pursuant to the Utilization of Unused Prescription Medications Act;

6. Refuse to permit or otherwise prevent members of the Board or such representatives thereof from entering and inspecting any and all places, including premises, vehicles, equipment, contents, and records, where drugs, medicine, chemicals or poisons are stored, sold, vended, given away, compounded, dispensed, repackaged, transported, or manufactured;

7. Interfere, refuse to participate in, impede or otherwise obstruct any inspection, investigation or disciplinary proceeding authorized by the Oklahoma Pharmacy Act;

8. Possess dangerous drugs without a valid prescription or a valid license to possess such drugs; provided, however, this provision shall not apply to any Department of Mental Health and Substance Abuse Services employee or any person whose facility contracts with the Department of Mental Health and Substance Abuse Services whose possession of any dangerous drug, as defined in Section 353.1 of this title, is for the purpose of delivery of a mental health consumer's medicine to the consumer's home or residence;

9. Fail to establish and maintain effective controls against the diversion of drugs for any other purpose than legitimate medical, scientific or industrial uses as provided by state, federal and local law;

10. Fail to have a written drug diversion detection and prevention policy;

11. Possess, sell, offer for sale, barter or give away any quantity of dangerous drugs not listed as a scheduled drug pursuant to Sections 2-201 through 2-212 of Title 63 of the Oklahoma Statutes when obtained by prescription bearing forged, fictitious or altered information.

a. A first violation of this section shall constitute a misdemeanor and upon conviction shall be punishable by imprisonment in the county jail for a term not more than one (1) year and a fine in an amount not more than One Thousand Dollars (\$1,000.00).

b. A second violation of this section shall constitute a Class D1 felony offense and upon conviction shall be punishable by imprisonment ~~in the Department of Corrections for a term not exceeding five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ and a fine in an amount not more than Two Thousand Dollars (\$2,000.00);

12. Violate a Board order or agreed order;

13. Compromise the security of licensure examination materials;
or

14. Fail to notify the Board, in writing, within ten (10) days of a licensee or permit holder's address change.

B. 1. It shall be unlawful for any person other than a licensed pharmacist or physician to certify a prescription before delivery to the patient or the patient's representative or caregiver. Dialysate and peritoneal dialysis devices supplied pursuant to the provisions of subsection F of Section 353.18 of this title shall not be required to be certified by a pharmacist prior to being supplied by a manufacturer, wholesaler or distributor.

2. It shall be unlawful for any person to institute or manage a pharmacy unless such person is a licensed pharmacist or has placed a licensed pharmacist in charge of such pharmacy.

3. No licensed pharmacist shall manage, supervise or be in charge of more than one pharmacy.

4. No pharmacist being requested to sell, furnish or compound any drug, medicine, chemical or other pharmaceutical preparation, by prescription or otherwise, shall substitute or cause to be substituted for it, without authority of the prescriber or purchaser, any like drug, medicine, chemical or pharmaceutical preparation.

5. No pharmacy, pharmacist-in-charge or other person shall permit the practice of pharmacy except by a licensed pharmacist or assistant pharmacist.

6. No person shall subvert the authority of the pharmacist-in-charge of the pharmacy by impeding the management of the prescription department to act in compliance with federal and state law.

C. 1. It shall be unlawful for a pharmacy to resell dangerous drugs to any wholesale distributor.

2. It shall be unlawful for a wholesale distributor to purchase drugs from a pharmacy.

SECTION 533. AMENDATORY 59 O.S. 2021, Section 353.25, is amended to read as follows:

Section 353.25. A. The violation of any provision of the Oklahoma Pharmacy Act for which no penalty is specifically provided shall be punishable as a misdemeanor.

B. Any person who shall willfully make any false representations in procuring or attempting to procure for himself or herself, or for another, licensure under the Oklahoma Pharmacy Act shall be guilty of the felony of perjury, a Class D1 felony offense, and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 534. AMENDATORY 59 O.S. 2021, Section 396.33, is amended to read as follows:

Section 396.33. Disposing of the body of a deceased person by cremation or other similar means, within the State of Oklahoma, except in a crematory duly licensed as provided for in Section 25 of this act and under a special permit for cremation issued in accordance with the provisions of Section 1-329.1 of Title 63 of the

Oklahoma Statutes, is hereby declared to be a Class D1 felony offense. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 535. AMENDATORY 59 O.S. 2021, Section 491, is amended to read as follows:

Section 491. A. 1. Every person before practicing medicine and surgery or any of the branches or departments of medicine and surgery, within the meaning of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, the Oklahoma Osteopathic Medicine Act, or the Oklahoma Interventional Pain Management and Treatment Act, within this state, must be in legal possession of the unrevoked license or certificate issued pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act or the Oklahoma Osteopathic Medicine Act.

2. Any person practicing in such manner within this state, who is not in the legal possession of a license or certificate, shall, upon conviction, be guilty of a Class D1 felony offense, punishable by a fine in an amount not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by ~~imprisonment in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or by both such fine and imprisonment.

3. Each day a person is in violation of any provision of this subsection shall constitute a separate criminal offense and, in addition, the district attorney may file a separate charge of medical battery for each person who is injured as a result of treatment or surgery performed in violation of this subsection.

4. Any person who practices medicine and surgery or any of the branches or departments thereof without first complying with the provisions of the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act, the Oklahoma Osteopathic Medicine Act, or the Oklahoma Interventional Pain Management and Treatment Act shall, in addition to the other penalties provided therein, receive no compensation for such medical and surgical or branches or departments thereof services.

B. 1. If a license has been revoked or suspended pursuant to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act or the Oklahoma Osteopathic Medicine Act whether for disciplinary reasons or for failure to renew the license, the State Board of Medical Licensure and Supervision may, subject to rules promulgated by the Board, assess and collect an administrative fine not to exceed Five Thousand Dollars (\$5,000.00) for each day after revocation or suspension whether for disciplinary reasons or for failure to renew such license that the person practices medicine and surgery or any of the branches or departments thereof within this state.

2. The Board may impose administrative penalties against any person who violates any of the provisions of the Oklahoma Interventional Pain Management and Treatment Act or any rule promulgated pursuant thereto. The Board is authorized to initiate disciplinary and injunctive proceedings against any person who has violated any of the provisions of the Oklahoma Interventional Pain Management and Treatment Act or any rule of the Board promulgated pursuant thereto. The Board is authorized in the name of the state to apply for relief by injunction in the established manner provided in cases of civil procedure, without bond, to enforce the provisions of the Oklahoma Interventional Pain Management and Treatment Act, or to restrain any violation thereof. The members of the Board shall not be personally liable for proceeding under this section.

3. Fines assessed shall be in addition to any criminal penalty provided pursuant to subsection A of this section.

SECTION 536. AMENDATORY 59 O.S. 2021, Section 638, is amended to read as follows:

Section 638. A. Each of the following acts shall constitute a Class D1 felony offense, punishable, upon conviction, by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment:

1. The practice of osteopathic medicine or attempt to practice osteopathic medicine without a license issued by the State Board of Osteopathic Examiners;

2. Obtaining, or attempting to obtain, a license under the Oklahoma Osteopathic Medicine Act by fraud or false statements;

3. Obtaining, or attempting to obtain, money or any other thing of value, by fraudulent representation or false pretense;

4. Advertising as an osteopathic physician and surgeon, or practicing or attempting to practice osteopathic medicine under a false, assumed, or fictitious name, or a name other than the real name; or

5. Allowing any person in the licensee's employment or control to practice as an osteopathic physician and surgeon when not actually licensed to do so.

B. Each day a person is in violation of any provision of subsection A of this section shall constitute a separate criminal offense and, in addition, the district attorney may file a separate charge of medical battery for each person who is injured as a result of treatment or surgery performed in violation of subsection A of this section.

C. Any person making any willfully false oath or affirmation whenever oath or affirmation is required by the Oklahoma Osteopathic Medicine Act shall be deemed guilty of the felony of perjury, a Class D1 felony offense, and, upon conviction, shall be punished as prescribed by the general laws of this state imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 537. AMENDATORY 59 O.S. 2021, Section 1044, is amended to read as follows:

Section 1044. Any person convicted of acting or performing as a building and construction inspector without the proper license shall be guilty of a ~~misdemeanor~~ Class D1 felony offense and shall be punished by a fine of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), together with the costs of prosecution. Each day of violation shall constitute a separate offense.

Any entity who employs an unlicensed person to perform the duties and responsibilities of a building and construction inspector or who fails to notify the Construction Industries Board of the

employment of an inspector shall be subject to an administrative fine of not more than Two Hundred Dollars (\$200.00) for each violation. Each day a person is in violation may constitute a separate violation. The maximum fine shall not exceed One Thousand Dollars (\$1,000.00).

SECTION 538. AMENDATORY 59 O.S. 2021, Section 1322, is amended to read as follows:

Section 1322. A. Every bondsman shall file with the undertaking an affidavit stating whether or not the bondsman or anyone for the use of the bondsman has been promised or has received any security or consideration for the undertaking, and if so, the nature and description of security and amount thereof, and the name of the person by whom the promise was made or from whom the security or consideration was received. Any willful misstatement in the affidavit relating to the security or consideration promised or given shall render the person making it subject to the same prosecution and penalty as one who commits the felony of perjury, a Class D1 felony offense punishable as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. An action to enforce any indemnity agreement shall not lie in favor of the surety against the indemnitor, except with respect to agreements set forth in the affidavit. In an action by the indemnitor against the surety to recover any collateral or security given by the indemnitor, the surety shall have the right to retain only the security or collateral as it mentioned in the affidavit required by this section.

C. If security or consideration other than that reported on the original affidavit is received after the affidavit is filed with the court clerk, an amended affidavit shall be filed with the court clerk indicating the receipt of security or consideration.

D. If a bondsman accepts a mortgage on real property as collateral on a bond, the bondsman shall file a copy of the mortgage with the bond within thirty (30) days of receipt of the mortgage. The Commissioner shall have the authority to extend or waive this requirement.

SECTION 539. AMENDATORY 59 O.S. 2021, Section 1335, is amended to read as follows:

Section 1335. Whoever, having been admitted to bail for appearance before any district court in the State of Oklahoma, (1) incurs a forfeiture of the bail and willfully fails to surrender himself within thirty (30) days following the date of such forfeiture, or (2) willfully fails to comply with the terms of his personal recognizance, shall be guilty of a Class D1 felony offense and shall be fined not more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~not more than two (2) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both.

SECTION 540. AMENDATORY 59 O.S. 2021, Section 1512, is amended to read as follows:

Section 1512. A. Rule Making Power. The Administrator shall have the same authority to adopt, amend and repeal rules as is conferred upon him by paragraph (e) of subsection (1), and subsections (2) and (3) of Section 6-104 of Title 14A of the Oklahoma Statutes, as applicable, and such rules shall have the same effect as provided in subsection (4) of Section 6-104 thereunder. In addition, the Administrator may adopt, amend and repeal such other rules as are necessary for the enforcement of the provisions of Section 1501 et seq. of this title and consistent with all its provisions.

B. Administrative Enforcement. Compliance with the provisions of this act may be enforced by the Administrator who may exercise, for such purpose, all the powers enumerated in Part 1 of Article 6, Title 14A of the Oklahoma Statutes, in the same manner as in relation to consumer credit transactions under that act, as well as those powers conferred in this act.

C. Criminal Penalties. 1. Any person who engages in the business of operating a pawn shop without first securing the license prescribed by this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not in excess of One Thousand Dollars (\$1,000.00), by confinement in the county jail for not more than six (6) months or by both.

2. Any person selling or pledging property to a pawnbroker who uses false or altered identification or a false declaration of ownership as related to the provisions of Section 1515 of this title shall be punished as follows:

- a. if the value of the property is less than One Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed one (1) year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine,
- b. if the value of the property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine,
- c. if the value of the personal property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine, or
- d. if the value of the personal property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed eight (8) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.

3. Any person who fails to repay a pawnbroker the full amount received from a pawn or buy transaction after being officially notified by a peace officer that the goods he or she pledged or sold in that transaction were stolen or embezzled shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed six (6) months, or a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

D. Private Enforcement. 1. If any person engages in the business of operating a pawnshop without first securing the license prescribed by this act, or if any pawnbroker contracts for, charges or receives a pawn finance charge in excess of that authorized by this act, the pawn transaction shall be void and the customer is not obligated to pay either the amount financed or the pawn finance charge in connection with the transaction, and upon the customer's demand, the pawnbroker shall be obligated to return to the customer, as a refund, all amounts paid in connection with the transaction by the customer and the pledged goods delivered to the pawnbroker in connection with the pawn transaction or their value if the goods cannot be returned. If a customer is entitled to a refund under this section and a pawnbroker liable to the customer refuses to make the refund within a reasonable time after demand, the customer shall have an action against the pawnbroker and in the case of a successful action to enforce such liability, the costs of the action together with attorney fees as determined by the court shall be awarded to the customer.

2. A pawnbroker who fails to disclose information to a customer entitled to the information under this act is liable to that person in an amount equal to the sum of:

- a. twice the amount of the pawn finance charge in connection with the transaction, or One Hundred Dollars (\$100.00), whichever is greater, and
- b. in the case of a successful action to enforce the liability under paragraph 1 of this subsection, the costs of the action together with reasonable attorney fees as determined by the court.

SECTION 541. AMENDATORY 59 O.S. 2021, Section 1750.11, is amended to read as follows:

Section 1750.11. A. Unless otherwise prescribed by law, any person convicted of violating any provision of the Oklahoma Security Guard and Private Investigator Act or a rule or regulation promulgated pursuant to the Oklahoma Security Guard and Private Investigator Act shall be guilty of a misdemeanor punishable by imprisonment for not more than sixty (60) days, or by a fine of not more than Two Thousand Dollars (\$2,000.00), or by both such imprisonment and fine.

B. Any person who willfully makes a false statement, knowing such statement is false, in any application to the Council on Law Enforcement Education and Training for a license pursuant to the Oklahoma Security Guard and Private Investigator Act, or who otherwise commits a fraud in connection with such application, shall be guilty of a Class D1 felony offense punishable by a term of imprisonment for not less than two (2) years nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than Two Thousand Dollars (\$2,000.00), or by both such imprisonment and fine.

SECTION 542. AMENDATORY 61 O.S. 2021, Section 115, is amended to read as follows:

Section 115. Any agreement or collusion among bidders, prospective bidders or material suppliers in restraint of freedom of competition by agreement to bid at a fixed price or to refrain from bidding, or otherwise, shall render the bids of such bidders void. Persons willfully violating this section shall be guilty of a Class D1 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes. Each bidder shall accompany the bid with a sworn statement that the bidder has not been a party to any such agreement. The form of the statement shall be substantially as provided in Section 85.22 of Title 74 of the Oklahoma Statutes, but modified in wording to refer to the appropriate public agency requesting bids.

SECTION 543. AMENDATORY 61 O.S. 2021, Section 116, is amended to read as follows:

Section 116. A. Any disclosure by an employee of a public agency of the terms of a bid submitted in response to a bid notice issued by a public agency in advance of the time set for opening of all bids so submitted shall be unlawful. It shall also be unlawful for any person to solicit, possess or receive information which is

to be contained in a bid notice of a public agency, for use in preparing a bid, in advance of the date on which said bid notice is to be made equally and uniformly known to all prospective bidders and the public, and it shall further be unlawful for any employee of a public agency to withhold or impede the distribution of said information after notice of the bid has been given, unless the solicitation of bids has been withdrawn or the particular information in question has been deleted or replaced through alteration of the bid notice and said withdrawal or alteration has been made equally and uniformly known. Any violation of this subsection shall be a Class D1 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes and shall render the proceedings void and require solicitation and award anew.

B. The estimate of the actual cost of the project made by the public agency, construction manager or consultant for the agency shall not be considered confidential and shall be available to the public in accordance with the Oklahoma Open Records Act.

SECTION 544. AMENDATORY 62 O.S. 2021, Section 81, is amended to read as follows:

Section 81. Any official or employee thereof or any member or employee of any state board or state commission who shall fail, neglect or refuse to comply with the requirements of Section two (2) hereof, or any other provision of this act, shall forfeit and pay to the use of the State of Oklahoma the sum of Twenty-five Dollars (\$25.00) per day for each and every day that he shall so fail, neglect or refuse to comply with requirements of said act, and shall forfeit and be removed from office; and any such official who shall issue, sign, attest or utter any false or illegal voucher against any monies deposited, as in this act provided, shall be liable to the state on his official bond for a sum double in amount of any such illegal or fraudulent voucher, and shall be deemed guilty of a Class D1 felony offense, and upon conviction thereof shall be punished by a fine in a sum of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and by imprisonment in the State Penitentiary for a term of not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 545. AMENDATORY 62 O.S. 2021, Section 604, is amended to read as follows:

Section 604. Any person who with intent to defraud uses on a public security:

~~(a)~~ 1. A facsimile signature, or any reproduction of it, of any authorized officer~~7;~~ or

~~(b)~~ 2. Any facsimile seal, or any reproduction of it, of this state or of any of its departments, agencies, or other instrumentalities or of any of its political subdivisions or districts,

is guilty of a Class D1 felony offense and shall be punishable as provided ~~by Section 9~~ for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 546. AMENDATORY 63 O.S. 2021, Section 2-404, is amended to read as follows:

Section 2-404. A. It shall be unlawful for any person:

1. Who is subject to the requirements of Article III of this act to distribute or dispense a controlled dangerous substance in violation of Section 2-308 of this title;

2. Who is a registrant to manufacture, distribute, or dispense a controlled dangerous substance not authorized by his registration to another registrant or other authorized person;

3. To omit, remove, alter, or obliterate a symbol required by the Federal Controlled Substances Act or this act;

4. To refuse or fail to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under this act;

5. To refuse any entry into any premises or inspection authorized by this act; or

6. To keep or maintain any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by persons using controlled dangerous substances in violation of this act for the purpose of using such substances, or which is used for the keeping or selling of the same in violation of this act.

B. Any person who violates this section is punishable by a civil fine of not more than One Thousand Dollars (\$1,000.00); provided, that, if the violation is prosecuted by an information or indictment which alleges that the violation was committed knowingly or intentionally, and the trier of fact specifically finds that the violation was committed knowingly or intentionally, such person is guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, and a fine of not more than Ten Thousand Dollars (\$10,000.00), except that if such person is a corporation it shall be subject to a civil penalty of not more than One Hundred Thousand Dollars (\$100,000.00). The fine provided for in this subsection shall be in addition to other punishments provided by law and shall not be in lieu of other punishment.

C. Any person convicted of a second or subsequent violation of this section is punishable by a term of imprisonment ~~twice that otherwise authorized~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes and by twice the fine otherwise authorized. The fine provided for in this subsection shall be in addition to other punishments provided by law and shall not be in lieu of other punishment.

D. Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

SECTION 547. AMENDATORY 63 O.S. 2021, Section 2200.16A, is amended to read as follows:

Section 2200.16A. A. Except as otherwise provided in subsection B of this section, a person that, for valuable consideration, knowingly purchases or sells a part for transplantation or therapy if removal of a part from an individual is intended to occur after the individual's death commits a Class D1 felony offense and upon conviction is subject to a fine of not more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~, or both such fine and imprisonment.

B. A person may charge a reasonable amount for the removal, processing, preservation, quality control, storage, transportation, implantation, or disposal of a part.

SECTION 548. AMENDATORY 63 O.S. 2021, Section 2200.17A, is amended to read as follows:

Section 2200.17A. A person that, in order to obtain a financial gain, intentionally falsifies, forges, conceals, defaces, or obliterates a document of gift, an amendment or revocation of a document of gift, or a refusal commits a Class D1 felony offense and upon conviction is subject to a fine of not more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

SECTION 549. AMENDATORY 63 O.S. 2021, Section 4209, is amended to read as follows:

Section 4209. A person not entitled to possession of a vessel or motor who, without the consent of the owner and with intent to deprive him of the vessel or motor or its possession, takes, uses, or operates the vessel or motor, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 550. AMENDATORY 63 O.S. 2021, Section 4209.1, is amended to read as follows:

Section 4209.1. A person not entitled to the possession of a vessel or motor who receives, possesses, sells or disposes of such vessel or motor, knowing said vessel or motor to be stolen or converted under circumstances constituting a crime, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 551. AMENDATORY 63 O.S. 2021, Section 4209.2, is amended to read as follows:

Section 4209.2. A. As used in this section:

1. "Identification number" includes any identifying number, serial number, motor serial number or other distinguishing number or mark, placed on a vessel or motor by its manufacturer or by authority of the Oklahoma Tax Commission or in accordance with the laws of another state or country;

2. "Remove" includes deface, cover and destroy; and

3. "Falsify" includes alter and forge.

B. Any person or persons who shall remove or falsify or cause to be removed or falsified the hull identification number of a vessel or motor in this state, without first giving notice of such act to the Oklahoma Tax Commission, upon such form as the Commission may prescribe, or any person who shall give a wrong description in any application for the registration of any vessel or motor in this state for the purpose of concealing or hiding the identity of such vessel or motor, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by imprisonment ~~in the State Penitentiary for a term of not less than one (1) year and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

C. A person who buys, receives, possesses, sells or disposes of a vessel or motor, knowing that the identification number of the vessel or motor has been removed or falsified, upon conviction, shall be guilty of a misdemeanor.

D. A person who buys, receives, possesses, sells or disposes of a vessel or motor, knowing that the identification number of the vessel or motor has been removed or falsified and with intent to conceal or misrepresent the identity of the vessel or motor, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

E. An identification number may be placed on a vessel or motor by its manufacturer in the regular course of business or placed or restored on a vehicle or engine by authority of the Commission

without violating this section. An identification number so placed or restored is not falsified.

SECTION 552. AMENDATORY 63 O.S. 2021, Section 4209.3, is amended to read as follows:

Section 4209.3. Any person who shall knowingly make any false statement of a material fact, either in his application for a certificate of title, as provided for in this title, or in any assignment thereof, or who, with intent to procure or pass title to a vessel or motor which he knows or has reason to believe has been stolen, or who shall receive or transfer possession of the same from or to another, or who shall have in his possession any vessel or motor which he knows or has reason to believe has been stolen, and who is not a duly authorized peace officer of this state engaged at the time in the performance of his duty as such officer, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by a fine of not less than One Hundred Dollars (\$100.00) and not more than Five Thousand Dollars (\$5,000.00), or imprisonment ~~in the State Penitentiary for a period of not less than one (1) year nor more than ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, at the discretion of the court. This provision shall not be exclusive of any other penalties prescribed by an existing or future law for the larceny or unauthorized taking of a vessel or motor.

SECTION 553. AMENDATORY 63 O.S. 2021, Section 4209.4, is amended to read as follows:

Section 4209.4. Any person who shall alter or forge, or cause to be altered or forged, any certificate of title issued by the Oklahoma Tax Commission, pursuant to the provisions of this title, or any assignment thereof, or who shall hold or use any such certificate or assignment, knowing the same to have been altered or forged, upon conviction, shall be guilty of a Class D1 felony offense and shall be punished by a fine of not less than Fifty Dollars (\$50.00), and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State Penitentiary for a period of not less than one (1) year, nor more than ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, at the discretion of the court.

SECTION 554. AMENDATORY 64 O.S. 2021, Section 1026, is amended to read as follows:

Section 1026. Any employee of the Commissioners of the Land Office who shall knowingly and without authority and in violation of the records destruction policy destroy, forge, falsify, steal, mutilate, hide or intentionally misplace any of the records, files, computer data or any other property of the Commissioners of the Land Office, or who knowingly permits or causes the unlawful destruction, forgery, falsifying, stealing, mutilating, hiding or intentional misplacing of any of the records of the Commissioners of the Land Office, shall be deemed guilty of a Class D1 felony offense, and upon conviction shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~in the custody of the Department of Corrections not exceeding five (5) years as~~ provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both fine and imprisonment, and shall be immediately discharged by the Commissioners of the Land Office upon discovery of the acts.

SECTION 555. AMENDATORY 64 O.S. 2021, Section 1094, is amended to read as follows:

Section 1094. Any person who prospects for minerals owned by the State of Oklahoma, under the jurisdiction and control of the Commissioners of the Land Office, without a prospecting permit, or who removes any such minerals without a lease contract, contrary to the provisions of this act, or who violates any other terms or provisions of this act, shall be guilty of a Class D1 felony offense and upon conviction shall be punished by a fine of not less than Fifty Dollars (\$50.00) and not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment ~~for not less than thirty (30) days and not to exceed ten (10) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 556. AMENDATORY 66 O.S. 2021, Section 304, is amended to read as follows:

Section 304. A. The Department of Transportation is hereby authorized and empowered:

1. To acquire, construct, reconstruct, repair, replace, operate and maintain railroad rights-of-way and trackage projects at such

locations and on such routes as it shall determine to be feasible and economically sound;

2. To enter into agreements with the owners of operating railroads for the acquisition and/or use of railroad rights-of-way and trackage on such terms, conditions, rates or rentals as the Department may consider to be in the best interests of the state;

3. To enter directly into agreements with owners of operating railroads or persons intending to operate as common carriers by rail to sell, lease, or sell by lease-purchase agreement any state-owned railroad property on such terms, conditions or amounts as the Department may consider to be in the best interests of the state and to promote the purposes of the Railroad Revitalization Act;

4. Prior to the sale of any railroad asset owned by the State of Oklahoma or the Department of Transportation, a process of request for proposal shall be initiated by the Department of Transportation with consultation by the Office of Management and Enterprise Services. Upon the issue date of a request for proposal regarding the sale of any railroad asset owned by the State of Oklahoma or the Department of Transportation, interested parties will have no less than ninety (90) days to provide a response. Following the close of the ninety-day response period, the Department of Transportation will conduct an evaluation of all submitted proposals, utilizing all available resources, and the Department of Commerce shall conduct an economic impact and/or activity study of all proposals. The Secretary of Transportation, Secretary of Finance, Secretary of Commerce, Secretary of Agriculture, and Secretary of Energy shall be responsible for preparing a recommendation to the Transportation Commission, based on its evaluation of all submitted proposals including the results of the economic impact and/or activity study, provided the recommendation meets all other statutory requirements needed for action by the Commission. The Secretary of Transportation, Secretary of Finance, Secretary of Commerce, Secretary of Agriculture, and Secretary of Energy will have up to ninety (90) days, upon the closing date of the request for proposal, to present its recommendation to the Transportation Commission. The Transportation Commission will be responsible for determining if the sale of railroad assets within its jurisdiction is in the best interests of the State of Oklahoma and for authorizing the sale of such assets. If a determination is rendered by the Transportation Commission that the sale of any railroad asset within its jurisdiction is appropriate, notification must be made to the

Speaker of the House of Representatives and the President Pro Tempore of the Senate in writing prior to the Commission meeting where final action will take place. All proceeds from the sale shall be deposited into the Railroad Maintenance Revolving Fund;

5. To acquire and hold real or personal property in the exercise of its powers for the performance of its duties as authorized by this act. Surplus property may be disposed of by the Department;

6. To acquire in the name of the Department, by purchase or otherwise on such terms and conditions and in such manner as it may deem proper, or by exercise of the right of condemnation, such public or private lands and personalty, including public parks, playgrounds, or reservations, or parts thereof or rights therein, rights-of-way, trackage, property, rights, easements, and interests, as it may deem necessary for carrying out the provisions of the Railroad Revitalization Act;

7. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under the Railroad Revitalization Act, and to employ rail planning and management consultants, consulting engineers, attorneys, accountants, construction and financial consultants, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; provided, that all such expenses shall be payable solely from funds made available under and pursuant to the provisions of the Railroad Revitalization Act or from revenues; provided, further, no attorney employed by the Department, nor any member of any law firm of which the member may be connected, shall ever be paid any fee or compensation for any special or extraordinary services;

8. To receive, accept and expend funds from the state, any federal agency, or from private sources, for rail planning and for administration of railroad assistance projects, and for or in aid of the acquisition, construction, reconstruction, replacement, repair, maintenance and operation of railroad rights-of-way and trackage and for rail service continuation payments to railroad companies for operating losses sustained by reasons of continuing service on a line which may otherwise be abandoned or which may experience a reduced level of service not in the public interest, where such continuation of service is carried out under a written agreement with the Department establishing the terms and conditions for such

payments, and to receive and accept funds, aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such funds, aid or contributions may be made;

9. To adopt such rules and to do any and all things necessary to comply with rules, regulations or requirements of the United States Department of Transportation, any successor thereof, the Surface Transportation Board or any federal agency administering any law enacted by the Congress of the United States or having funds available for the purpose of the Department that are not inconsistent with or contrary to the prohibitions and restrictions of Oklahoma law or public interest;

10. To expend, not to exceed twenty percent (20%) of the funds available in the Railroad Maintenance Revolving Fund during any one (1) year, at locations approved by the Oklahoma Corporation Commission, such Railroad Maintenance Revolving Fund monies as may be budgeted by the Department of Transportation for the purposes of installing signal lights, gate arms, or other active warning devices where any public road, street, or highway crosses a railroad right-of-way; provided, however, nothing in this act shall negate, change, or otherwise modify any existing statutory or common law duty of a railroad company;

11. To expend income and funds from the Railroad Maintenance Revolving Fund in the exercise of any or all of the foregoing powers; and

12. To do all things necessary or convenient to carry out the powers expressly granted in this act.

B. It shall be unlawful for any member, officer or employee of the Department to transact with the Department, either directly or indirectly, any business for profit of such member, officer or employee; and any person, firm or corporation knowingly participating therein shall be equally liable for violation of this provision.

The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift, or consideration to such member, officer or employee.

Violation of this provision shall constitute a Class D1 felony offense and upon conviction shall be punishable by incarceration ~~in~~

~~the State Penitentiary for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.~~

C. All meetings of the Department shall be open public meetings, and all records shall be public records, except when considering personnel.

SECTION 557. AMENDATORY 66 O.S. 2021, Section 324, is amended to read as follows:

Section 324. A. The Department of Transportation is hereby authorized and empowered to:

1. Acquire, construct, reconstruct, repair, replace, operate and maintain railroad rights-of-way and trackage projects at such locations and on such passenger routes as it shall determine to be feasible and economically sound;

2. Enter into agreements with the owners of operating railroads for the acquisition and/or use of railroad rights-of-way and trackage on such terms, conditions, rates or rentals as the Department may consider to be in the best interests of the state;

3. Enter directly into agreements with owners of operating passenger railroads to sell, lease, or sell by lease-purchase agreement any state-owned railroad property on such terms, conditions or amounts as the Department may consider to be in the best interests of the state and to promote the purposes of this act;

4. Acquire and hold real or personal property in the exercise of its powers for the performance of its duties as authorized by this act. Surplus property may be disposed of by the Department;

5. Acquire in the name of the Department, by purchase or otherwise on such terms and conditions and in such manner as it may deem proper, or by exercise of the right of condemnation, such public or private lands and ~~personality~~ personalty, including public parks, playgrounds, or reservations, or parts thereof or rights therein, rights-of-way, trackage, property, rights, easements, and interests, as it may deem necessary for carrying out the provisions of this act;

6. Make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ passenger rail planning and management consultants, consulting engineers, attorneys, accountants, construction and financial consultants, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; provided, that all such expenses shall be payable solely from funds made available under and pursuant to the provisions of this act or from revenues; provided, further, no attorney employed by the Department, nor any member of any law firm of which he or she may be connected, shall ever be paid any fee or compensation for any special or extraordinary services;

7. Receive, accept and expend funds from the state, any federal agency, or from private sources, for passenger rail planning and for administration of passenger railroad assistance projects, and for, or in aid of the acquisition, construction, reconstruction, replacement, repair, maintenance and operation of passenger railroad rights-of-way and trackage and for passenger rail service continuation payments to railroad companies for operating losses sustained by reasons of continuing service on a line which may otherwise be abandoned or which may experience a reduced level of service not in the public interest, where such continuation of service is carried out under a written agreement with the Department establishing the terms and conditions for such payments, and to receive and accept funds, aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such funds, aid or contributions may be made;

8. Adopt such rules and to do any and all things necessary to comply with rules, regulations or requirements of the United States Department of Transportation, any successor thereof, the Interstate Commerce Commission or any federal agency administering any law enacted by the Congress of the United States or having funds available for the purpose of the Department that are not inconsistent with or contrary to the prohibitions and restrictions of Oklahoma law or public interest;

9. Expend income and funds from the Oklahoma Tourism and Passenger Rail Revolving Fund created in Section 5 of this act in the exercise of any or all of the foregoing powers; and

10. Do all things necessary or convenient to carry out the powers expressly granted in this act.

B. It shall be unlawful for any member, officer or employee of the Department to transact with the Department, either directly or indirectly, any business for profit of such member, officer or employee; and any person, firm or corporation knowingly participating therein shall be equally liable for violation of this provision.

The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift, or consideration to such member, officer or employee.

Violation of this provision shall constitute a Class D1 felony offense and, upon conviction, shall be punishable by a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the custody of the Department of Corrections for not more than five (5) years as~~ provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

C. All meetings of the Department shall be open public meetings, and all records shall be public records, except when considering personnel.

SECTION 558. AMENDATORY 67 O.S. 2021, Section 83, is amended to read as follows:

Section 83. If any officer or person having possession, custody or control of any record, book, paper taxroll, assessment, or any other file or matter of record, authorized herein to be copied or transcribed, shall fail, refuse, or neglect, or in any manner hinder or delay, after demand shall have been made to permit such transcribing or copying, or who shall destroy, mutilate, conceal or remove any such record, book, paper, taxroll, assessment, or any other file or matter of record, or other evidence so required to be copied or transcribed, or who shall cause or permit to be removed from its customary place any such record, book, paper, taxroll, assessment, or any other file or matter of record, or who shall refuse upon request to divulge the location of any such record, book, paper, taxroll, assessment, or any other file or matter of record, shall be deemed guilty of a Class D1 felony offense, and upon conviction in any court of competent jurisdiction shall be fined in any sum not less than Two Hundred Fifty Dollars (\$250.00)

nor more than Three Thousand Five Hundred Dollars (\$3,500.00) and confined ~~in the State Penitentiary for a term of not less than one (1) year and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, and any person so convicted shall be forever barred from holding any office of profit or trust within the State of Oklahoma.

SECTION 559. AMENDATORY 68 O.S. 2021, Section 240.1, is amended to read as follows:

Section 240.1. A. Any taxpayer who, with intent to defraud the state or evade the payment of any state tax, fee, interest, or penalty which shall be due pursuant to any state tax law, shall fail or refuse to file any report or return required to be filed pursuant to the provisions of any state tax law, or shall fail or refuse to furnish a supplemental return or other data required by the Tax Commission, shall be guilty, upon conviction, of a Class D1 felony offense and shall be punished by imposition of a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for not less than two (2) years and not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. The venue for prosecutions arising pursuant to the provisions of this section shall be in the district court of any county in which such taxpayer resides or, if such taxpayer is not a resident of this state, any county in which such taxpayer conducts business or maintains an established place of business.

C. Failure or refusal of a taxpayer to file any report or return required to be filed pursuant to the provisions of any state law, or failure or refusal of a taxpayer to furnish a supplemental return or other data required by the Tax Commission within thirty (30) days after notice by personal service or by registered or certified mail with return receipt requested of the due date of such report or return, shall be, for purposes of this section, prima facie evidence of intent of the taxpayer to defraud the state and evade the payment of such tax. The provisions of this subsection shall be set forth in full in such notice to the taxpayer.

D. The Tax Commission may grant additional time to the taxpayer to furnish such return or other data. In such event, a failure of the taxpayer to furnish such return or other data within thirty (30)

days from the date to which the time is extended shall, for purposes of this section, be prima facie evidence of the intent of the taxpayer to defraud the state and evade the payment of such tax.

SECTION 560. AMENDATORY 68 O.S. 2021, Section 241, is amended to read as follows:

Section 241. A. Any person required to make, render, sign or verify any report, return, statement, claim, application, or other instrument, pursuant to the provisions of this title or of any state tax law who, with intent to defeat or evade the payment of the tax, shall make a false or fraudulent return, statement, report, claim, invoice, application, or other instrument, or any person who shall aid or abet another in filing with the Tax Commission such a false or fraudulent report or statement, shall be guilty, upon conviction, of a Class D1 felony offense and shall be punished by the imposition of a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or shall be ~~imprisoned in the State Penitentiary for not less than two (2) years and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or shall be punished by both said fine and imprisonment.

B. The venue of prosecutions arising pursuant to the provisions of this section shall be in the district court of any county where such return or report was verified.

SECTION 561. AMENDATORY 68 O.S. 2021, Section 450.8, is amended to read as follows:

Section 450.8. A. Any dealer violating the provisions of this act, except Section 450.9 of this title, shall pay a civil penalty of one hundred percent (100%) of the amount of the tax levied in Section 450.2 of this title in addition to the actual tax levied in said section.

B. Any dealer manufacturing, distributing, producing, shipping, transporting, importing or possessing any controlled dangerous substance without affixing the appropriate stamp, upon conviction, is guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by the imposition of a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

C. Nothing in this act may in any manner provide immunity for a dealer from criminal prosecution pursuant to Oklahoma law.

SECTION 562. AMENDATORY 68 O.S. 2021, Section 450.9, is amended to read as follows:

Section 450.9. A. No person shall willfully remove or otherwise prepare any adhesive stamps, with intent to use, or cause the same to be used, after it has already been used or knowingly or willfully buy, sell, offer for sale, or give away, any such washed or restored stamp to any person, or knowingly use the same, or have in his possession any washed, restored, or altered stamp which has been removed from the controlled dangerous substance to which it had been previously affixed.

B. No person shall for the purpose of indicating the payment of any tax levied by Section 450.2 of this title, reuse any stamp which has heretofore been used for the purpose of paying any tax levied by Section 450.2 of this title, or buy, sell, offer for sale, or have in his possession, any counterfeit stamps.

C. Any person convicted of violating any provision of this section shall be guilty of a Class D1 felony offense and shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~for not more than five (5) years as~~ provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 563. AMENDATORY 68 O.S. 2021, Section 2003, is amended to read as follows:

Section 2003. Any person who shall make any false oath to any report required by the provisions of this ~~Act~~ act, shall be deemed guilty of perjury, a Class D1 felony offense punishable as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

SECTION 564. AMENDATORY 68 O.S. 2021, Section 2376, is amended to read as follows:

Section 2376. A. Any person, natural or corporate, or any officer or agent of any corporation who, with the intent to defraud the state or evade the payment of any income tax, shall fail to file a state income tax return when such person is required to do so by

the statutes of Oklahoma, and within the time in which such returns are required to be filed, or within a time extension if obtained from the Tax Commission shall be guilty, upon conviction, of a felony and shall be punished as provided for in Section 240.1 of this title.

B. Any person, natural or corporate, or any officer or agent of any corporation who, with the intent to defraud the state, or evade the payment of any income tax, files a state income tax return which is false in any material items or particular, shall be guilty, upon conviction, of a Class D1 felony offense and shall be punished as provided for in subsection A of Section 241 of this title.

C. Nothing in this section shall be construed to prevent the state or any agency thereof from collecting any fees or penalties as provided by law. Any corporate violator may be so fined.

D. Offenses defined in this section shall be reported to the appropriate district attorney of this state by the Oklahoma Tax Commission as soon as said offenses are discovered by the Commission or its agents or employees. Any other provision of law to the contrary notwithstanding, the Commission shall make available to the appropriate district attorney, or to the authorized agent of said district attorney, its records and files pertinent to such prosecutions, and such records and files shall be fully admissible for the purpose of such prosecutions.

SECTION 565. AMENDATORY 68 O.S. 2021, Section 2920, is amended to read as follows:

Section 2920. If any county treasurer in this state or his deputy, or any other person shall knowingly and willfully make, issue, and deliver any tax receipt, or duplicate tax receipt, required to be issued, by fraudulently making the tax receipt and its duplicate, or the paper purporting to be its duplicate, different from each other with the intent to defraud the State of Oklahoma or any county in said state or any person whomsoever, such county treasurer or deputy treasurer or other person shall be deemed guilty of a Class D1 felony offense, and on conviction thereof shall be sentenced to imprisonment ~~in the State Penitentiary for a time not less than one (1) year nor more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.~~

SECTION 566. AMENDATORY 68 O.S. 2021, Section 2945, as amended by Section 4, Chapter 349, O.S.L. 2022 (68 O.S. Supp. 2024, Section 2945), is amended to read as follows:

Section 2945. A. If any person shall knowingly and willfully make or give under oath or affirmation a false and fraudulent list of taxable personal property, or a false and fraudulent list of any taxable personal property under the control of the person or required to be listed by the person, or shall knowingly and willfully make false answer to any question which may be put under oath by any person, board or commission authorized to examine persons under oath in relation to the value or amount of any taxable personal property, the person shall be deemed guilty of the felony of perjury, a Class D1 felony offense, and upon conviction shall be punished by imprisonment as is provided by law for the punishment of the felony of perjury for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.

B. If any taxpayer, or any official, employee, or agent of the taxpayer, shall fail or refuse, upon proper request, to permit the inspection of any property or the examination of any books, records and papers by any person authorized by the Ad Valorem Tax Code to do so, or shall fail or refuse to comply with any subpoena duces tecum legally issued under authority of this Code, the taxpayer shall be stopped from questioning or contesting the amount or validity of any assessment placed upon the property of the taxpayer to the board of equalization. Nothing in this section shall impair or impede the right of the taxpayer to appeal any order of the board of equalization to the district court or Court of Tax Review as provided for in Section 2880.1 of this title.

SECTION 567. AMENDATORY 68 O.S. 2021, Section 3609, is amended to read as follows:

Section 3609. Any person making an application, claim for payment or any report, return, statement or other instrument or providing any other information pursuant to the provisions of this act who willfully makes a false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully provides any false or fraudulent information, or any person who willfully aids or abets another in making such false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully aids or abets another in providing any false or fraudulent information, upon conviction, shall be guilty of a Class D1 felony offense punishable by the imposition of

a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~in the State Penitentiary for not less than two (2) years and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. Any person convicted of a violation of this section shall be liable for the repayment of all incentive payments which were paid to the establishment. Interest shall be due on such payments at the rate of ten percent (10%) per annum.

SECTION 568. AMENDATORY 68 O.S. 2021, Section 3807, is amended to read as follows:

Section 3807. Any person making an application, claim for payment or any report, return, statement or other instrument or providing any other information pursuant to the provisions of the Former Military Facility Development Act who willfully makes a false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully provides any false or fraudulent information, or any person who willfully aids or abets another in making such false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully aids or abets another in providing any false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully aids or abets another in providing any false or fraudulent information, upon conviction, shall be guilty of a Class D1 felony offense punishable by the imposition of a fine of not less than One Thousand Dollars (\$1,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~in the State Penitentiary for not less than two (2) years and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. Any person convicted of a violation of this section shall be liable for the repayment of all incentive payments which were paid to the establishment. Interest shall be due on such payments at the rate of ten percent (10%) per annum.

SECTION 569. AMENDATORY 68 O.S. 2021, Section 4109, is amended to read as follows:

Section 4109. Any person making an application, claim for payment or any report, return, statement or other instrument or providing any other information pursuant to the provisions of this act who willfully makes a false or fraudulent application, claim, report, return, statement, invoice or other instrument or who

willfully provides any false or fraudulent information, or any person who willfully aids or abets another in making such false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully aids or abets another in providing any false or fraudulent information, upon conviction, shall be guilty of a Class D1 felony offense punishable by the imposition of a fine not less than One Thousand Dollars (\$1,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~in the State Penitentiary for not less than two (2) years and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. Any person convicted of a violation of this section shall be liable for the repayment of all investment payments which were paid to the establishment. Interest shall be due on such payments at the rate of ten percent (10%) per annum.

SECTION 570. AMENDATORY 68 O.S. 2021, Section 4209, is amended to read as follows:

Section 4209. Any person making an application, claim for payment or any report, return, statement or other instrument or providing any other information pursuant to the provisions of this act who willfully makes a false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully provides any false or fraudulent information, or any person who willfully aids or abets another in making such false or fraudulent application, claim, report, return, statement, invoice or other instrument or who willfully aids or abets another in providing any false or fraudulent information, upon conviction, shall be guilty of a Class D1 felony offense punishable by the imposition of a fine not less than One Thousand Dollars (\$1,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~in the State Penitentiary for not less than two (2) years and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. Any person convicted of a violation of this section shall be liable for the repayment of all incentive payments which were paid to the establishment. Interest shall be due on such payments at the rate of ten percent (10%) per annum.

SECTION 571. AMENDATORY 69 O.S. 2021, Section 310, is amended to read as follows:

Section 310. ~~(a)~~ A. No official or employee of the Commission, governing body or other governmental instrumentality who is

authorized in his official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting or approving any contract or subcontract in connection with a project shall have, directly or indirectly, any financial or other personal interest in any such contract or subcontract. No engineer, attorney, appraiser, inspector or other person performing services for the Commission, governing body, or other governmental instrumentality in connection with a project shall have, directly or indirectly, a financial or other personal interest, other than his employment or retention by the Commission, governing body, or other governmental instrumentality, in any contract or subcontract in connection with such project. No officer or employee of such person retained by the Commission, governing body or other governmental instrumentality shall have, directly or indirectly, any financial or other personal interest in any real property acquired for a project unless such interest is openly disclosed upon the public records of the Commission, the governing body or other governmental instrumentality, and such officer, employee or person has not participated in such acquisition for and in behalf of the Commission, the governing body or other governmental instrumentality.

~~(b)~~ B. Any official or employee of the Commission, governing body or other governmental instrumentality, or officer or employee of such person retained by the Commission, the governing body or other governmental instrumentality who knowingly violates any of the provisions of this section shall be guilty of a Class D1 felony offense and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine. In addition, if the Commission or the Director enters into any contract on the part of the Department in which the Director or any member of the Commission is interested, directly or indirectly, and the state suffers a loss due to excessive charges or otherwise, the members of the Commission knowingly voting to enter into or to approve such contract, and the Director knowingly entering into, approving, or recommending any such contract, and the contracting party, shall be jointly and individually liable for any loss the state may suffer. The official bonds of such officer shall be liable for such loss. The provisions of this section shall be cumulative to existing law. The members of the Commission and the Director found guilty of violating any of the provisions of this

section shall in addition to the penalty heretofore set out forfeit their respective offices.

~~(c)~~ C. Any employee of the Department, Director or Commission, who in the course of such employment knowingly accepts, approves, or recommends for approval or payment any material, service, job, project, or structure, or any part thereof, which does not meet the specifications therefor, or is to his knowledge otherwise more deficient in quality, quantity or design than was provided for in the plans, purchase orders or any minimum standard provided by any state agency or official, or by law, shall be guilty of a felony and, upon conviction, shall be punished and penalized as provided by this section.

~~(d)~~ D. The ownership by any member of the Commission, or the Director, of less than five percent (5%) of the stocks or shares actually issued by a corporation contracting with the Department shall not be considered an interest, directly or indirectly, in a contract with such corporation within the meaning of this section, and such ownership shall not affect the validity of any contract, or impose liability under this section unless the owner of such stock or shares is also an officer or agent of the corporation or association. Ownership shall include any stock or shares standing in the name of a member of the Commissioners' or Director's immediate family or a family trust.

SECTION 572. AMENDATORY 69 O.S. 2021, Section 1705, is amended to read as follows:

Section 1705. The Oklahoma Turnpike Authority is hereby authorized and empowered:

(a) To adopt bylaws for the regulation of its affairs and conduct of its business.

(b) To adopt an official seal and alter the same at pleasure.

(c) To maintain an office at such place or places within the state as it may designate.

(d) To sue and be sued in contract, reverse condemnation, equity, mandamus and similar actions in its own name, plead and be impleaded; provided, that any and all actions at law or in equity against the Authority shall be brought in the county in which the principal office of the Authority shall be located, or in the county

of the residence of the plaintiff, or the county where the cause of action arose. All privileges granted to the Authority and duties enjoined upon the Authority by the provisions of Sections 1701 through 1734 of this title may be enforced in a court of competent jurisdiction in an action in mandamus.

(e) To construct, maintain, repair and operate turnpike projects and highways, with their access and connecting roads, at such locations and on such routes as it shall determine to be feasible and economically sound; provided, that until specifically authorized by the Legislature, the Authority shall be authorized to construct and operate toll turnpikes only at the following locations:

(1) The Turner Turnpike between Oklahoma City and Tulsa.

(2) The Southwestern (H.E. Bailey) Turnpike between Oklahoma City and Wichita Falls, Texas.

(3) The Northeastern (Will Rogers) Turnpike between Tulsa and Joplin, Missouri.

(4) The Eastern (Indian Nation) Turnpike between Tulsa and Paris, Texas, including all or any part thereof between McAlester and the Red River south of Hugo.

(5) The Cimarron Turnpike between Tulsa and Interstate Highway 35 north of Perry, including a connection to Stillwater.

(6) The Muskogee Turnpike between Broken Arrow and Interstate Highway 40 west of Webbers Falls.

(7) All or any part of an extension of the Muskogee Turnpike, beginning at a point on Interstate Highway 40 near the present south terminus of the Muskogee Turnpike, and extending in a southeasterly direction on an alignment near Stigler, Poteau and Heavener to the vicinity of the Arkansas State Line to furnish access to Hot Springs, Texarkana, Shreveport and New Orleans.

(8) A tollgate on the Turner Turnpike in the vicinity of Luther, Oklahoma, and in the vicinity of the intersection of State Highway 33 and Turner Turnpike in Creek County, Oklahoma, or in the vicinity of the intersection of State Highway 33 and Turner Turnpike or U.S. Highway 66 in Creek County, Oklahoma, from any monies available to the Authority.

(9) Add on the Will Rogers Turnpike a northbound automatic tollgate onto State Highway 28 and a southbound on-ramp from State Highway 28.

(10) A turnpike or any part or parts thereof beginning in the vicinity of Duncan extending east to the vicinity of the City of Davis, and extending in a northeasterly direction, by way of the vicinity of the City of Ada, to a connection in the vicinity of Henryetta or in the vicinity of the intersection of State Highway 48 and Interstate 40; and a turnpike or any part or parts thereof from the vicinity of Snyder extending north to the vicinity of Woodward.

(11) A turnpike or any part or parts thereof beginning at a point in the vicinity of Ponca City, or at a point on the Kansas-Oklahoma state boundary line east of the Arkansas River and west of the point where Oklahoma State Highway No. 18 intersects said state boundary line, and extending in a southeasterly direction to a connection with the Tulsa Urban Expressway System in the general area of the Port of Catoosa.

(12) All or any part of an Oklahoma City toll expressway system connecting the residential, industrial and State Capitol Complex in the north part of Oklahoma City with the residential, industrial and Will Rogers World Airport Complex in the south and southwest parts of Oklahoma City.

(13) A turnpike (The Industrial Parkway) or any part or parts thereof beginning at a point on the Oklahoma-Kansas state boundary line between the point where U.S. Highway 66 intersects the boundary line and the northeast corner of Oklahoma and ending by means of a connection or connections with Shreveport, Louisiana, and Houston, Texas, in southeastern Oklahoma and at no point to exceed thirty (30) miles west of the Missouri or Arkansas border.

(14) A turnpike or any part or parts thereof beginning in the vicinity of Velma or County Line to a point intersecting with Interstate 35 in the area south of Davis.

(15) A turnpike or any part or parts thereof beginning in the vicinity of Watonga and extending south and/or east to the vicinity of north and/or west Oklahoma City.

(16) A tollgate on the Will Rogers Turnpike near the intersection of State Highway 137 and the Will Rogers Turnpike, located south of Quapaw.

(17) A tollgate on the Muskogee Turnpike in the vicinity of Porter, Oklahoma, a tollgate on the Will Rogers Turnpike in the vicinity of Adair, Oklahoma, a tollgate on the Turner Turnpike in the vicinity of Luther, Oklahoma, and a tollgate on the H.E. Bailey Turnpike at Elgin, Oklahoma, from any monies available to the Authority.

(18) A tollgate on the Turner Turnpike in the vicinity of Wellston, Oklahoma, from any monies available to the Authority.

(19) A tollgate on the Muskogee Turnpike in the vicinity of Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove, Oklahoma, from any monies available to the Authority.

(20) All or any part of an Oklahoma City Outer Loop expressway system beginning in the vicinity of I-35 and the Turner Turnpike and extending west into Canadian County and then south to I-40; and then south and east to I-35 in the vicinity of Moore and Norman; and then extending east and north to I-40 east of Tinker Field; and then extending north to the Turner Turnpike to complete the Outer Loop.

(21) All or any part of the Tulsa south bypass expressway system beginning in the vicinity of the Turner Turnpike near Sapulpa and extending south and east to U.S. 75 in the vicinity of 96th Street to 121st Street; and then east across the Arkansas River to a connection with the Mingo Valley Expressway; and then south and/or east to a point on the Tulsa-Wagoner County Line near 131st ~~street~~ Street south in the city of Broken Arrow.

(22) A new turnpike or any part thereof from near the west gate of the Will Rogers Turnpike south to the west end of south Tulsa Turnpike at the Tulsa-Wagoner County Line.

(23) A new turnpike or any parts thereof from the vicinity of the connection between State Highway 33 and U.S. 69 easterly to the Arkansas State Line.

(24) A four-lane extension of the Muskogee Turnpike from Interstate Highway 40 west of Webbers Falls to the Poteau vicinity.

(25) A new turnpike or any part or parts thereof beginning at a point in the vicinity of northwest Tulsa, and extending in a northwesterly direction, by means of a connection or connections with the cities of Pawhuska and Newkirk, to a point intersecting in the vicinity of ~~US~~ U.S. Highway No. 77 and the Kansas State Line.

(26) A full access interchange on the Indian Nation Turnpike south of Interstate 40, in the vicinity of Henryetta, Oklahoma, and in the vicinity of the proposed theme park, museum or an industrial facility which qualifies for the Oklahoma Quality Jobs Program Act, from any monies available to the Authority.

(27) A new turnpike beginning at a point directly west of the Arkansas line and four-laning Highway 70 from that point to the farthest western reach of Highway 70 creating a southern route through Oklahoma.

(28) A new turnpike and bridge or any parts thereof from a point in the vicinity of the city of Mustang southerly across the South Canadian River to the H.E. Bailey Turnpike in the vicinity of the city of Tuttle; and then easterly across the South Canadian River to a point in the vicinity of the city of Norman.

(29) A new turnpike or any parts thereof beginning at a point in the vicinity of the city of Altus and extending in a northwesterly direction to a point in the vicinity of the city of Sayre.

(30) A new turnpike or any parts thereof beginning at a point in the vicinity of the city of Enid and extending in a westerly direction to a point in the vicinity of the city of Woodward.

(31) An on- and off-ramp or any parts thereof at Fletcher, Oklahoma, in the vicinity of the Interstate 44 and State Highway 277 intersection. Any existing on- or off-ramp or any parts thereof in the vicinity of Fletcher, Oklahoma, shall not be removed and shall be maintained pursuant to Section 1701 et seq. of this title.

(32) A new bridge crossing the Arkansas River between South Delaware Avenue and Memorial Drive in Tulsa County. This project shall commence upon a determination by the Oklahoma Transportation Authority that such bridge shall be self-sufficient at some point over a thirty-year time period from the toll charges associated with the bridge project.

(33) An exit ramp or any parts thereof from the eastbound lane of the Turner Turnpike at 96th Street in Tulsa.

(34) An on- and off-ramp or any parts thereof on the Cimarron Turnpike in the vicinity of the northside of the Glencoe, Oklahoma, municipal limits.

(35) A new turnpike or any parts thereof beginning at Interstate 44 at or near its intersection with 49th West Avenue, past State Highway 64/412, turning northeasterly, crossing 41st West Avenue, and continuing eastward to the L.L. Tisdale Expressway in Tulsa, Oklahoma.

All access roads, interchanges, or lead roads connecting such turnpikes with existing highways must be built by funds furnished by the Authority.

The minimum and maximum wages for the construction of the roads, highways and projects provided for in Sections 1701 through 1734 of this title shall be in accordance with the schedules of wages used or adopted by the Commission in construction of state highways.

The Authority is hereby authorized to enter into contracts or agreements with agencies and instrumentalities of other states or the national government for construction, maintenance and operation of interstate turnpikes or highways.

The Authority is hereby required to construct and install automatic tollgates on the Will Rogers Turnpike at State Highway No. 28 near Adair.

(f) To issue turnpike revenue bonds of the Authority, payable solely from revenues, including the revenues accruing to the trust fund created by Sections 1701 through 1734 of this title, for the purpose of paying all or any part of the cost of any one or more turnpike projects. Provided that any bonds issued for the construction of the proposed turnpike referred to in subparagraphs (10), (20), (21) and (22) of paragraph (e) of this section shall be issued as one issue for all four of the proposed turnpikes and shall be financed, constructed and operated under one bond indenture.

(g) To fix and revise from time to time tolls for the use of any turnpike projects.

Any common carrier having authority at the time of opening any turnpike project to operate upon a highway approximately paralleling the turnpike project shall be granted without further showing authority to operate over the turnpike project to all municipalities which such carrier is serving at the time the turnpike project is opened to traffic. But nothing herein shall be construed as granting any new operation rights to any common carriers.

(h) To acquire, hold, and dispose of real and personal property in the exercise of its powers and the performance of its duties.

(i) To acquire in the name of the Authority by purchase or otherwise on such terms and conditions and in such manner as it may deem proper, or by exercise of the right of condemnation in manner hereinafter provided, such public or private lands, including public parks, playgrounds, or reservations, or parts thereof or rights therein, rights-of-way, property, rights, easements, and interests, as it may deem necessary for carrying out the provisions of Sections 1701 through 1734 of this title; provided, that all public property damaged in carrying out the powers granted by Sections 1701 through 1734 of this title shall be restored or repaired and placed in its original condition as nearly as practicable.

(j) To designate, except as is provided for herein, the location, and establish, limit and control such points of ingress to and egress from each turnpike project as may be necessary or desirable in the judgment of the Authority to insure the proper operation and maintenance of such project, and to prohibit entrance to such project from any point or points not so designated.

(k) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers, and to employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation; provided, that all such expenses shall be payable solely from the proceeds of turnpike revenue bonds issued under the provisions of Sections 1701 through 1734 of this title or from revenues; provided, further, no attorney employed by the Authority, nor any member of any law firm of which the attorney may be connected, shall ever be paid any fee or compensation for any special or extraordinary services.

(l) To receive and accept from any federal agency grants for or in aid of the construction of any turnpike project, provided, the acceptance of such grants will not reduce the amount of federal aid for the construction, repair, or maintenance of farm-to-market roads and other highways and bridges in this state; and to receive and accept aid or contributions from any source of either money, property, labor, or other things of value, to be held, used, and applied only for the purposes for which such grants and contributions may be made.

(m) To adopt such rules, and to do any and all things necessary to comply with rules, regulations, or requirements of the Bureau of Public Roads, Multistate Economic Development Regional Commission, as defined in Sections 1151 through 1153, inclusive, of Title 74 of the Oklahoma Statutes, Ozarka Region Commission or any other federal agency administering any law enacted by the Congress of the United States to aid or encourage the construction of highways.

(n) To do all things necessary or convenient to carry out the powers expressly granted in Sections 1701 through 1734 of this title. The design standards for all paving shall comply with the design standards of the American Association of State Highway and Transportation Officials as modified by the Oklahoma Department of Transportation. All contracts for construction work on turnpike projects shall be let to the lowest responsible bidder, or bidders, after notice by publication in a newspaper published in the county where the work is to be done in two consecutive weekly issues of the newspaper. In all cases where more than eight (8) miles of construction is let at the same time and is not an advertisement for a surface-treatment-only project, such advertisement shall provide for bids on sections of the turnpike not to exceed eight (8) miles. If the project advertised is a surface-treatment-only project of more than twenty (20) miles of road, the advertisement shall provide for bids on sections of the road no longer than twenty (20) miles, as well as bids on the project as a whole. Subject to the following restrictions and limitations, the Authority shall, when contracting for construction work, divide such work into paving projects, bridge projects, including underpasses and overpasses, and earthmoving or miscellaneous projects, according to the type of work to be done. Each project shall be let under a separate contract or contracts and no contract or project shall include more than one of such types of construction work. Each contract for construction work shall contain a provision that ninety percent (90%) of all labor employed on the project shall be residents of Oklahoma. However, contracts

for bridges may include earthwork and structures for the approaches thereto.

(o) It shall be unlawful for any member, officer or employee of the Authority to transact with the Authority, either directly or indirectly, any business for profit of such member, officer, or employee; and any person, firm, or corporation knowingly participating therein shall be equally liable for violation of this provision.

The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift, or consideration to such member, officer, or employee.

Violation of this provision shall constitute a Class D1 felony offense punishable by incarceration in the State Penitentiary for a term not to exceed five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or both such imprisonment and fine.

(p) In the event of a national emergency, the Authority, subject to any vested rights or claims, may enter into contracts with the federal government or any authorized agency thereof to allow the federal government or agency thereof to use such turnpikes partly or exclusively during the existence of such emergency, provided, that the federal government agrees in such contract to pay, during the term of such contract, an amount sufficient, when added to any tolls collected, to meet all operating and maintenance expenses, interest payments, and the minimum sinking fund and reserve requirements of the trust agreement for the turnpike covered by the contract.

(q) All meetings of the Authority shall be open public meetings, and all records shall be public records, except when considering personnel or litigation.

SECTION 573. AMENDATORY 69 O.S. 2021, Section 1802, is amended to read as follows:

Section 1802. Any person who is convicted of a violation of any of the provisions of this Code herein or by the laws of this state declared to constitute a Class D1 felony offense, and for which another penalty is not provided in this Code, shall be punished by

~~imprisonment for not less than one (1) year nor more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 574. AMENDATORY 70 O.S. 2021, Section 23-106, is amended to read as follows:

Section 23-106. The Authority is hereby authorized and empowered:

1. To accept, assume and control the television channels assigned by the Federal Communications Commission to the State of Oklahoma for educational purposes;
2. To adopt bylaws for the regulation of its affairs and the conduct of its business;
3. To adopt an official seal and alter the same at pleasure;
4. To maintain an office at such place or places within the state as it may designate;
5. To sue and be sued in its own name, plead and be impleaded; provided, however, that any and all actions, at law or in equity, against the Authority shall be brought in the county in which the principal office of the Authority shall be located, or in the county of the residence of the plaintiff, or in the county where the cause of action arose;
6. To construct, maintain, repair and operate television facilities which with their access connections are designated ultimately to extend to and include all sections and areas of the State of Oklahoma;
7. To issue revenue bonds of the Authority, payable solely from dedicated revenues, for the purpose of paying all or any part of the cost of needed facilities;
8. To fix and revise from time to time any necessary charges for the use of any facilities;
9. To pay for the annual cost of the operation, maintenance and repair of such facilities;

10. To pay as and when due the principal and interest on the revenue certificates or bonds issued to pay for such facilities;

11. To accumulate and maintain such reserves as are provided for in the resolution or trust indenture under which such bonds are issued or secured;

12. To acquire, hold, or dispose of real and personal property in the exercise of its powers and the performance of its duties under this act;

13. To acquire in the name of the Authority by purchase or otherwise, on such terms and conditions and in such manner as it may deem proper, or by the exercise of the right of condemnation in manner hereinafter provided, such public or private lands, rights-of-way, property, rights, easements, and interests, as it may deem necessary for carrying out the provisions of this article; and it is the intent of the Legislature that all public property damaged in carrying out the powers granted by this article shall be restored or repaired and placed in its original condition as nearly as practicable;

14. To designate, except as is provided for herein, the locations; and to establish, limit and control such points of ingress to and egress from each facility as may be necessary or desirable in the judgment of the Authority to insure the proper operation and maintenance of such facility;

15. To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article, and to employ consulting engineers, attorneys, accountants, construction and financial experts, superintendents, managers, and such other employees and agents as may be necessary in its judgment, and to fix their compensation;

16. To receive appropriations from the State Legislature and accept from any federal agency grants for or in aid of the construction and operation of any project; provided, the acceptance of such grants or appropriations will not reduce the amount of federal aid for other education in this state; and to receive and accept aid or contributions from any source of either money, property, labor, or other things of value;

17. To do any and all things necessary to comply with rules, regulations, or requirements of the Federal Communications Commission or any other federal agency administering any law enacted by the Congress of the United States to aid or encourage education;

18. To do all things necessary or convenient to carry out the powers expressly granted in this article.

It shall be unlawful for any member, officer, or employee of the Authority to transact with the Authority, either directly or indirectly, any business for profit of such member, officer, or employee; and any person, firm or corporation knowingly participating therein shall be equally liable for violation of this provision.

The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift or consideration to such member, officer or employee.

Any person found guilty of violating any of the provisions of this section shall be guilty of a Class D1 felony offense, and shall be punishable by a fine of not less than Five Hundred Dollars (\$500.00), and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 575. AMENDATORY 70 O.S. 2021, Section 3909, is amended to read as follows:

Section 3909. A. In addition to such other audits as may be required of or desired by the various boards of regents responsible for the institutions of The Oklahoma State System of Higher Education, each board shall annually obtain the services of an independent accounting firm or individual holding a permit to practice public accounting in this state to perform a complete financial audit for the preceding fiscal year of each institution for which the board is responsible. The Oklahoma State Regents for Higher Education shall likewise annually obtain the services of an independent accounting firm or individual holding a permit to practice public accounting in this state to perform a complete financial audit of all the offices, operations, and accounts of the State Regents which are not subject to the control of other boards of regents. The audits shall be filed in accordance with the

requirements set forth for financial statement audits in Section 212A of Title 74 of the Oklahoma Statutes.

B. Each board of regents shall appoint a standing Audit Committee of the board consisting of not fewer than three (3) board members. The Audit Committee shall be responsible for establishing the qualifications of any accounting firm or individual seeking to be hired to perform an audit for the board and shall recommend to the board the firms or individuals whom the board shall invite to submit competitive bids. The full board shall select the auditor from among the competitive bidders. Audit committees shall not recommend any firm or individual unwilling to meet the following specifications. The specifications shall be among the terms and conditions of any contract awarded:

1. All revolving fund accounts, special accounts, special agency accounts, auxiliary enterprise accounts, and technical area school district accounts, if any, shall be included within the scope of the audit;

2. Where operations of constituent agencies or technical area school districts are relevant to the complete financial audit of the institution, records of those enterprises shall be included within the scope of the audit;

3. To the extent required by subsection (d) of Section 4306 of this title, records of college- or university-related foundations shall be included within the scope of the audit;

4. At the conclusion of the audit, the auditor shall meet with the president of the institution and the Audit Committee to review the audit report to be issued, the management letter or other comments or suggestions to be issued, and any other findings; and

5. Findings of material weaknesses, qualifications of the auditor's report other than those deriving from inadequate plant records, and of defalcations, or a report of lack of such findings, shall be communicated in writing to the board, the State Auditor and Inspector, the Legislative Service Bureau, and the Oklahoma State Regents for Higher Education with or in advance of the filing of the audit report required by Section 452.10 of Title 74 of the Oklahoma Statutes; and such written communications shall include any responses or other comments which the president or the Audit Committee wishes to have included.

C. The State Auditor and Inspector whenever he or she deems it appropriate, or upon receiving a written request to do so by the Governor, Attorney General, President Pro Tempore of the Senate, the Speaker of the House of Representatives, the governing board of an institution of higher education, the Oklahoma State Regents for Higher Education or the president of an institution of higher education, shall conduct a special audit of any institution of higher education within The Oklahoma State System of Higher Education. The special audit shall include, but not necessarily be limited to, a compliance audit as defined in subsection C of Section 213 of Title 74 of the Oklahoma Statutes. The State Auditor and Inspector shall have the power to take custody of any records necessary to the performance of the audit but shall minimize actual physical removal of or denial of access to such records. At the conclusion of the audit, the State Auditor and Inspector shall meet with the president of the institution and the Audit Committee of the board which governs the component audited to review the audit report to be issued. The report, when issued, shall include any responses to the audit which the president or the Audit Committee wishes to have included and shall be presented to the full board, the Legislative Service Bureau, and the Oklahoma State Regents for Higher Education with or in advance of the filing required by Section 452.10 of Title 74 of the Oklahoma Statutes. The cost of such audit shall be borne by the audited entity and may be defrayed in whole or in part by any federal funds available for that purpose.

D. Each board of regents shall require the employment of a sufficient number of internal auditors to meet the board's fiduciary responsibilities. Internal audits shall be conducted in accordance with the provisions of Sections 228 and 229 of Title 74 of the Oklahoma Statutes. The internal auditors shall submit a report directly and simultaneously to the audit committee of the board and the president of the institution; all members of the board of regents governing the institution, however, shall receive all internal audit reports and the board of regents shall, at least annually, review and prescribe the plan of work to be performed by the internal auditors.

E. Any person who alters or destroys records needed for the performance of an audit or causes or directs a subordinate to do such acts shall be guilty of a Class D1 felony offense punishable by imprisonment in the custody of the Department of Corrections for a period of not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than Twenty Thousand Dollars

(\$20,000.00), or by both such fine and imprisonment. Such person shall also be subject to immediate removal from office or employment.

SECTION 576. AMENDATORY 70 O.S. 2021, Section 4306, is amended to read as follows:

Section 4306. A. All state higher educational institutions, constituent agencies or other entities are hereby authorized to accept and receive any and all grants or contracts of all kinds, gifts, devises and bequests of money or property, either real or personal, which may be, or which may heretofore have been tendered to them by grant or contract, will or gift, conditionally or unconditionally; and the Board of Regents of said institutions, constituent agencies or other entities are hereby directed, authorized and empowered to hold such funds or property in trust, or invest or sell them and use either principal or interest or the proceeds of sale for the benefit of such institutions or entities or the students or others for whose benefit such institutions or entities are conducted; all in any manner which is consistent with the terms of the gift as stipulated by the donor and with the provisions of any applicable laws. Money donated to a college- or university-related foundation for student scholarships or grants to students of an institution of The Oklahoma State System of Higher Education shall not be loaned or given to any regent, officer, director, or employee of such foundation or institution or to any relative of such person within the third degree of affinity or consanguinity. The following, however, shall not be prohibited:

1. Students in the employ of such foundation or institution may be given scholarships; and

2. Scholarships may be awarded to an otherwise disqualified relative of any faculty member, staff employee, foundation or institution officer or maintenance worker of such foundation or institution if such relative is meritoriously qualified.

B. Any person willfully violating the prohibitions of subsection A of this section shall be guilty of a Class D1 felony offense punishable by imprisonment in the State Penitentiary for a period of not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of not more than Twenty Thousand Dollars (\$20,000.00), or by both such fine and imprisonment. Any person

found guilty of said violations shall also be subject to immediate removal from office or employment where applicable.

C. The Oklahoma State Regents for Higher Education, any institution or agency of The Oklahoma State System of Higher Education or the regents or governing board of such institution or agency shall not directly or indirectly transfer any funds to any college- or university-related foundation or render services or provide any thing of value to any such foundation without receiving documented adequate payment or reimbursement therefor according to written contract; provided, nothing herein shall be construed as prohibiting payment by the institution or agency of claims for expenses of fund raising for the benefit of the institution or agency by state employees if such fund raising activities are approved in advance by the governing board of regents responsible for such institution or agency and made a part of the minutes of the meeting of the board.

D. Neither the Oklahoma State Regents for Higher Education nor any institution or agency of The Oklahoma State System of Higher Education shall receive any funds, services, or thing of value from any college- or university-related foundation which has any officers or employees who are officers or employees of any institution or agency of the State System or State Regents unless such foundation makes all its financial records and documents, including work papers, except for names of donors, available to auditors who are performing audits of the institution or agency.

SECTION 577. AMENDATORY 71 O.S. 2021, Section 453, is amended to read as follows:

Section 453. A. It is unlawful and shall be deemed a Class D1 felony offense for any person to make a take-over offer or to acquire any equity securities pursuant to the offer, unless the offer is effective under the provisions of this act. A take-over offer is effective when the offeror files with the Administrator a registration statement containing the information prescribed in subsection F of this section. The offeror shall deliver a copy of the registration statement by certified mail to the target company at its principal office and publicly disclose the material terms of the proposed offer, not later than the date of filing of the registration statement. Public disclosure shall require, at a minimum, that a copy of the registration statement be supplied to all broker-dealers maintaining an office in this state currently quoting the security.

B. The registration statement shall be filed on forms prescribed by the Administrator of the Department of Securities, shall be accompanied by a consent by the offeror to service of process and the filing fees specified in Section 8 of this act and shall contain the following information:

1. All of the information specified in subsection F of this section;

2. Two (2) copies of all solicitation materials intended to be used in the take-over offer in the form proposed to be published or sent or delivered to offerees;

3. If the offeror is other than a natural person, the following information shall be included:

- a. information concerning its organization and operations, including the year, form and jurisdiction of its organization,
- b. a description of each class of equity security and long-term debt,
- c. a description of business conducted by the offeror and its subsidiaries and any material changes therein during the past three (3) years,
- d. a description of the location and character of the principal properties of the offeror and its subsidiaries,
- e. a description of any material pending legal or administrative proceedings in which the offeror or any of its subsidiaries is a party,
- f. the names of all directors and executive officers of the offeror and their material business activities and affiliations during the past three (3) years, and
- g. financial statements of the offeror in such form and for such period of time as the Administrator may by rule prescribe; and

4. If the offeror is a natural person, the following information shall be included:

- a. information concerning his identity and background, including his business activities and affiliations during the past three (3) years, and
- b. a description of any material pending legal or administrative proceedings in which the offeror is a party.

If a take-over offer is subject to Section 14(d) of the Securities Exchange Act of 1934, the form and content of the registration statement shall include the same as the form and content of any such statement and amendments required to be filed with the United States Securities and Exchange Commission. If the statement and amendments filed with the United States Securities and Exchange Commission provide the information required to be disclosed by this act, the filing of same with the Administrator shall satisfy the requirement for the filing of a registration statement under this section. The offeror must comply with all other requirements of this section.

C. Registration is not deemed approval by the Administrator and any representation to the contrary is unlawful.

D. Within three (3) calendar days of the date of filing of the registration statement, the Administrator may by order summarily suspend the effectiveness of the take-over offer if the Administrator determines that the registration statement does not contain all of the information specified in subsection F of this section or that the take-over offer materials provided to offerees do not provide full disclosure to offerees of all material information concerning the take-over offer. The suspension shall remain in effect only until the determination following a hearing held pursuant to subsection E of this section.

E. A hearing shall be scheduled by the Administrator with respect to each suspension under this section and shall be held within ten (10) calendar days of the date of the suspension. The Oklahoma Administrative Procedures Act, Section 301 et seq. of Title 75 of the Oklahoma Statutes, and the administrative procedures of the Oklahoma Securities Commission and Department of Securities shall not apply to the hearing. The Administrator's determination made following the hearing shall be made within three (3) calendar days after such hearing has been completed, but not more than

sixteen (16) calendar days after the date of the suspension. The Administrator may prescribe different time limits than those specified in this subsection by rule or order. If, based upon the hearing, the Administrator finds that the take-over offer fails to provide for full and fair disclosure to offerees of all material information concerning the offer, or that the take-over offer is in material violation of any provision of this act, the Administrator shall permanently suspend the effectiveness of the take-over offer, subject to the right of the offeror to correct disclosure and other deficiencies identified by the Administrator and to reinstitute the take-over offer by filing a new or amended registration statement pursuant to Section 3 of this act.

F. The form required to be filed by paragraph 1 of subsection B of this section shall contain the following information:

1. The identity and background of all persons on whose behalf the acquisition of any equity security of the issuer has been or is to be affected;

2. The source and amount of funds or other consideration used or to be used in acquiring any equity security, including if applicable:

- a. a statement describing any securities which are being offered in exchange for the equity securities of the issuer, and if any part of the acquisition price is or will be represented by borrowed funds or other consideration,
- b. a description of the material terms of any financing arrangements, and
- c. the names of the parties from whom the funds were borrowed;

3. If the purpose of the acquisition is to gain control of the target company:

- a. a statement of any plans or proposals which the person has, upon gaining control:
 - (1) to liquidate the issuer, sell its assets, effect its merger or consolidation,

- (2) to change the location of its principal executive office or of a material portion of its business activities,
- (3) to change its management or policies of employment, and
- (4) to materially alter its relationship with suppliers or customers or the communities in which it operates, or make any other major change in its business, corporate structure, management or personnel, and

b. other information which would affect the shareholders' evaluation of the acquisition;

4. The number of shares of any equity security of the issuer owned beneficially by the person and any affiliate or associate of the person, together with the name and address of each affiliate or associate; and

5. The material terms of any contract, arrangement or understanding with any other person with respect to the equity securities of the issuer whereby the person filing the statement has or will acquire any interest in additional equity securities of the issuer, or is or will be obligated to transfer any interest in the equity securities to another.

SECTION 578. AMENDATORY 71 O.S. 2021, Section 455, is amended to read as follows:

Section 455. It is unlawful and shall be deemed a Class D1 felony offense for any offeror or target company or any controlling person of an offeror or target company or any broker-dealer acting on behalf of an offeror or target company to engage in any fraudulent, deceptive or manipulative acts or practices in connection with a take-over offer. Fraudulent, deceptive and manipulative acts or practices include without limitation:

1. The publication or use in connection with the offer of any false statement of a material fact or the omission to state a material fact necessary to make the statements made not misleading;

2. The sale by any controlling shareholders of a target company of any or all of their equity securities to the offeror for a

consideration greater than that to be paid other shareholders pursuant to the take-over offer or the purchase of any of the securities of a controlling shareholder of the target company by the offeror for a consideration greater than that to be paid other shareholders, the terms of which are not disclosed to the other shareholders;

3. The refusal by a target company to permit an offeror who is a shareholder of record to examine its list of shareholders, and to make extracts therefrom, pursuant to the applicable corporation statutes, for the purpose of making a take-over offer in compliance with this act, or in lieu thereof, to mail any solicitation materials published by the offeror to its security holders with reasonable promptness after receipt from the offeror of such materials together with the reasonable expenses of postage and handling; and

4. The solicitation of any offeree for acceptance or rejection of a take-over offer or acquisition of any equity security pursuant to a take-over offer before the take-over offer is effective under this act or while the offer is suspended under this act.

SECTION 579. AMENDATORY 71 O.S. 2021, Section 460, is amended to read as follows:

Section 460. A. Any person who violates, and a controlling person of an offeror or target company who knowingly violates, any provision of this act or any rule thereunder, or any order of the Administrator of which this person has notice, shall be guilty of a Class D1 felony offense and may be fined not more than Twenty-five Thousand Dollars (\$25,000.00), or imprisoned ~~not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both. Each of the acts specified shall constitute a separate offense and a prosecution or conviction for any one of such offenses shall not bar prosecution or conviction for any other offense. No indictment or information may be returned under this act more than two (2) years after the alleged violation.

B. The Administrator may refer such evidence as is available concerning violations of this act or of any rule or order hereunder to the Attorney General or the district attorney for the appropriate county who may, with or without any reference, institute the appropriate criminal proceedings under this act. If referred to a district attorney, he shall, within ninety (90) days, file with the

Administrator a statement concerning any action taken or, if no action is taken, the reasons therefor.

C. Nothing in this act limits the power of the state to punish any person for any conduct which constitutes a crime under any other statute.

D. All shares acquired from an Oklahoma resident in violation of any provision of this act or any rule thereunder, or any order of the Administrator of which the person has notice, shall be denied voting rights for one (1) year after acquisition, the shares shall be nontransferable on the books of the target company for one (1) year after acquisition and the target company shall, during this one-year period, have the option to call the shares for redemption either at the price at which the shares were acquired or at book value per share as of the last day of the fiscal quarter ended prior to the date of the call for redemption. Such a redemption shall occur on the date set in the call notice, but not later than sixty (60) days after the call notice is given.

SECTION 580. AMENDATORY 73 O.S. 2021, Section 162, is amended to read as follows:

Section 162. ~~(a)~~ A. It shall be unlawful for any member or employee of the Authority to transact with the Authority, either directly or indirectly, any business for profit of such member or employee; and any person, firm, or corporation knowingly participating therein shall be equally liable for violation of this provision.

~~(b)~~ B. The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift or consideration to such member or employee.

~~(c)~~ C. Violation of any of the provisions of this section shall constitute a Class D1 felony offense and shall be punishable by a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State Penitentiary for not less than one (1) year and not more than five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 581. AMENDATORY 74 O.S. 2021, Section 85.45h, is amended to read as follows:

Section 85.45h. A. It shall be unlawful for a person to:

1. Knowingly and with intent to defraud, fraudulently obtain, retain, attempt to obtain or retain, or aid another in fraudulently obtaining or retaining or attempting to obtain or retain, certification as a minority business enterprise for the purposes of this act.

2. Knowingly and willfully make a false statement with the intent to defraud, whether by affidavit, report, or other representation, to a state official or employee for the purpose of influencing the certification or denial of certification of any entity as a minority business enterprise.

3. Knowingly and willfully obstruct, impede, or attempt to obstruct or impede any state official or employee who is investigating the qualifications of a business entity which has requested certification as a minority business enterprise.

4. Knowingly and willfully with intent to defraud, fraudulently obtain, attempt to obtain, or aid another person in fraudulently obtaining or attempting to obtain, public monies to which the person is not entitled under this act.

5. Knowingly and willfully assign any contract awarded pursuant to the Oklahoma Minority Business Enterprise Assistance Act to any other business enterprise without prior written approval of the State Purchasing Director pursuant to Section 85.45g of this title.

B. Any person convicted of violating any provision of the Oklahoma Minority Business Enterprise Assistance Act shall be guilty of a Class D1 felony offense, punishable by imprisonment ~~in the State Penitentiary for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes~~, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

C. If a contractor, subcontractor, supplier, subsidiary, principal or affiliate thereof, has been found to have violated this act and that violation occurred within three (3) years of another violation of this act, the Office of Management and Enterprise Services shall prohibit that contractor, subcontractor, supplier, subsidiary, or affiliate thereof, from entering into a state project or state contract and from further bidding to a state entity, and

from being a subcontractor to a contractor for a state entity and from being a supplier to a state entity.

SECTION 582. AMENDATORY 74 O.S. 2021, Section 85.47h, is amended to read as follows:

Section 85.47h. A. A person shall not knowingly make or cause any false statement or report to be made in any application or in any document furnished to the Administrator.

B. A person shall not knowingly make or cause any false statement or report to be made for the purpose of influencing the action of the Administrator on an application for assistance or for the purpose of influencing any action of the Administrator affecting bonding assistance whether or not such assistance may have already been extended.

C. Any person who violates any provision of this section shall be guilty of a Class D1 felony offense and, upon conviction, shall be subject to a fine not exceeding Ten Thousand Dollars (\$10,000.00) or imprisonment of up to five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

SECTION 583. AMENDATORY 74 O.S. 2021, Section 150.9, is amended to read as follows:

Section 150.9. A. The Oklahoma State Bureau of Investigation shall procure, file and maintain criminal history records for each person subject to mandatory reporting as provided by law, including photographs, descriptions, fingerprints, measurements and other pertinent information relating to such persons. It shall be the duty of law enforcement officers and agencies, sheriffs, police, courts, judicial officials, district attorneys, and the persons in charge of any state correctional facility or institution to furnish criminal history records to the Bureau as required by Section 150.1 et seq. of this title. The Oklahoma State Bureau of Investigation shall cooperate with and assist the sheriffs, chiefs of police and other law enforcement officers of the state by maintaining a complete criminal history record on each person subject to mandatory reporting as provided by law, and shall have on file the fingerprint impressions of all such persons together with other pertinent information as may from time to time be received from the law enforcement officers of this and other states or as may be required by law.

B. 1. The Oklahoma State Bureau of Investigation is authorized to conduct and receive results of national criminal history record checks for authorized purposes pursuant to Public Law 92-544, the National Child Protection Act/Volunteers for Children Act (NCPA/VCA) as amended, with or without a Volunteer and Employee Criminal History System (VECHS) waiver program or any other federal authorizing statute. The Oklahoma State Bureau of Investigation shall only release the results of national criminal history record checks to entities authorized to receive the results pursuant to federal law.

2. Any state agency, board, department or commission or any other person or entity authorized to request a criminal history record or an analysis of fingerprints for commercial, licensing or other purposes, except law enforcement purposes, shall conduct a national criminal history records check on all persons of the entity authorized to access or review national criminal history records checks information by July 1, 2009, and within sixty (60) days thereafter.

3. Each agency, person or entity authorized to request a criminal history record or an analysis of fingerprints shall pay a fee to the Bureau for each criminal history record or fingerprint analysis as follows:

Oklahoma criminal history record only	\$15.00 each
Oklahoma criminal history record with fingerprint analysis	\$19.00 each
National criminal history record with fingerprint analysis	\$41.00 each

4. For purposes of this section, "a national criminal history record check" means a check of criminal history records entailing the fingerprinting of the individual and submission of the fingerprints to the United States Federal Bureau of Investigation (FBI) for the purpose of obtaining the national criminal history record of the person from the FBI. A national criminal history record check may be obtained only when a check is authorized or required by state or federal law.

Agencies authorized by statute to conduct national criminal history background checks for individuals are eligible to

participate in the Federal Rap Back Program administered by the Oklahoma State Bureau of Investigation. The Oklahoma State Bureau of Investigation is authorized to submit fingerprints to the FBI Rap Back System to be retained in the FBI Rap Back System for the purpose of being searched by future submissions to the FBI Rap Back System, including latent fingerprint searches and to collect all Federal Rap Back Program fees from eligible agencies wishing to participate and remit such fees to the Federal Bureau of Investigation.

5. Unless a national criminal history record is specifically requested, a fingerprint analysis shall be limited to only those records available at the Oklahoma State Bureau of Investigation. Following receipt of the appropriate fee, the Bureau shall provide, as soon as possible, the criminal history record requested; provided, however, it shall be the duty and responsibility of the requesting authority to evaluate the criminal history record as such record may apply to a specific purpose or intent. An individual may submit a certified court record showing that a charge was dismissed or a certified copy of a gubernatorial pardon to the Oklahoma State Bureau of Investigation, and upon verification of that record the Bureau records shall reflect the dismissal of that charge.

C. The Oklahoma State Bureau of Investigation may maintain an identification file, including fingerprint impressions, on any person under eighteen (18) years of age who is arrested or subject to criminal or juvenile delinquency proceedings, provided all such information shall be confidential and shall only be made available to the Bureau and other law enforcement agencies. Whenever a fingerprint impression or other identification information is submitted to the Bureau on a person under eighteen (18) years of age, the Bureau may retain and file such fingerprint and identification information for identification purposes only. The Bureau shall ensure that the information received and maintained for identification purposes on persons under eighteen (18) years of age shall be handled and processed with great care to keep such information confidential from the general public. The Bureau may receive and maintain the fingerprints and other identification information on any person under eighteen (18) years of age believed to be the subject of a runaway, missing, or abduction investigation, for identification purposes at the request of a parent, guardian or legal custodian of the person.

D. Any person who knowingly procures, utters, or offers any false, forged or materially altered criminal history record shall be

guilty of a Class D1 felony offense and upon conviction shall be punished by ~~imprisonment in the custody of the Department of Corrections for a period not to exceed five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 584. AMENDATORY 74 O.S. 2021, Section 3404, is amended to read as follows:

Section 3404. Any person who shall knowingly make or receive, either directly or indirectly, a kickback shall be guilty of a Class D1 felony offense, and upon conviction shall be fined not more than Ten Thousand Dollars (\$10,000.00) or double the amount of the financial gain, or be imprisoned ~~for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes,~~ or both.

SECTION 585. AMENDATORY 79 O.S. 2021, Section 101, is amended to read as follows:

Section 101. It shall be unlawful and deemed a Class D1 felony offense for any bridge or other contractor, partnership, corporation or association of bridge or other contractors for the construction of any bridge or bridges or of any road or public highway to be constructed under any law of this state, or any other person or persons to enter into an agreement, contract or combination with any other bridge or other contractor, partnership, corporation or association or bridge or public highway contractors or any other person for the pooling of prices of different competing contractors or to divide between them the aggregate or net proceeds of the earnings of such contractors or any portion thereof, or for fixing the price which any contractor, partnership, corporation or association of bridge or other contractors or any other person shall bid or charge for the building of bridges or furnishing material therefor or the repair of the same or the construction or repair of any public highway, or any part of any public highway to be constructed under any law of this state or to divide between them the aggregate or net proceeds of the earnings of such contractors or any portion thereof, or for fixing the price which any contractor, partnership, company or corporation or association shall bid or charge for the building of bridges or the furnishing of material therefor, or the construction of any highway or any part thereof, or the furnishing of material therefor, or for the allotment of any

territory which any other bridge or other contractor, corporation or association shall have for its or his exclusive territory.

SECTION 586. AMENDATORY 79 O.S. 2021, Section 103, is amended to read as follows:

Section 103. Any bridge or other contractor, partnership, corporation, association of contractors, or any other person, or any director, officer or any receiver, trustee, clerk or agent, or other person acting for them or employed by them, who alone or acting with any other contractor or other person, partnership, corporation or association, shall willfully do or cause to be done, or shall willfully suffer or permit to be done, any act, matter or thing herein prohibited or declared to be unlawful, or who shall aid or abet therein, or shall willfully omit or fail to do any act, matter or thing herein required to be done, or shall willfully cause, suffer or permit any thing directed to be done, not to be so done, or shall aid or abet or advise such omission or failure, or shall be guilty of any infraction of this article, shall be guilty of a Class D1 felony offense, and upon conviction thereof shall be fined in any sum not exceeding Five Thousand Dollars (\$5,000.00), or imprisoned in the State Penitentiary not exceeding five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both, at the discretion of the court.

SECTION 587. AMENDATORY 82 O.S. 2021, Section 1086.3, is amended to read as follows:

Section 1086.3. A. It shall be unlawful for any member, officer or employee of the Water Resources Board to transact with the Board, either directly or indirectly, any business for profit of such member, officer or employee; and any person, firm or corporation knowingly participating therein shall be equally liable for violation of this provision.

B. The term "business for profit" shall include, but not be limited to, the acceptance or payment of any fee, commission, gift or consideration to such member, officer or employee.

C. Violation of this provision shall constitute a Class D1 felony offense and shall be punishable by a fine of not less than Five Hundred Dollars (\$500.00) and not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for not more than five (5) years as provided for in subsections B

through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 588. AMENDATORY 82 O.S. 2021, Section 1281, is amended to read as follows:

Section 1281. Except for contracts of employment, directors and employees shall not have a financial interest, directly or indirectly, in any contract entered into by the district. Directors and employees shall not receive any bonus, gratuity or bribe. They shall not spend funds of the district, directly or indirectly, for political purposes or political educational purposes, shall not engage in political campaigns in the name of the district, and shall not permit any property of the district to be used for any such purpose. Any violation of this section shall be a Class D1 felony offense and shall work a forfeiture of office or employment and shall be punishable by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment ~~in the State Penitentiary not exceeding five (5) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or both.

SECTION 589. AMENDATORY 84 O.S. 2021, Section 55, is amended to read as follows:

Section 55. Every will, other than a nuncupative will, must be in writing; and every will, other than a holographic will and a nuncupative will, must be executed and attested as follows:

1. It must be subscribed at the end thereof by the testator himself, or some person, in his presence and by his direction, must subscribe his name thereto.

2. The subscription must be made in the presence of the attesting witnesses, or be acknowledged by the testator to them, to have been made by him or by his authority.

3. The testator must, at the time of subscribing or acknowledging the same, declare to the attesting witnesses that the instrument is his will.

4. There must be two attesting witnesses, each of whom must sign his name as a witness at the end of the will at the testator's request and in his presence.

5. Every will, other than a holographic and a nuncupative will, and every codicil to such will or to a holographic will may, at the time of execution or at any subsequent date during the lifetimes of the testator and the witnesses, be made self-proved, and the testimony of the witnesses in the probate thereof may be made unnecessary by:

- a. the acknowledgment thereof by the testator and the affidavits of the attesting witnesses, each made before an officer authorized to take acknowledgments to deeds of conveyance and to administer oaths under the laws of this state, such acknowledgments and affidavits being evidenced by the certificate, with official seal affixed, of such officer attached or annexed to such testamentary instrument in form and contents substantially as follows:

THE STATE OF OKLAHOMA

COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____, _____, and _____, known to me to be the testator and the witnesses, respectively, whose names are subscribed to the annexed or foregoing instrument in their respective capacities, and, all of said persons being by me first duly sworn, said _____, testator, declared to me and to the said witnesses in my presence that said instrument is his last will and testament or a codicil to his last will and testament, and that he had willingly made and executed it as his free and voluntary act and deed for the purposes therein expressed; and the said witnesses, each on his oath stated to me, in the presence and hearing of the said testator, that the said testator had declared to them that said instrument is his last will and testament or codicil to his last will and testament, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said testator and at his request and that said testator was at that time eighteen (18) years of age or over and was of sound mind.

Testator

Witness (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

Subscribed and acknowledged before me by the said _____,
testator, and subscribed and sworn before me by the said _____,
and _____ witnesses, this _____ day of _____, A.D., _____.

(SEAL)

(SIGNED) _____

(OFFICIAL CAPACITY

OF OFFICER); or

- b. the written declaration of the testator and the
written declarations of the attesting witnesses made
in substantially the following form:

We the undersigned are the testator and the witnesses,
respectively, whose names are subscribed to the annexed or foregoing
instrument in their respective capacities, and we do hereby declare
that said _____, testator, declared to said witnesses that said
instrument is his last will and testament or a codicil to his last
will and testament, and that he willingly made and executed it as
his free and voluntary act and deed for the purposes therein
expressed; and said witnesses further declare that the said testator
declared to them that said instrument is his last will and testament
or codicil to his last will and testament, and that he executed same
as such and wanted each of us to sign it as a witness; and that we
did sign the same as witnesses in the presence of the said testator
and at his request and that said testator was at that time eighteen

(18) years of age or over and was of sound mind, all of which we declare and sign under penalty of perjury this _____ day of _____.

Testator

Witness (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

6. Any person falsely executing a written declaration as a witness or misrepresenting his or her identity with the intent to defraud another person pursuant to subparagraph b of paragraph 5 of this subsection shall, upon conviction, be deemed guilty of the felony of perjury, a Class D1 felony offense, and shall be ~~subject to the penalties prescribed by law punished by imprisonment as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes.~~

7. A self-proved testamentary instrument shall be admitted to probate without the testimony of any subscribing witness, unless contested, but otherwise it shall be treated no differently than a will or codicil not self-proved. Furthermore, a self-proved testamentary instrument may be revoked or amended by a codicil in exactly the same fashion as a will or codicil not self-proved and such a testamentary instrument may be contested as a will not self-proved.

SECTION 590. AMENDATORY 85A O.S. 2021, Section 6, is amended to read as follows:

Section 6. A. 1. a. Any person or entity who makes any material false statement or representation, who willfully and knowingly omits or conceals any material information, or who employs any device, scheme, or artifice, or who aids and abets any person for the purpose of:

- (1) obtaining any benefit or payment,
- (2) increasing any claim for benefit or payment, or
- (3) obtaining workers' compensation coverage under the Administrative Workers' Compensation Act,

shall be guilty of a Class D1 felony offense punishable pursuant to Section 1663 of Title 21 of the Oklahoma Statutes.

- b. A material false statement or representation includes, but is not limited to, attempting to obtain treatment or compensation for body parts that were not injured in the course and scope of employment.
- c. Fifty percent (50%) of any criminal fine imposed and collected under this section shall be paid and allocated in accordance with applicable law to the Workers' Compensation Commission Revolving Fund.

2. Any person or entity with whom any person identified in division (1) of subparagraph a of paragraph 1 of this subsection has conspired to achieve the proscribed ends shall, by reason of such conspiracy, be guilty as a principal of a felony.

B. Except for forms submitted through the Electronic Data Interchange system employed by the Workers' Compensation Commission pursuant to Section 101 of this title, a copy of division (1) of subparagraph a of paragraph 1 of subsection A of this section shall be included on all forms prescribed by the Commission for the use of injured employees claiming benefits and for the use of employers in responding to employees' claims under this act.

C. While receiving temporary total disability benefits, failing to report any earned income to an employer, insurance carrier or third-party administrator shall be a Class D1 felony offense punishable pursuant to Section 1663 of Title 21 of the Oklahoma Statutes.

D. If the Workers' Compensation Commission or the Attorney General finds that a violation of division (1) of subparagraph a of paragraph 1 of subsection A of this section has been committed, or that any other criminal violations in furtherance of this act were committed, the chair of the Commission or the Attorney General shall refer the matter for appropriate action to the prosecuting attorney having criminal jurisdiction over the matter.

E. 1. a. There shall be established within the Office of the Attorney General a Workers' Compensation Fraud Investigation Unit, funded by the Commission. The Attorney General shall appoint a Director of the Workers' Compensation Fraud Investigation Unit, who may also serve as the director of any other designated insurance fraud investigation division within the Attorney General's office.

b. (1) The Unit shall investigate workers' compensation fraud, any additional criminal violations that may be related to workers' compensation fraud, and any other insurance fraud matters as may be assigned at the discretion of the Attorney General.

(2) The Attorney General shall designate the personnel assigned to the Unit, who, on meeting the qualifications established by the Oklahoma Council on Law Enforcement Education and Training, shall have the powers of specialized law enforcement officers of the State of Oklahoma for the purpose of conducting investigations under this subparagraph. Personnel hired as specialized law enforcement officers shall be certified as a peace officer by the Oklahoma Council on Law Enforcement Education and Training.

2. The Attorney General and his or her deputies and assistants and the Director of the Workers' Compensation Fraud Investigation Unit and his or her deputies and assistants shall be vested with the power of enforcing the requirements of this section.

3. It shall be the duty of the Unit to assist the Attorney General in the performance of his or her duties. The Unit shall

determine the identity of employees in this state who have violated division (1) of subparagraph a of paragraph 1 of subsection A of this section and report the violation to the Office of the Attorney General and the Commission. The Attorney General shall report the violation to the prosecuting attorney having jurisdiction over the matter.

4. a. In the course of any investigation being conducted by the Unit, the Attorney General and his or her deputies and assistants and the Director and his or her deputies and assistants shall have the power of subpoena and may:
 - (1) subpoena witnesses,
 - (2) administer oaths or affirmations and examine any individual under oath, and
 - (3) require and compel the production of records, books, papers, contracts, and other documents.
- b. The issuance of subpoenas for witnesses shall be served in the same manner as if issued by a district court.
- c.
 - (1) Upon application by the commissioner or the Director of the Unit, the district court located in the county where a subpoena was served may issue an order compelling an individual to comply with the subpoena to testify.
 - (2) Any failure to obey the order of the court may be punished as contempt.
- d. If any person has refused in connection with an investigation by the Director to be examined under oath concerning his or her affairs, then the Director is authorized to conduct and enforce by all appropriate and available means any examination under oath in any state or territory of the United States in which any officer, director, or manager may then presently be to the full extent permitted by the laws of the state or territory.

- e. In addition to the punishments described in paragraph 1 of subsection A of this section, any person providing false testimony under oath or affirmation in this state as to any matter material to any investigation or hearing conducted under this subparagraph, or any workers' compensation hearing, shall upon conviction be guilty of perjury.

5. Fees and mileage of the officers serving the subpoenas and of the witnesses in answer to subpoenas shall be as provided by law.

- 6. a. Every carrier or employer who has reason to suspect that a violation of division (1) of subparagraph a of paragraph 1 of subsection A of this section has occurred shall be required to report all pertinent matters to the Unit.
- b. No carrier or employer who makes a report for a suspected violation of division (1) of subparagraph a of paragraph 1 of subsection A of this section by an employee shall be liable to the employee unless the carrier or employer knowingly and intentionally included false information in the report.
- c. (1) Any carrier or employer who willfully and knowingly fails to report a violation under division (1) of subparagraph a of paragraph 1 of subsection A of this section shall be guilty of a misdemeanor and on conviction shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00).
- (2) Fifty percent (50%) of any criminal fine imposed and collected under this subparagraph shall be paid and allocated in accordance with applicable law to the fund administered by the Commission.
- d. Any employee may report suspected violations of division (1) of subparagraph a of paragraph 1 of subsection A of this section. No employee who makes a report shall be liable to the employee whose suspected violations have been reported.

F. 1. For the purpose of imposing criminal sanctions or a fine for violation of the duties of this act, the prosecuting attorney

shall have the right and discretion to proceed against any person or organization responsible for such violations, both corporate and individual liability being intended by this act.

2. The prosecuting attorney of the district to whom a suspected violation of subsection A of this section, or any other criminal violations that may be related thereto, have been referred shall, for the purpose of assisting him or her in such prosecutions, have the authority to appoint as special deputy prosecuting attorneys licensed attorneys-at-law in the employment of the Unit or any other designated insurance fraud investigation division within the Attorney General's office. Such special deputy prosecuting attorneys shall, for the purpose of the prosecutions to which they are assigned, be responsible to and report to the prosecuting attorney.

G. Notwithstanding any other provision of law, investigatory files as maintained by the Attorney General's office and by the Unit shall be deemed confidential and privileged. The files may be made open to the public once the investigation is closed by the Director of the Workers' Compensation Fraud Investigation Unit with the consent of the Attorney General.

H. The Attorney General, with the cooperation and assistance of the Commission, is authorized to establish rules as may be necessary to carry out the provisions of this section.

I. Nothing in this section shall be deemed to create a civil cause of action.

J. Except for forms submitted through the Electronic Data Interchange system employed by the Commission pursuant to Section 101 of this title, the Commission shall include a statement on all forms for notices and instructions to employees, employers, carriers and third-party administrators that any person who commits workers' compensation fraud, upon conviction, shall be guilty of a felony punishable by imprisonment, a fine or both.

K. If an injured employee is charged with workers' compensation fraud, any pending workers' compensation proceeding, including benefits, shall be stayed after the preliminary hearing is concluded and the claimant is bound over and shall remain stayed until the final disposition of the criminal case. All notice requirements shall continue during the stay.

L. If the Attorney General's Office is in compliance with the discovery provisions of Section 258 of Title 22 of the Oklahoma Statutes, medical records created for the purpose of treatment and medical opinions obtained during the investigation shall be admissible at the preliminary hearing without the appearance of the medical professional creating such records or opinions. However, when material evidence dispositive to the issues of whether there was probable cause the crime was committed and whether the defendant committed the crime, was not included in a report or opinion admitted at preliminary hearing, but might be presented at a pretrial hearing by a medical professional who created such report or opinion, the judge may, upon the motion of either party, order the appearance of the medical professional creating such report or opinion. Questions of fact regarding the conduct of the defendant that conflict with the findings of the medical professional evaluating the defendant shall not constitute material evidence. In the event of such motion, notice shall be given to the Attorney General's Workers' Compensation Fraud and Investigation and Prosecution Unit. A hearing shall be held and, if the motion is granted, the evidence shall not be presented fewer than five (5) days later.

M. Any person or entity who, in good faith and exercising due care, reports suspected workers' compensation fraud or insurance fraud, or who allows access to medical records or other information pertaining to suspected workers' compensation or insurance fraud, by persons authorized to investigate a report concerning the workers' compensation and insurance fraud, shall have immunity from any civil or criminal liability for such report or access. Any such person or entity shall have the same immunity with respect to participation in any judicial proceeding resulting from such reports. For purposes of any civil or criminal proceeding, there shall be a presumption of good faith of any person making a report, providing medical records or providing information pertaining to a workers' compensation or insurance fraud investigation by the Attorney General, and participating in a judicial proceeding resulting from a subpoena or a report.

SECTION 591. AMENDATORY 21 O.S. 2021, Section 434, is amended to read as follows:

Section 434. Every prisoner confined in the penitentiary for a term less than for life, who attempts by force or fraud, although unsuccessfully, to escape from such prison, shall be guilty of a Class D2 felony offense and shall be punished by imprisonment as

provided for in subsections B through F of Section 200 of this title.

SECTION 592. AMENDATORY 21 O.S. 2021, Section 436, is amended to read as follows:

Section 436. Any prisoner confined in any other prison than the penitentiary, who attempts by force or fraud, although unsuccessfully, to escape therefrom, is guilty of a Class D2 felony offense punishable by imprisonment in a county jail not exceeding one (1) year, to commence from the expiration of the original term of his imprisonment. Any subsequent conviction pursuant to this section shall be a Class D2 felony offense, punishable by imprisonment as provided for in subsection C of Section 200 of this title.

SECTION 593. AMENDATORY 21 O.S. 2021, Section 444, is amended to read as follows:

Section 444. A. It is unlawful for any person, after being lawfully arrested or detained by a peace officer, to escape or attempt to escape from such peace officer.

B. Any person who escapes or attempts to escape after being lawfully arrested or detained for custody for a misdemeanor offense shall be guilty of a misdemeanor.

C. Any person who escapes or attempts to escape after being lawfully arrested or detained for custody for a felony offense shall be guilty of a Class D2 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 200 of this title.

D. It is unlawful for any person admitted to bail or released on recognizance, bond, or undertaking for appearance before any magistrate or court of the State of Oklahoma, and required as a condition of such release from detention to wear any electronic monitoring device on the body of the person to remove such device without authorization from the court. For purposes of this subsection, any person charged with a misdemeanor offense who removes such device without authorization from the court shall be guilty of a misdemeanor and any person charged with a felony offense who removes such device without authorization from the court shall, upon conviction, be guilty of a Class D3 felony offense and shall be

punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 594. AMENDATORY 21 O.S. 2021, Section 650.5, as amended by Section 2, Chapter 140, O.S.L. 2023 (21 O.S. Supp. 2024, Section 650.5), is amended to read as follows:

Section 650.5. A. Every person who, without justifiable or excusable cause and with intent to do bodily harm, commits any aggravated assault and battery or any assault with a firearm or other deadly weapon upon the person of a medical care provider, upon conviction, is guilty of a Class D2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not less than two (2) years nor more than five (5) years, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Any subsequent conviction pursuant to this section shall be a Class D2 felony offense, punishable by imprisonment as provided for in subsection C of Section 200 of this title.

B. As used in this section, "medical care provider" means doctors, residents, interns, nurses, nurses' aides, ambulance attendants and operators, paramedics, emergency medical technicians, laboratory technicians, radiologic technologists, physical therapists, physician assistants, chaplains, volunteers, pharmacists, nursing students, medical students, members of a hospital security force, and any other employees or independent contractors working in or for a health care facility.

SECTION 595. AMENDATORY 21 O.S. 2021, Section 852, is amended to read as follows:

Section 852. A. Unless otherwise provided for by law, any parent, guardian, or person having custody or control of a child as defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes who willfully omits, without lawful excuse, to furnish necessary food, clothing, shelter, monetary child support, medical attendance, payment of court-ordered day care or payment of court-ordered medical insurance costs for such child which is imposed by law, upon conviction, is guilty of a misdemeanor; provided, any person obligated to make child support payments who willfully and without lawful excuse becomes delinquent in said child support payments after September 1, 1993, and such delinquent child support accrues without payment by the obligor for a period of one (1) year, or exceeds Five Thousand Dollars (\$5,000.00) shall, upon conviction

thereof, be guilty of a Class D2 felony ~~which is offense~~ punishable in the same manner as any subsequent conviction pursuant to the provisions of this section. Any subsequent conviction pursuant to this section shall be a Class D2 felony offense, punishable by imprisonment ~~for not more than four (4) years in the custody of the Department of Corrections~~ as provided for in subsection C of Section 200 of this title, or by the imposition of a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. As used in this section, the duty to furnish medical attendance shall mean that the parent or person having custody or control of a child must furnish medical treatment in such manner and on such occasions as an ordinarily prudent person, solicitous for the welfare of a child, would provide; such parent or person having custody or control of a child is not criminally liable for failure to furnish medical attendance for every minor or trivial complaint with which the child may be afflicted.

B. Any person who leaves the state to avoid providing necessary food, clothing, shelter, court-ordered monetary child support, or medical attendance for such child, upon conviction, shall be guilty of a Class D2 felony offense punishable by imprisonment for not more than four (4) years in the custody of the Department of Corrections, or by the imposition of a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

C. Nothing in this section shall be construed to mean a child is endangered for the sole reason the parent, guardian or person having custody or control of a child, in good faith, selects and depends upon spiritual means alone through prayer, in accordance with the tenets and practice of a recognized church or religious denomination, for the treatment or cure of disease or remedial care of such child; provided, that medical care shall be provided where permanent physical damage could result to such child; and that the laws, rules, and regulations relating to communicable diseases and sanitary matters are not violated.

D. Nothing contained in this section shall prevent a court from immediately assuming custody of a child and ordering whatever action may be necessary, including medical treatment, to protect the health or welfare of the child.

E. Psychiatric and psychological testing and counseling are exempt from the provisions of this section.

F. If any parent of a child in cases in which the Department of Human Services is providing services pursuant to Section 237 of Title 56 of the Oklahoma Statutes is determined by the Department to be willfully violating the provisions of this section, the Department may refer the case to the proper district attorney for prosecution. The Department shall provide assistance to the district attorneys in such prosecutions. Any child support or arrears payments made pursuant to this section shall be made payable to the Department and paid through the Centralized Support Registry pursuant to Section 413 of Title 43 of the Oklahoma Statutes.

~~G. Except for a third or subsequent conviction, all felony convictions herein shall be administered under the provisions of the Community Sentencing Act.~~

H. It is the duty of any parent having legal custody of a child who is an alcohol-dependent person or a drug-dependent person, as such terms are defined by Section 3-403 of Title 43A of the Oklahoma Statutes, to provide for the treatment, as such term is defined by Section 3-403 of Title 43A of the Oklahoma Statutes, of such child. Any parent having legal custody of a child who is an alcohol-dependent person or a drug-dependent person who without having made a reasonable effort fails or willfully omits to provide for the treatment of such child shall be guilty of a misdemeanor. For the purpose of this subsection, the duty to provide for such treatment shall mean that the parent having legal custody of a child must provide for the treatment in such manner and on such occasions as an ordinarily prudent person, solicitous for the welfare of a child, would provide.

~~I.~~ H. Venue is proper in prosecutions for violations of this section in:

1. Any county where the child resides;

2. The county in which the court-ordered support was entered or registered pursuant to the provisions of the Uniform Interstate Family Support Act; or

3. The county in which the defendant resides.

SECTION 596. AMENDATORY 21 O.S. 2021, Section 856.2, is amended to read as follows:

Section 856.2. It shall be unlawful for any person to knowingly and willfully harbour an endangered runaway child. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in a county jail not exceeding one (1) year, or by both such fine and imprisonment. Every person convicted of a second or any subsequent violation shall, upon conviction, be guilty of a Class D2 felony offense punishable by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment ~~not exceeding three (3) years~~ as provided for in subsection C of Section 200 of this title, or by both such fine and imprisonment. For purposes of this section, an "endangered runaway child" means an unemancipated minor who is voluntarily absent from the home for seventy-two (72) hours or more without a compelling reason and without the consent of a custodial parent or other custodial adult or an unemancipated minor who is voluntarily absent from the home without a compelling reason and without the consent of a custodial parent or other custodial adult and the child needs medication or other special services. For purposes of this section, "compelling reason" shall be defined as provided in Section 856 of Title 21 of the Oklahoma Statutes.

SECTION 597. AMENDATORY 21 O.S. 2021, Section 1272.3, is amended to read as follows:

Section 1272.3. It is unlawful for any person to knowingly discharge, or cause to be discharged, any electrical stun gun, tear gas weapon, mace, tear gas, pepper mace or any similar deleterious agent against another person knowing the other person to be a peace officer, corrections officer, probation or parole officer, firefighter, or an emergency medical technician or paramedic who is acting in the course of official duty. Any person violating the provisions of this section, upon conviction, shall be guilty of a Class D2 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term of not exceeding ten (10) years, or by imprisonment in the county jail for a term of not exceeding one (1) year.

SECTION 598. AMENDATORY 21 O.S. 2021, Section 1289.18, is amended to read as follows:

Section 1289.18.

DEFINITIONS

A. "Sawed-off shotgun" shall mean any firearm capable of discharging a series of projectiles of any material which may reasonably be expected to be able to cause lethal injury, with a barrel or barrels less than eighteen (18) inches in length, and using a combustible propellant charge, but does not include any weapon so designed with a barrel less than eighteen (18) inches in length, provided it has an overall length of twenty-six (26) inches or more.

B. "Sawed-off rifle" shall mean any rifle having a barrel or barrels of less than sixteen (16) inches in length or any weapon made from a rifle (whether by alteration, modification, or otherwise) if such a weapon as modified has an overall length of less than twenty-six (26) inches in length, including the stock portion.

C. Every person who knowingly has in his possession or under his immediate control a sawed-off shotgun or a sawed-off rifle, whether concealed or not, shall upon conviction be guilty of a Class D2 felony offense for the possession of such device, and shall be punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), or imprisonment ~~in the State Penitentiary for a period not to exceed two (2) years~~ as provided for in subsections B through F of Section 200 of this title, or both such fine and imprisonment.

D. This section shall not apply to any firearm that is lawfully possessed under federal law or that is otherwise not regulated as a "firearm" pursuant to the National Firearms Act.

E. The term "firearm" as used in this section and in the Oklahoma Firearms Act of 1971, shall not include an "antique firearm" as defined in 18 U.S.C., Section 921 (2006).

SECTION 599. AMENDATORY 21 O.S. 2021, Section 1304, is amended to read as follows:

Section 1304. Any person who shall send, deliver, mail or otherwise transmit to any person, or persons, in this state any letter, document or other written or printed matter, anonymous or otherwise, designed to threaten or intimidate such person or persons, or designed to put him or them in fear of life, bodily harm or the destruction of his or their property, shall be deemed guilty of committing a Class D2 felony offense, and upon conviction thereof shall be punished by a fine of not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), and by imprisonment ~~in~~

~~the county jail or State Penitentiary for a period of not less than ninety (90) days nor more than one (1) year as provided for in subsections B through F of Section 200 of this title.~~

SECTION 600. AMENDATORY 63 O.S. 2021, Section 1-731, is amended to read as follows:

Section 1-731. A. No person shall perform or induce an abortion upon a pregnant woman unless that person is a physician licensed to practice medicine in the State of Oklahoma who is board-certified in obstetrics and gynecology. Any person violating this section shall be guilty of a Class D2 felony offense punishable by imprisonment for not less than one (1) year nor more than three (3) years in the custody of the Department of Corrections.

B. No person shall perform or induce an abortion upon a pregnant woman subsequent to the end of the first trimester of her pregnancy, unless such abortion is performed or induced in a general hospital.

SECTION 601. AMENDATORY 63 O.S. 2021, Section 1-733, is amended to read as follows:

Section 1-733. No woman shall perform or induce an abortion upon herself, except under the supervision of a duly licensed physician. Any physician who supervises a woman in performing or inducing an abortion upon herself shall fulfill all the requirements of this article which apply to a physician performing or inducing an abortion. Any person violating the provisions of this section shall be guilty of a Class D2 felony offense.

SECTION 602. AMENDATORY 63 O.S. 2021, Section 1-737.9, is amended to read as follows:

Section 1-737.9. A. Notwithstanding any other provision of law, it shall be unlawful and deemed a Class D2 felony offense for any person to purposely perform or attempt to perform a dismemberment abortion and thereby kill an unborn child unless necessary to prevent serious health risk to the unborn child's mother.

B. A person accused in any proceeding of unlawful conduct under subsection A of this section may seek a hearing before the State Board of Medical Licensure and Supervision on whether the dismemberment abortion was necessary to prevent serious health risk

to the unborn child's mother. The Board's findings are admissible on that issue at any trial in which such unlawful conduct is alleged. Upon a motion of the person accused, the court shall delay the beginning of the trial for not more than thirty (30) days to permit such a hearing to take place.

C. No woman upon whom an abortion is performed or attempted to be performed shall be thereby liable for performing or attempting to perform a dismemberment abortion. No nurse, technician, secretary, receptionist or other employee or agent who is not a physician but who acts at the direction of a physician and no pharmacist or other individual who is not a physician but who fills a prescription or provides instruments or materials used in an abortion at the direction of or to a physician shall be thereby liable for performing or attempting to perform a dismemberment abortion.

SECTION 603. AMENDATORY 63 O.S. 2021, Section 1-738.14, is amended to read as follows:

Section 1-738.14. Any person who knowingly or recklessly performs or attempts to perform an abortion in violation of the Unborn Child Pain Awareness/Prevention Act shall be guilty of a Class D2 felony offense. Any physician who knowingly or recklessly submits a false report under subsection C of Section 13 of this act shall be guilty of a misdemeanor. No penalty may be assessed against the female upon whom the abortion is performed or attempted to be performed. No penalty or civil liability may be assessed for failure to comply with Section 8 of this act requiring a written certification that the female has been informed of the opportunity to review the information referred to in Section 8 of this act unless the State Department of Health has made the printed materials available at the time the physician or the agent of the physician is required to inform the female of the right to review the materials.

SECTION 604. AMENDATORY 63 O.S. 2021, Section 1-740.4b, is amended to read as follows:

Section 1-740.4b. A. A person who knowingly or recklessly uses a false governmental record or makes a fraudulent representation or statement in order to obtain an abortion for a minor in violation of this title or intentionally causes, aids, abets or assists an unemancipated minor to obtain an abortion without the consent required by Section 1-740.2 of this title commits a Class D2 felony offense.

B. A physician who intentionally or knowingly performs an abortion on a pregnant unemancipated minor in violation of this title commits a Class D2 felony offense.

C. 1. It is a defense to prosecution under subsection B of this section if the person falsely representing himself or herself as the parent or guardian of the minor displayed an apparently valid governmental record of identification such that a reasonable person, under similar circumstances, would have relied on the representation.

2. The defense does not apply if the physician, or agent of the physician, failed to use due diligence in determining the age of the minor or the identity of the person represented as the parent or guardian of the minor.

D. A person who knowingly or recklessly uses a false governmental record or makes a fraudulent representation or statement in order to obtain an abortion for a minor in violation of this title or intentionally causes, aids, abets or assists an unemancipated minor to obtain an abortion without the consent required by Section 1-740.2 of this title or any physician who intentionally or knowingly performs an abortion on a pregnant unemancipated minor in violation of this title shall be civilly liable to the minor and to the person or persons required to give consent pursuant to the provisions of Section 1-740.2 of this title. A court may award damages to the person or persons adversely affected by a violation of this section including compensation for emotional injury without the need for personal presence at the act or event, and the court may further award attorney fees, litigation costs, and punitive damages. Any adult who engages in or consents to another person engaging in a sexual act with a minor, which results in the minor's pregnancy, shall not be awarded damages under this section.

E. A court of competent jurisdiction may enjoin conduct that would be in violation of this section upon petition by the Attorney General, a district attorney or any person adversely affected or who reasonably may be adversely affected by such conduct, upon a showing that such conduct:

1. Is reasonably anticipated to occur in the future; or

2. Has occurred in the past, whether with the same minor or others, and that it is reasonably expected to be repeated.

F. It is not a defense to a claim brought pursuant to this section that the minor gave informed and voluntary consent.

G. An unemancipated minor does not have the capacity to consent to any action that violates this title.

SECTION 605. AMENDATORY 63 O.S. 2021, Section 1-745.7, is amended to read as follows:

Section 1-745.7. Any person who knowingly or recklessly performs or induces or attempts to perform or induce an abortion in violation of the Pain-Capable Unborn Child Protection Act shall be guilty of a Class D2 felony offense. No penalty may be assessed against the woman upon whom the abortion is performed or induced or attempted to be performed or induced.

SECTION 606. AMENDATORY 63 O.S. 2021, Section 1-746.7, is amended to read as follows:

Section 1-746.7. Any person who knowingly or recklessly performs or attempts to perform an abortion in violation of this act shall be guilty of a Class D2 felony offense. No penalty may be assessed against the female upon whom the abortion is performed or attempted to be performed.

No penalty or civil liability may be assessed for failure to comply with paragraph 1 or 2 of Section 2 of this act or that portion of paragraph 3 of Section 2 of this act requiring a written certification that the female has been informed of her opportunity to review the information referred to in paragraph 1 of Section 2 of this act unless the Board has made the printed materials available at the time the physician or the physician's agent is required to inform the female of her right to review them.

SECTION 607. AMENDATORY 63 O.S. 2021, Section 1-749, is amended to read as follows:

Section 1-749. A. Any physician who performs an abortion on a minor who is less than fourteen (14) years of age at the time of the abortion shall preserve, in accordance with rules promulgated by the Oklahoma State Bureau of Investigation, fetal tissue extracted during such abortion. The physician shall submit the tissue to the Oklahoma State Bureau of Investigation.

B. The Oklahoma State Bureau of Investigation shall adopt rules to implement the provisions of this section. Such rules shall contain, at a minimum:

1. The amount and type of fetal tissue to be preserved and submitted by a physician pursuant to the provisions of this section;

2. Procedures for the proper preservation of such tissue for the purposes of DNA testing and examination;

3. Procedures for documenting the chain of custody of such tissue for use as evidence;

4. Procedures for the proper disposal of fetal tissue preserved pursuant to this section;

5. A uniform reporting form mandated to be utilized by physicians when submitting fetal tissue under this section, which shall include the name and address of the physician submitting the fetal tissue and the name and complete address of residence of the parent or legal guardian of the minor upon whom the abortion was performed; and

6. Procedures for communication with law enforcement regarding evidence and information obtained pursuant to this section.

C. Failure of a physician to comply with any requirement of this section or any rule adopted thereunder:

1. Shall constitute unprofessional conduct pursuant to the provisions of Section 509 of Title 59 of the Oklahoma Statutes; and

2. Is a Class D2 felony offense.

SECTION 608. AMENDATORY 2 O.S. 2021, Section 2-18, is amended to read as follows:

Section 2-18. A. After notice and opportunity for a hearing in accordance with the Administrative Procedures Act, if the State Board of Agriculture finds any person in violation of the Oklahoma Agricultural Code or any rule promulgated or order issued pursuant thereto, the Board shall have the authority to assess an administrative penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) for

each violation. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

B. The Board may appoint administrative law judges to conduct the hearings. Hearings shall be held at a location within the region in which the alleged violator resides or the violation occurred, or the central offices of the State Board of Agriculture in Oklahoma City, Oklahoma.

C. Any person who fails to comply with the provisions of the Oklahoma Agricultural Code or rules promulgated by the Board shall be deemed guilty of a misdemeanor unless a violation of the Oklahoma Agricultural Code or rules promulgated thereto is specifically identified with a penalty or as a Class D3 felony offense in the individual articles of the Oklahoma Agricultural Code. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

D. Nothing in the Oklahoma Agricultural Code shall preclude the Board from seeking penalties in district court in the maximum amount allowed by law. The assessment of penalties in an administrative enforcement proceeding shall not prevent the subsequent assessment by a court of the maximum civil or criminal penalties for violations of the Oklahoma Agricultural Code and rules promulgated pursuant thereto.

E. Any person assessed an administrative or civil penalty may be required to pay, in addition to the penalty amount and interest thereon, attorney fees and costs associated with the collection of the penalties.

SECTION 609. AMENDATORY 2 O.S. 2021, Section 5-106, is amended to read as follows:

Section 5-106. A. A person convicted of any of the offenses defined in subsections A and B of Section 3 of this act shall be guilty of a Class D3 felony offense and, upon conviction, shall be punished by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or by imprisonment ~~for a term not to exceed three (3) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

B. Any person violating subsection C of Section 3 of this act shall be guilty of a misdemeanor.

SECTION 610. AMENDATORY 2 O.S. 2021, Section 6-94, is amended to read as follows:

Section 6-94. A. The owner of exposed animals or reactors shall present the animals for branding or tagging within fifteen (15) days after receiving notice of reaction or exposure. The failure of an owner to comply with the requirements of this subsection shall be deemed a misdemeanor.

B. The removal of any permanent mark or brand, including official identification, from any animal with a reportable disease or those classified as diseased in a herd being depopulated, without prior authorization from the State Veterinarian, shall be deemed a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 611. AMENDATORY 2 O.S. 2021, Section 6-125, is amended to read as follows:

Section 6-125. It shall be unlawful and a misdemeanor for any person to remove, change the location of, or to bring into or to take out of any place or area that has been quarantined, any livestock covered by the order of quarantine or to violate any of the conditions of the quarantine. If the aggregate value of the quarantined livestock is in excess of One Thousand Dollars (\$1,000.00), then the person shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 612. AMENDATORY 2 O.S. 2021, Section 6-151, is amended to read as follows:

Section 6-151. A. 1. It shall be unlawful and deemed a Class D3 felony offense to ship, transport, or cause to be shipped or transported any livestock into the State of Oklahoma, unless accompanied by an official health certificate, permit, or both, which shall be in the possession of the driver of the vehicle or person in charge of the livestock.

2. The owner of the livestock, the shipper, and the operator of the vehicle transporting the livestock shall be equally and individually responsible for meeting all requirements regarding health certificates, permits, and the movement of livestock into this state.

3. An official health certificate or permit shall not be required for any livestock shipped directly from a farm of origin, with no diversion in route, to an approved market or slaughtering establishment operating under state or federal supervision, if a waybill, bill of lading, or certificate of ownership accompanies the shipment showing the consignor and the point of origin of the shipment, and the approved market or slaughtering establishment to which the livestock are shipped.

B. 1. It shall be unlawful and deemed a Class D3 felony offense for any livestock that are affected with or that have been exposed to any infectious, contagious, or communicable disease or which originate from a quarantined area to be shipped or in any manner transported or moved into or through the state until written permission for entry, transportation, or movement is obtained from the State Board of Agriculture or its authorized agent.

2. A written permit shall not be required for diseased animals which are approved for interstate shipment under specified restrictions by the United States Department of Agriculture.

SECTION 613. AMENDATORY 2 O.S. 2021, Section 6-155, is amended to read as follows:

Section 6-155. Any person violating the provisions of subsections ~~(a)~~ A and ~~(b)~~ B of Section 6-151 of this title relating to the importation and transportation of livestock, is guilty of a Class D3 felony offense and subject to a ~~maximum~~ punishment of ~~two (2) years in prison~~ imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or a Two Thousand Dollar (\$2,000.00) fine, or both. Any person violating any of the other provisions of this section, relating to the importation and transportation of livestock, is guilty of a misdemeanor and subject to a maximum punishment of six (6) months in the county jail or a Five Hundred Dollar (\$500.00) fine, or both. Each animal brought into the state in violation of any of the provisions of this section shall constitute a separate and distinct violation.

SECTION 614. AMENDATORY 2 O.S. 2021, Section 6-190, is amended to read as follows:

Section 6-190. No person, firm or corporation shall, with respect to any cattle, bison, sheep, swine, goats, horses, mules or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals:

(a) Slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing such articles for intrastate commerce, except in compliance with the requirements of this act. Any person who violates the provisions of this paragraph shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes;

(b) Slaughter or handle in connection with slaughter any such animals in any manner not in accordance with Section 6-183 of this title. Any person who violates the provisions of this paragraph shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes;

(c) Sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, (1) any such articles which (A) are capable of use as human food, and (B) are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or (2) any articles required to be inspected under Sections 6-181 through 6-196 of this title unless they have been so inspected and passed;

(d) Do, with respect to any such articles which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such articles to be adulterated or misbranded.

SECTION 615. AMENDATORY 2 O.S. 2021, Section 6-191, is amended to read as follows:

Section 6-191. (a) No brand manufacturer, printer, or other person, firm, or corporation shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation

thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Board.

(b) No person, firm, or corporation shall

(1) forge any official device, mark, or certificate;

(2) without authorization from the Board use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

(3) contrary to the regulations prescribed by the Board, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

(4) knowingly possess, without promptly notifying the Board or its representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any animal, or part or product thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

(5) knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Board; or

(6) knowingly represent that any article has been inspected and passed, or exempted, under this act, when, in fact, it has, respectively, not been so inspected and passed, or exempted.

(c) Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 616. AMENDATORY 2 O.S. 2021, Section 6-192, is amended to read as follows:

Section 6-192. A. It shall be unlawful and deemed a Class D3 felony offense for any person to sell, offer or exhibit for sale, or have in his or her possession with intent to sell, any quantity of horsemeat for human consumption in Oklahoma. Any person who violates the provisions of this subsection shall, upon conviction,

be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

B. It shall be unlawful for any person to transfer the possession of any horsemeat to any other person when the person so transferring knows, or in the exercise of a reasonable discretion should have known, that the person receiving the horsemeat intends to sell it in this state, offer it for sale in this state, exhibit it for sale in this state, or keep it in his possession with intent to sell it for human consumption in this state.

C. No person, firm, or corporation shall sell in this state, transport, offer for sale in this state or transportation, or receive for transportation, in intrastate commerce, any carcasses of horses, mules, or other equines or parts of such carcasses, or the meat or meat food products thereof, unless they are plainly and conspicuously marked or labeled or otherwise identified as required by regulations prescribed by the Board to show the kinds of animals from which they were derived. When required by the Board with respect to establishments at which inspection is maintained under Section 6-181 et seq. of this title, such animals and their carcasses, parts thereof, meat and meat food products shall be prepared in establishments separate from those in which cattle, sheep, swine, or goats are slaughtered or their carcasses, parts thereof, meat or meat food products are prepared.

D. The State Commissioner of Health or his or her authorized representative shall have free access to any transport vehicle, factory, warehouse or establishment in which horsemeat or feed suspected of containing horsemeat is transported, manufactured, processed, packed, sold, or prepared for serving to secure, after payment or offer to pay therefor, samples or specimens of such products found therein, to examine any and all sales records, shipping records relating to foods or horsemeat, to embargo any article of food or horsemeat suspected of being in violation of law, and to determine whether any law is being violated.

E. For the purpose of this section:

1. The term "horsemeat" shall mean the meat or flesh of any animal of the equine genus;

2. The term "package" or "container" shall mean the original, properly labeled package or container in which the horsemeat was packaged by the packer or processor at the point of origin; and

3. The term "properly labeled" shall mean a display of written, printed or graphic matter upon the outside package or container, or wrapper if there be one, stating the name and address of the original packer or processor, and in addition thereto shall include the word "horsemeat". All letters and words of the label shall be legible and of such size as to be easily read and understood by the ordinary individual under customary conditions of purchase and use.

SECTION 617. AMENDATORY 2 O.S. 2021, Section 6-194, is amended to read as follows:

Section 6-194. Any person, firm, or corporation, or any agent or employee of any person, firm, or corporation, who shall give, pay, or offer, directly or indirectly, to any inspector, deputy inspector, chief inspector, or any other officer or employee of this state authorized to perform any of the duties prescribed by this act or by the rules of the Board, any money or other thing of value, with intent to influence said inspector, deputy inspector, chief inspector, or other officer or employee of this state in the discharge of any duty herein provided for, shall be deemed guilty of a Class D3 felony offense, upon conviction thereof, and shall be punished by a fine not less than Five Thousand Dollars (\$5,000.00) nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment ~~not less than one (1) year nor more than three (3) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes; and any inspector, deputy inspector, chief inspector, or other officer or employee of this state authorized to perform any of the duties prescribed by this act who shall accept any money, gift, or other thing of value from any person, firm, or corporation, or officers, agents, or employees thereof, given with intent to influence his official action, or who shall receive or accept from any person, firm, or corporation engaged in intrastate commerce any gift, money, or other thing of value given with any purpose or intent whatsoever, shall be deemed guilty of a Class D3 felony offense and shall, upon conviction thereof, be summarily discharged from office and shall be punished by a fine not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment ~~not less than one (1) year nor more than three (3) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 618. AMENDATORY 2 O.S. 2021, Section 6-197, is amended to read as follows:

Section 6-197. Inspection shall not be provided under Sections 181 et seq. of this title at any establishment for the slaughter of cattle, bison, sheep, swine, goats, horses, mules, or other equines, or the preparation of any carcasses or parts or products of such animals which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in intrastate commerce, unless naturally inedible by humans, be denatured or otherwise identified as prescribed by regulations of the Board to deter their use for human food. No person, firm, or corporation shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in intrastate commerce, any carcasses, parts thereof, meat or meat food products of any such animals, which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Board or are naturally inedible by humans. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 619. AMENDATORY 2 O.S. 2021, Section 6-199, is amended to read as follows:

Section 6-199. No person, firm, or corporation shall engage in business, in or for intrastate commerce, as a meat broker, renderer, or animal food manufacturer, or engage in business in such commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any cattle, bison, sheep, swine, goats, horses, mules, or other equines, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for such commerce, or engage in the business of buying, selling, or transporting in such commerce any dead, dying, disabled, or diseased animals of the specified kinds, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless, when required by regulations of the Board, he has registered with the Board his name, and the address of each place of business at which and all trade names under which he conducts such business. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 620. AMENDATORY 2 O.S. 2021, Section 6-200, is amended to read as follows:

Section 6-200. No person, firm, or corporation engaged in the business of buying, selling, or transporting in intrastate commerce dead, dying, disabled, or diseased animals, or any part of the carcasses of any animals that died otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation, in such commerce, any dead, dying, disabled, or diseased cattle, bison, sheep, swine, goats, horses, mules or other equines, or parts of the carcasses of any such animals that died otherwise than by slaughter, unless such transaction or transportation is made in accordance with such regulations as the Board prescribes to assure that such animals, or the unwholesome parts or products thereof, will be prevented from being used for human food purposes. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 621. AMENDATORY 2 O.S. 2021, Section 6-207, is amended to read as follows:

Section 6-207. (a) Any person, firm, or corporation who violates any provision of the Oklahoma Meat Inspection Act for which no other criminal penalty is provided by this act shall upon conviction be subject to imprisonment for not more than one (1) year, or a fine of not more than One Thousand Dollars (\$1,000.00), or both such imprisonment and fine; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated (except as defined in subparagraph (8) of paragraph (j) of Section 6-182 of this title), such person, firm, or corporation shall be guilty of a Class D3 felony offense and shall be subject to imprisonment for not more than three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both; provided, that no person, firm, or corporation shall be subject to penalties under this section for receiving for transportation any article or animal in violation of this act if such receipt was made in good faith, unless such person, firm, or corporation refuses to furnish on request of a representative of the Board the name and address of the person from whom he received such article or animal, and copies of all

documents, if any there be, pertaining to the delivery of the article or animal to him.

(b) Nothing in this act shall be construed as requiring the Board to report for prosecution, or for the institution of legal action or injunction proceedings, minor violations of this act whenever it believes that the public interest will be adequately served by a suitable written notice of warning.

SECTION 622. AMENDATORY 2 O.S. 2021, Section 6-258, is amended to read as follows:

Section 6-258. A. All poultry products inspected at any official establishment under the authority of this act and found to be not adulterated shall at the time they leave the establishment bear, in distinctly legible form, on their shipping containers and immediate containers as the Board may require, the information required under paragraph 12 of Section 4 of this act. In addition, the Board whenever it determines such action is practicable and necessary for the protection of the public may require nonconsumer packaged carcasses at the time they leave the establishment to bear directly thereon in distinctly legible form any information required under such paragraph 12.

B. The Board, whenever it determines such action is necessary for the protection of the public, may prescribe:

1. the styles and sizes of type to be used with respect to material required to be incorporated in labeling to avoid false or misleading labeling in marking or otherwise labeling any articles or poultry subject to this act; and

2. definitions and standards of identity or composition for articles subject to this act and standards of fill of container for such articles not inconsistent with any such standards established under the Federal Food, Drug, and Cosmetic Act, or under the Federal Poultry Products Inspection Act, and there shall be consultation between the Board and the Secretary of Agriculture of the United States prior to the issuance of such standards to avoid inconsistency between such standards and the Federal standards.

C. No article subject to this act shall be sold or offered for sale by any person in intrastate commerce, under any name or other marking or labeling which is false or misleading, or in any container of a misleading form or size, but established trade names

and other marking and labeling and containers which are not false or misleading and which are approved by the Board are permitted. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

D. If the Board has reason to believe that any marking or labeling or the size or form of any container in use or proposed for use with respect to any article subject to this act is false or misleading in any particular, it may direct that such use be withheld unless the marking, labeling, or container is modified in such manner as it may prescribe so that it will not be false or misleading. If the person using or proposing to use the marking, labeling or container does not accept the determination of the Board, such person may request a hearing, but the use of the marking, labeling, or container shall, if the Board so directs, be withheld pending hearing and final determination by the Board. Any such determination by the Board shall be conclusive unless, within thirty (30) days after receipt of notice of such final determination, the person adversely affected thereby appeals to the District Court of Oklahoma County. This provision would not apply to established trademarks or labeling approved by the U.S.D.A.

SECTION 623. AMENDATORY 2 O.S. 2021, Section 6-259, is amended to read as follows:

Section 6-259. A. No person shall:

1. slaughter any poultry or process any poultry products which are capable of use as human food at any establishment processing any such articles solely for intrastate commerce, except in compliance with the requirements of this act;

2. sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce:

(a) any poultry products which are capable of use as human food and are adulterated or misbranded at the time of such sale, transportation, offer for sale or transportation, or receipt for transportation; or

(b) any poultry products required to be inspected under this act unless they have been so inspected and passed;

3. do, with respect to any poultry products which are capable of use as human food, any act while they are being transported in intrastate commerce or held for sale after such transportation, which is intended to cause or has the effect of causing such products to be adulterated or misbranded;

4. sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce or from an official establishment, any slaughtered poultry from which the blood, feathers, feet, head, or viscera have not been removed in accordance with regulations promulgated by the Board, except as may be authorized by regulations of the Board;

5. use to his own advantage, or reveal other than to the authorized representatives of the state government or any other government in their official capacity, or as ordered by a court in any judicial proceedings, any information acquired under the authority of this act concerning any matter which is entitled to protection as a trade secret.

B. No brand manufacturer, printer, or other person shall cast, print, lithograph, or otherwise make any device containing any official mark or simulation thereof, or any label bearing any such mark or simulation, or any form of official certificate or simulation thereof, except as authorized by the Board.

C. No person shall:

1. forge any official device, mark, or certificate;

2. without authorization from the Board use any official device, mark, or certificate, or simulation thereof, or alter, detach, deface, or destroy any official device, mark, or certificate;

3. contrary to the regulations prescribed by the Board, fail to use, or to detach, deface, or destroy any official device, mark, or certificate;

4. knowingly possess, without promptly notifying the Board or its representative, any official device or any counterfeit, simulated, forged, or improperly altered official certificate or any device or label or any carcass of any poultry, or part or product

thereof, bearing any counterfeit, simulated, forged, or improperly altered official mark;

5. knowingly make any false statement in any shipper's certificate or other nonofficial or official certificate provided for in the regulations prescribed by the Board; or

6. knowingly represent that any article has been inspected and passed, or exempted, under this act when, in fact, it has, respectively, not been so inspected and passed, or exempted.

D. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 624. AMENDATORY 2 O.S. 2021, Section 6-260, is amended to read as follows:

Section 6-260. No establishment processing poultry or poultry products solely for intrastate commerce shall process any poultry or poultry product capable of use as human food except in compliance with the requirements of this act. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 625. AMENDATORY 2 O.S. 2021, Section 6-261, is amended to read as follows:

Section 6-261. A. Inspection shall not be provided under this act at any establishment for the slaughter of poultry or the processing of any carcasses or parts or products of poultry, which are not intended for use as human food, but such articles shall, prior to their offer for sale or transportation in intrastate commerce, be denatured or otherwise identified as prescribed by regulations of the Board to deter their use for human food. No person shall buy, sell, transport, or offer for sale or transportation, or receive for transportation, in intrastate commerce, any poultry carcasses or parts or products thereof which are not intended for use as human food unless they are denatured or otherwise identified as required by the regulations of the Board or naturally inedible by humans.

B. The following classes of persons shall, for such period of time as the Board may by regulations prescribe, not to exceed two (2) years unless otherwise directed by the Board for good cause shown, keep such records as are properly necessary for the effective enforcement of this act in order to insure against adulterated or misbranded poultry products for the American consumer; and all persons subject to such requirements shall, at all reasonable times, upon notice by a duly authorized representative of the Board, afford such representative access to their places of business and opportunity to examine the facilities, inventory, and records thereof, to copy all such records, and to take reasonable samples of their inventory upon payment of the fair market value therefor:

1. Any person that engages in the business of slaughtering any poultry or processing, freezing, packaging, or labeling any carcasses, or parts or products of carcasses, of any poultry, for intrastate commerce, for use as human food or animal food;

2. Any person that engages in the business of buying or selling, as poultry products brokers, wholesalers, or otherwise, or transporting, in intrastate commerce, or storing in or for intrastate commerce, any carcasses, or parts or products of carcasses, of any poultry;

3. Any person that engages in business, in or for intrastate commerce, as a renderer, or engages in the business of buying, selling, or transporting, in intrastate commerce, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter.

C. No person shall engage in business, in or for intrastate commerce, as a poultry products broker, renderer, or animal food manufacturer, or engage in business in intrastate commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any poultry, whether intended for human food or other purposes, or engage in business as a public warehouseman storing any such articles in or for intrastate commerce, or engage in the business of buying, selling, or transporting in intrastate commerce any dead, dying, disabled, or diseased poultry, or parts of the carcasses of any poultry that died otherwise than by slaughter, unless, when required by regulations of the Board, he has registered with the Board his name and the address of each place of business at which, and all trade names under which, he conducts such business.

D. No person engaged in the business of buying, selling, or transporting in intrastate commerce, dead, dying, disabled or diseased poultry, or any parts of the carcasses of any poultry that dies otherwise than by slaughter, shall buy, sell, transport, offer for sale or transportation, or receive for transportation in intrastate commerce, any dead, dying, disabled, or diseased poultry or parts of the carcasses of any poultry that died otherwise than by slaughter, unless such transaction or transportation is made in accordance with such regulations as the Board may prescribe to assure that such poultry, or the unwholesome parts or products thereof, will be prevented from being used for human food.

E. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 626. AMENDATORY 2 O.S. 2021, Section 6-262, is amended to read as follows:

Section 6-262. A. Any person who violates the provisions of Sections 6-259, 6-260, 6-261 or 6-264 of this title shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both; but if such violation involves intent to defraud, or any distribution or attempted distribution of an article that is adulterated, except as defined in subparagraph (h) of paragraph 11 of Section 6-254 of this title, such person shall be guilty of a Class D3 felony offense and fined not more than Ten Thousand Dollars (\$10,000.00), or imprisoned not more than three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both. When construing or enforcing the provisions of said sections, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association, as well as of such person.

B. No carrier shall be subject to the penalties of this act, other than the penalties for violation of Section 6-261 of this title, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier of poultry or poultry products, owned by another person unless the carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe that such poultry or poultry products were not inspected

or marked in accordance with the provisions of this act or were otherwise not eligible for transportation under this act or unless the carrier refuses to furnish on request of a representative of the Board the name and address of the person from whom he received such poultry or poultry products, and copies of all documents, if any there be, pertaining to the delivery of the poultry or poultry products to such carrier.

C. Any person who interferes by any act with an inspector in the performance of his official duties shall be guilty of a misdemeanor.

SECTION 627. AMENDATORY 2 O.S. 2021, Section 6-264, is amended to read as follows:

Section 6-264. A. The Board may by regulations prescribe conditions under which poultry products capable of use as human food shall be stored or otherwise handled by any person engaged in the business of buying, selling, freezing, storing, or transporting, in or for intrastate commerce, such articles, whenever the Board deems such action necessary to assure that such articles will not be adulterated or misbranded when delivered to the consumer. Violation of any such regulation is prohibited and shall be deemed a Class D3 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

B. The Board shall promulgate such other rules and regulations as are necessary to carry out the provisions of this act.

C. When opportunity is afforded for submission of comments by interested persons on proposed rules or regulations under this act, it shall include opportunity for oral presentation of views.

SECTION 628. AMENDATORY 2 O.S. 2021, Section 6-611, is amended to read as follows:

Section 6-611. A. No person shall intentionally or knowingly release or engage in, sponsor, instigate, assist, or profit from the release of any hog, boar, swine, or pig to live in a wild or feral state upon public or private lands, except for:

1. Release into a licensed sporting facility pursuant to the Feral Swine Control Act; or

2. When utilizing the Judas pig tagging system, release onto the same private land on which a feral hog was trapped or caught. In order to come under the release authorization of this paragraph, the release must occur within twenty-four (24) hours of the capture of the hog.

B. No person shall knowingly or intentionally violate the importation, testing, permitting, licensing, and transportation requirements contained in the Feral Swine Control Act and rules promulgated thereto.

C. Any person violating the provisions of this section is guilty of a Class D3 felony offense and subject to ~~a maximum punishment of two (2) years in prison~~ imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, a fine of Two Thousand Dollars (\$2,000.00), or both fine and imprisonment.

SECTION 629. AMENDATORY 2 O.S. 2021, Section 9-37, is amended to read as follows:

Section 9-37. Any person who deposits or attempts to deposit in a public warehouse any commodities upon which a lien or mortgage exists, without notifying the manager of the public warehouse, and any person who, in order to procure any warehouse receipt, knowingly makes any false statement of material fact shall, upon conviction, be guilty of a Class D3 felony offense. The fine for a violation of this section shall not be more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the State Penitentiary for a period of not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 630. AMENDATORY 2 O.S. 2021, Section 9-132, is amended to read as follows:

Section 9-132. A. Except as provided by subsection C of this section, no person shall operate, conduct, or maintain a livestock auction market unless the person holds a livestock auction market license issued by the State Board of Agriculture and has:

1. Executed a corporate surety bond pursuant to the provisions of this section. The bond shall be conditioned upon the prompt and faithful accounting for all livestock received, handled, or sold,

and the remittance of the proceeds from any sale, purchase, or exchange of any livestock to the consignor;

2. Opened a certificate of deposit account or a money market savings account. For a certificate of deposit account or a money market savings account to be eligible pursuant to the provisions of this section:

- a. the account shall be opened at a federally insured financial depository,
- b. an officer of the financial depository shall specifically acknowledge and guarantee the deposit of the funds required by subsection B of this section until otherwise released pursuant to this subsection,
- c. the person operating, conducting, or maintaining a livestock auction market may only withdraw funds deposited in a certificate of deposit account or a money market savings account sixty (60) days after the person has permanently ceased operations of the livestock auction market unless the person presents to the financial institution a written authorization for release of funds by the Oklahoma Department of Agriculture, Food, and Forestry; or

3. Provided other financial instruments allowable for livestock markets by the Federal Packers and Stockyards Act of 1921, as amended.

B. 1. The corporate surety bond or account required by subsection A of this section for any person operating, conducting, or maintaining a livestock auction market shall be in accordance with the provisions of the Federal Packers and Stockyards Act of 1921, as amended, but shall not be less than Twenty-five Thousand Dollars (\$25,000.00) for any person conducting less than twenty-five sales in any license year, or no single sale exceeds gross sales of Twenty-five Thousand Dollars (\$25,000.00).

2. For all other sales, the corporate surety bond or account required by subsection A of this section for any person operating, conducting, or maintaining a livestock auction market that does not meet the criteria in paragraph 1 of this subsection shall be in accordance with the provisions of the Federal Packers and Stockyards Act of 1921, as amended, but shall not be less than Fifty Thousand

Dollars (\$50,000.00) unless the Department approves a lesser amount pursuant to rules promulgated by the State Board of Agriculture.

C. The corporate surety bond or account required by subsection A of this section shall not be required of any person who has executed and maintained a corporate surety bond or account pursuant to the provisions of subsection B of this section to secure the performance of obligations under the provisions of the Federal Packers and Stockyards Act of 1921, as amended.

D. The Commissioner of Agriculture is authorized to be designated as trustee for any corporate surety bond, certificate of deposit account, money market savings account, or any other financial instruments allowable for livestock markets by the Federal Packers and Stockyards Act of 1921, as amended.

E. 1. Any corporate surety company issuing a bond to any person as specified by subsection A or C of this section for operating, conducting, or maintaining a livestock auction market shall notify the Board in writing not less than thirty (30) days prior to the cancellation or nonrenewal of the bond.

2. The Board shall provide for the publication of notice to the public of the nonrenewal or cancellation of the bond for a livestock auction market upon any notification that the bond of the livestock auction market has been nonrenewed or canceled and no new bond has been obtained.

3. No person shall knowingly operate, conduct, or maintain a livestock auction market without having a bond as specified by this section. Any person convicted of violating the provisions of this paragraph shall be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

F. All records relating to the prompt and faithful accounting for all livestock received, handled, or sold and the remittance of the proceeds from any sale, purchase, or exchange of any livestock to the consignor shall be in accordance with the provisions of the Federal Packers and Stockyards Act of 1921, as amended. The Board shall audit such records at least once a year. Any violation of the standards of the Federal Packers and Stockyards Act may result in the suspension of the livestock auction market license.

G. Except as provided by this section, any person found to be in violation of the provisions of this section, upon conviction, shall be guilty of a misdemeanor.

SECTION 631. AMENDATORY 2 O.S. 2021, Section 11-2, is amended to read as follows:

Section 11-2. It shall be unlawful and deemed a Class D3 felony offense to sell, offer for sale, or advertise any agricultural product using any word, figure, number, or term which pertains to grade, quality, condition, quantity, or size, including No. 1, Fancy, Choice, Select, A, Large, Size A, or any other word, figure, number, or term which in any manner implies or suggests that the product involved has been officially graded unless the product has actually been officially graded, sized, or measured under state or federal regulations or sized or measured in accordance with the requirements of the State Board of Agriculture or federal regulations. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 632. AMENDATORY 2 O.S. 2021, Section 11-94, is amended to read as follows:

Section 11-94. A. Any person found in violation of any provision of the Oklahoma Scrap Metal Dealers Act, with the exceptions as provided by subsections B, C and D of this section, shall, upon conviction, be guilty of a misdemeanor and punished by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00) per offense. Any person convicted of a second violation of the Oklahoma Scrap Metal Dealers Act shall be guilty of a misdemeanor and punished by a fine of not more than Five Thousand Dollars (\$5,000.00) per offense or by imprisonment in the county jail for a period of not more than six (6) months. Any person convicted of a third or subsequent violation of the Oklahoma Scrap Metal Dealers Act shall be guilty of a Class D3 felony offense punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) per offense, ~~or by imprisonment in the custody of the Department of Corrections for a period of not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. Any person acting as a scrap metal dealer without a scrap metal dealer license or a sales tax permit as required by the

Oklahoma Scrap Metal Dealers Act shall, upon conviction, be guilty of a misdemeanor and punished by a fine of not more than Five Hundred Dollars (\$500.00); provided, that each day of operation in violation of the Oklahoma Scrap Metal Dealers Act shall constitute a separate offense.

C. Any person who knowingly provides false information with respect to the provisions of subsection I of Section 1423 of this title shall, upon conviction, be guilty of a Class D3 felony offense and punished by a fine of Five Thousand Dollars (\$5,000.00), or by ~~imprisonment in the custody of the Department of Corrections for a period of not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

D. Any person convicted of purchasing or selling burnt copper material or copper wire as prohibited by subsection G of Section 1423 of this title shall, upon first conviction, be guilty of a misdemeanor and punished by a fine of Two Thousand Five Hundred Dollars (\$2,500.00). Any person convicted of a second or subsequent violation shall be guilty of a Class D3 felony offense punishable by a fine of Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the custody of the Department of Corrections for a period of not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

E. Each scrap metal dealer convicted of a violation of the Oklahoma Scrap Metal Dealers Act shall be reported to the Oklahoma Tax Commission by the clerk of the court rendering such verdict.

F. The Tax Commission shall revoke the sales tax permit of any person convicted of three separate violations of the Oklahoma Scrap Metal Dealers Act. The person shall not be eligible to receive a sales tax permit for such purpose for a period of one (1) year following the revocation. The revocation procedure shall be subject to notice and hearing as required by Section 1426 of this title.

SECTION 633. AMENDATORY 2 O.S. 2021, Section 16-6, is amended to read as follows:

Section 16-6. Any person or persons acting in concert who knowingly and willfully interfere with, molest, or assault forest rangers or firefighters in the performance of their duties, or who knowingly and willfully obstruct, interfere with, or impede the

progress of forest rangers or firefighters to reach the destination of a fire, or who damage or destroy any vehicles or equipment used to reach or extinguish a fire shall be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 634. AMENDATORY 2 O.S. 2021, Section 16-59, is amended to read as follows:

Section 16-59. No timber or other timber products shall be removed from any lands owned by the State of Oklahoma, except for public utilities and improvements, and no officer, employee, or any other person employed by the State of Oklahoma shall authorize the removal, except upon written approval of the Director of Forestry. In carrying out the duties of this section, the Director is authorized to delegate authority to persons qualified to act in the Director's behalf.

Any person violating this section shall be guilty of a Class D3 felony offense and upon conviction shall be punished, for the first offense, by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not exceeding one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both. For any subsequent offense, the person shall be punished by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the State Penitentiary for not exceeding three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

SECTION 635. AMENDATORY 2 O.S. 2021, Section 16-60, is amended to read as follows:

Section 16-60. A. 1. Any person who intentionally, willfully, maliciously, or unlawfully enters upon the lands of another to cut down, injure, remove, or destroy any timber valued at more than Two Hundred Dollars (\$200.00), without the permission of the owner or the owner's representative shall be guilty, upon conviction, of a Class D3 felony offense, punishable by the imposition of a fine of not more than Ten Thousand Dollars (\$10,000.00), by imprisonment in the State Penitentiary for not more than five (5) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

2. Any person who intentionally, willfully, maliciously, or unlawfully enters upon the lands of another to cut down, injure, remove, or destroy any timber valued at Two Hundred Dollars (\$200.00) or less, without the permission of the owner or the owner's representative shall be guilty, upon conviction, of a misdemeanor, punishable by the imposition of a fine of not more than One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than thirty (30) days.

3. The necessary trimming and removal of timber to permit the construction, repair, maintenance, cleanup, and operations of pipelines and utility lines and appurtenances of public utilities, public service corporations, and to aid registered land surveyors and professional engineers in the performance of their professional services, and municipalities, and pipeline companies, or lawful operators and product purchasers of oil and gas shall not be deemed a willful and intentional cutting down, injuring, removing, or destroying of timber.

4. The necessary trimming and removal of timber for boundary line maintenance, for the construction, maintenance, and repair of streets, roads, and highways or for the control and regulation of traffic by the state and its political subdivisions or registered land surveyors and professional engineers shall not be deemed a willful and intentional cutting down, injuring, removing, or destroying of timber.

B. In addition to the punishment prescribed in subsection A of this section, the person is liable in damages pursuant to Section 72 of Title 23 of the Oklahoma Statutes for the damage or injury done to the timber, the damages to be recovered in a civil action by the owner of the property or the public officer having charge of the property.

SECTION 636. AMENDATORY 2 O.S. 2021, Section 16-63, is amended to read as follows:

Section 16-63. A. It shall be unlawful for any person willingly, knowingly, or fraudulently to represent, make, issue, deliver, use or submit, or to participate in representing, making, issuing, delivering, using, or submitting any fictitious, false or fraudulent offer, agreement, contract, or other instrument concerning:

1. The sale of timber or the right to cut or harvest or remove timber from a site or from real property not owned or leased by that person; or

2. The sale of timber or the right to cut or harvest or remove timber that is not owned by that person.

B. It shall be unlawful for a timber owner to, knowingly or with intent to defraud, fail to pay in a timely manner the applicable owners the full price of all the purchased timber.

1. A timber owner acts with intent to defraud if the timber owner disperses, uses, or diverts money with the intent to deprive an owner of the purchase money.

2. Unless otherwise agreed to in writing, a timber owner is presumed to have acted with intent to defraud if the timber owner does not pay all applicable owners for the purchase price of the timber not later than forty-five (45) calendar days after the date the timber owner collects money for the timber.

C. Any person convicted of violating the provisions of this section shall be guilty of:

1. A Class D3 felony offense if the timber to be sold or right to cut or harvest the timber pursuant to subsection A of this section is valued at more than Two Hundred Dollars (\$200.00). Upon conviction the person shall be subject to the imposition of a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or to both; or

2. A misdemeanor if the timber to be sold or right to cut or harvest the timber pursuant to subsection A of this section is valued at Two Hundred Dollars (\$200.00) or less. Upon conviction the person shall be subject to the imposition of a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail not to exceed one (1) year, or to both.

SECTION 637. AMENDATORY 2 O.S. 2021, Section 16-66, is amended to read as follows:

Section 16-66. Any person selling timber who uses false or altered identification or a false declaration of ownership, pursuant

to the provisions of Section 16-65 of this title, upon conviction, shall be guilty of:

1. A Class D3 felony offense if the timber to be sold by use of a false or altered identification or false declaration of ownership is valued at more than Two Hundred Dollars (\$200.00). Upon conviction, a person shall be subject to the imposition of a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the State Penitentiary for not more than five (5) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both; or

2. A misdemeanor if the timber to be sold by use of a false or altered identification or false declaration of ownership is valued at Two Hundred Dollars (\$200.00) or less. Upon conviction, a person shall be subject to the imposition of a fine of not more than One Thousand Dollars (\$1,000.00), imprisonment in the county jail not to exceed one (1) year, or both.

SECTION 638. AMENDATORY 3 O.S. 2021, Section 281, is amended to read as follows:

Section 281. A. It is unlawful and deemed a Class D3 felony offense for any person, firm, corporation, or association to install or equip on any aircraft, or install in the wings or fuselage of the aircraft, any fuel tank, bladder, drum, or other container which will hold fuel, if such fuel tank, bladder, drum, or other container does not conform to federal aviation regulations or has not been approved by the Federal Aviation Administration by inspection or special permit. Any person convicted of violating this subsection shall be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

B. It is unlawful and deemed a Class D3 felony offense for any person to knowingly possess any aircraft which has been equipped with, or had installed in its wings or fuselage, any fuel tank, bladder, drum, or other container which will hold fuel if such fuel tank, bladder, drum, or other container does not conform to federal aviation regulations or has not been approved by the Federal Aviation Administration by inspection or special permit. Any person convicted of violating this subsection shall be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

C. A copy of the Federal Aviation Administration Approval Form 337, or special permit pertaining to such installations, shall be carried on board the aircraft at all times. Any person convicted of violating this subsection shall be guilty of a misdemeanor. No person charged with violating this subsection shall be convicted of the charge if he or she produces in court or the office of the arresting officer a copy of the required documentation either valid at the time of arrest or acquired within thirty (30) days after the arrest.

D. The provisions of this section shall apply to any pipes, hoses, or auxiliary pumps which when present in the aircraft could be used to introduce fuel into the primary fuel system of the aircraft from such tanks, bladders, drums, or containers.

SECTION 639. AMENDATORY 3A O.S. 2021, Section 203.6, is amended to read as follows:

Section 203.6. A. The Commission, its executive director, or the stewards may issue subpoenas for the attendance of witnesses or the production of any records, books, memoranda, documents, or other papers or things, to enable any of them to effectually discharge its or his duties, and may administer oaths or affirmations as necessary in connection therewith.

B. Any person subpoenaed who fails to appear at the time and place specified in answer to the subpoena and to bring any papers or things specified in the subpoena, or who upon such appearance, refuses to testify or produce such records or things, upon conviction, is guilty of a misdemeanor.

C. Any person who testifies falsely under oath in any proceeding before, or any investigation by, the Commission, its executive director, or the stewards, upon conviction, shall be guilty of a Class D3 felony offense and shall be punished ~~in the same manner prescribed for the punishment of perjury by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.~~

SECTION 640. AMENDATORY 3A O.S. 2021, Section 504, is amended to read as follows:

Section 504. A. Multiple count violations of subsection A or B of Section 502 of this title, or violations resulting in a loss of

money or other valuable consideration, in which said loss exceeds Five Hundred Dollars (\$500.00), shall constitute a Class D3 felony offense, and shall be punishable pursuant to subsection B of Section 505 of this title.

B. Any person serving in a managerial or supervisory capacity for any fair, exposition, or any other event open to the public, paid admission or free, who knowingly or intentionally promotes or allows the operation of any amusement or carnival game in violation of this act, upon conviction, shall be guilty of a misdemeanor.

C. Any person who manufactures or distributes amusement or carnival games of the type described in Section 502 of this title, upon conviction, shall be guilty of a misdemeanor punishable pursuant to subsection A of Section 505 of this title, with said games to be confiscated as contraband.

D. Any person charged with law enforcement responsibilities or legal compliance inspections of amusement or carnival games, and who knowingly and intentionally allows or who knowingly and intentionally fails to prevent the operation of any amusement or carnival game violating the Amusement and Carnival Games Act, upon conviction, shall be guilty of omission of duty and/or guilty of a misdemeanor punishable pursuant to subsection A of Section 505 of this title.

SECTION 641. AMENDATORY 3A O.S. 2021, Section 505, is amended to read as follows:

Section 505. A. Any person convicted of violating any provision of the Amusement and Carnival Games Act, with the exception of subsection A of Section 504 of this title, shall be guilty of a misdemeanor punishable by not more than two hundred twenty (220) days of community service, or by the imposition of a fine of not more than Two Thousand Dollars (\$2,000.00), or by both such fine and community service.

B. Any person convicted of violating subsection A of Section 504 of this title shall be guilty of a Class D3 felony offense punishable by imprisonment ~~in the State Penitentiary for not less than two (2) years, or more than five (5) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by the imposition of a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

SECTION 642. AMENDATORY 4 O.S. 2021, Section 85.11, is amended to read as follows:

Section 85.11. If any person unlawfully takes up or conceals an estray, or fails to comply with the provisions of this act, such person so offending shall be guilty of the felony of larceny of domestic animals, a Class D3 felony offense, and shall be punished according to the provisions of Section 1716 by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 643. AMENDATORY 6 O.S. 2021, Section 808, is amended to read as follows:

Section 808. A. Prohibition against political expenditures. It is unlawful for any bank to make a contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, or for any candidate, political committee, or for any other person to accept or receive any contribution prohibited by this section ~~(Section 808A).~~

B. Penalties. Every bank which makes any contribution or expenditure in violation of subsection A of this section ~~(Section 808A)~~ shall be fined not more than Five Thousand Dollars (\$5,000.00); and every officer or director of any bank who consents to any such contribution or expenditure by the bank, and any person who accepts or receives any such contribution, shall be fined not more than One Thousand Dollars (\$1,000.00) or imprisoned not more than one (1) year, or both; and if the violation was willful shall be guilty of a Class D3 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or imprisoned not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

SECTION 644. AMENDATORY 11 O.S. 2021, Section 39-113, is amended to read as follows:

Section 39-113. A. All money received by the city from any special assessment or assessment within a district shall be held in a special fund and used to:

1. Pay the cost of the improvement for which the assessment was made;

2. Reimburse the city for any work performed or cost incurred by the city in constructing the improvement; or

3. Pay the interest and principal due on any outstanding negotiable bonds, including replenishment of debt service reserves, reimbursements to bond insurers or other providers of credit enhancement, and other payments required in connection with bonds issued to pay for improvements.

B. Any person who uses money in a district fund other than as provided in this section is guilty of a Class D3 felony offense and shall be punished by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, in the discretion of the court.

SECTION 645. AMENDATORY 12 O.S. 2021, Section 65, is amended to read as follows:

Section 65. Any person willfully making a false affidavit as to the value of any such real estate shall be guilty of perjury, a Class D3 felony offense, and shall be punished accordingly by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes. Any officer administering or accepting such affidavit knowing it to be false, shall be guilty of the felony of subornation of perjury, a Class D3 felony offense, and shall be punished accordingly by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 646. AMENDATORY 12 O.S. 2021, Section 923, is amended to read as follows:

Section 923. Any person willfully swearing falsely in making the affidavit aforesaid, shall, on conviction, be adjudged guilty of the felony of perjury, a Class D3 felony offense, and shall be punished as the law prescribes by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 647. AMENDATORY 15 O.S. 2021, Section 567, is amended to read as follows:

Section 567. Any person, either as agent or principal, who enters into or assists in making any contracts of sale of the sort of character denounced by Section 564 of this title for the future delivery of cotton, grain, stocks or other commodities, or who maintains or operates a bucket shop as that term is defined in Section 565 of this title, shall be guilty of a Class D3 felony offense, and upon conviction thereof shall be fined in a sum not to exceed One Thousand Dollars (\$1,000.00), or be imprisoned ~~in the State Penitentiary not exceeding two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, and any person who shall be guilty of a second offense under this statute in addition to the penalty above prescribed may, upon conviction, be both fined and imprisoned in the discretion of the court, and if a corporation, it shall be liable to forfeiture of all its rights and privileges as such, and the continuance of such establishment after the first conviction shall be deemed a second offense. It shall be the duty of the Attorney General to institute proceedings for the forfeiture of the charter of any corporation making itself liable to such forfeiture under the provisions of this act.

SECTION 648. AMENDATORY 17 O.S. 2021, Section 158.59, is amended to read as follows:

Section 158.59. A. Any person who willfully and knowingly does or causes to be done any act, matter or thing prohibited or declared to be unlawful by this act, or who willfully and knowingly omits or fails to do any act, matter or thing required by this act to be done, or willfully and knowingly causes such omission or failure, shall, upon conviction thereof, be guilty of a Class D3 felony offense punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment. In addition, such violation shall be punished upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) for each day during which such offense occurs.

B. Any person who willfully and knowingly violates any rule, regulation, restriction, condition or order made or imposed by the Corporation Commission under authority of this act, shall, in addition to any other penalties provided by law, be punished upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) for each day during which such offense occurs.

SECTION 649. AMENDATORY 17 O.S. 2021, Section 191.11, is amended to read as follows:

Section 191.11. A. Any person who willfully and knowingly does or causes to be done any act, matter or thing prohibited or declared to be unlawful by this act, or who willfully and knowingly omits or fails to do any act, matter or thing required by this act to be done, or willfully and knowingly causes such omission or failure, shall, upon conviction thereof, be guilty of a Class D3 felony offense punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both. In addition, such violation shall be punished upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) for each day during which such offense occurs.

B. Any person who willfully and knowingly violates any rule, regulation, restriction, condition or order made or imposed by the Corporation Commission under authority of this act, shall, in addition to any other penalties provided by law, be punished upon conviction thereof by a fine not exceeding Five Hundred Dollars (\$500.00) for each day during which such offense occurs.

SECTION 650. AMENDATORY 18 O.S. 2021, Section 381.73, is amended to read as follows:

Section 381.73. A. An out-of-state savings institution, upon approval by the State Banking Commissioner, may acquire direct or indirect control of an unlimited number of in-state savings associations for operation as in-state savings institutions, and may acquire any such institutions' parent Oklahoma holding company. Any acquisition made pursuant to the provisions of this section may include assets and liabilities of the in-state savings institution or its parent Oklahoma holding company and all branches and facilities thereof.

B. 1. No in-state savings institution which becomes a subsidiary of an out-of-state savings institution under any extraordinary acquisition provisions of federal law, or which is otherwise controlled by an out-of-state savings institution, shall be permitted to acquire direct or indirect ownership or control of, or to convert to a branch, any additional in-state savings institution or to establish additional branches or facilities, except as otherwise provided for in this section.

2. No out-of-state savings institution may directly or indirectly acquire control of an in-state savings institution or its parent Oklahoma holding company except as otherwise permitted by this section.

C. No acquisition provided for in this section shall be permitted unless the approval of the Commissioner required pursuant to subsection A of this section:

1. Includes, for all acquisitions, a finding that:

- a. the in-state savings institution sought to be acquired or all of the savings institution subsidiaries of the parent Oklahoma holding company sought to be acquired have either been in existence and continuous operation for more than five (5) years, and
- b. notice of intent to acquire has been published in a newspaper of general paid circulation in the county or counties where the in-state savings institution to be acquired is located and that a notice of intent to acquire has been mailed by certified mail with return receipt requested to each person owning stock in the in-state savings institution to be acquired or in its parent Oklahoma holding company or, if the in-state savings institution to be acquired is a mutual association, notice has been given as in the case of a proceeding under Section 381.61 of this title;

2. Includes, for any acquisition of a majority of the voting shares of a stock association or of its parent Oklahoma holding company, or for any acquisition of a mutual association by merger or purchase and assumption transaction with another in-state savings association, a finding that the acquisition has been approved by the board of directors and a majority of the stockholders of or holders of voting rights in the in-state savings institution or of its parent Oklahoma holding company, as applicable;

3. Subjects the acquisition to any conditions, restrictions, and requirements that would be applicable to such an acquisition by an in-state savings institution of an out-of-state savings institution in the state where the out-of-state savings institution has its main office, if such state has enacted and implemented legislation authorizing the acquisition by an in-state savings

institution of out-of-state savings institutions located in that state, but that would not be applicable to acquisitions in that state by an out-of-state savings institution all of whose savings institution subsidiaries are located in that state; and

4. Except when the additional acquisition is of an in-state savings institution whose stock is held as stock acquired in the course of realizing upon a security interest which secured a debt previously contracted in good faith prior to the original acquisition by the out-of-state savings institution, prohibits additional branching and further acquisitions by an in-state savings institution which is a subsidiary of an out-of-state savings institution unless and until the earlier of:

- a. such time as the Commissioner determines that the state in which the out-of-state savings institution has its main office has enacted and implemented legislation authorizing in-state savings institutions to acquire savings institutions in that state on a reciprocal basis, or
- b. the expiration of a four-year period commencing on the date of acquisition by the out-of-state savings institution.

D. Any in-state savings institution or its parent Oklahoma holding company which becomes a subsidiary of an out-of-state financial institution under the extraordinary acquisition provisions of federal law, or which is otherwise deemed to be controlled by an out-of-state financial institution, may acquire direct or indirect ownership or control of any additional in-state financial institution or its parent Oklahoma holding company, establish additional branches or facilities, or convert the existing controlled in-state savings institution to branches of another in-state savings institution:

1. If the Commissioner has determined that the principal place of business of the out-of-state savings institution has enacted and implemented reciprocal acquisition legislation within the purview of this section; or

2. Upon the expiration of a four-year period commencing on the date of acquisition by the out-of-state savings institution.

E. All limitations and restrictions of this act applicable to in-state savings institutions shall apply to an in-state savings institution which becomes a direct or indirect subsidiary of an out-of-state savings institution and to the out-of-state savings institution. The provisions of this subsection shall not be construed to prohibit the acquisition by an out-of-state savings institution of all or substantially all of the shares of an in-state savings institution organized solely for the purpose of facilitating the acquisition of a savings institution which has been in existence and continuous operation as a savings institution for more than five (5) years, if the acquisition has otherwise been approved pursuant to this subsection. Nor shall the provisions of this subsection be construed to prohibit an out-of-state savings institution which acquires an in-state savings institution under this section from additional acquisitions under this section, if such acquisition would otherwise be permitted.

F. Any out-of-state savings institution which controls an in-state savings institution shall be subject to the laws of this state and the rules of its agencies relating to the acquisition, ownership, and operation of in-state savings institutions. The Commissioner shall make such rules including the imposition of reasonable application and administration fees as it finds necessary to implement the provisions of this act.

G. The Commissioner may enter into cooperative agreements with other regulatory agencies to facilitate the regulation of savings institutions doing business in this state. If such agreements result in the payment of fees, however calculated, by any other regulatory agency to the Oklahoma State Banking Department for examination activities conducted by Department personnel, whether such examination activity is conducted inside or outside this state, such fees shall be deposited in the Bank Examination Revolving Fund established in Section 211.2 of Title 6 of the Oklahoma Statutes. If such agreements result in the payment of fees, however calculated, by the Department to any other bank supervisory agency for examination activities conducted by such other regulatory agency, whether such examination activity is conducted inside or outside this state, such fees shall be paid by the Department from the Bank Examination Revolving Fund established by Section 211.2 of Title 6 of the Oklahoma Statutes. The Commissioner may accept reports of examinations and other records from such other agencies in lieu of the Commissioner conducting examinations of in-state savings institutions controlled by out-of-state savings institutions. The Commissioner may take any action jointly with

other regulatory agencies having concurrent jurisdiction over savings institutions doing business in this state or may take such actions independently in order to carry out its responsibilities.

H. The Commissioner shall have the power to enforce the prohibitions provided for in subsection B of this section by requiring divestiture and through the imposition of fines and penalties, the issuance of cease and desist orders, and such other remedies as are provided by law.

I. Any organization which intentionally and willfully violates any provision of this section, upon conviction, shall be fined not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) for each day during which the violation continues. Any individual who intentionally and willfully participates in a violation of any provision of this section, upon conviction, shall be guilty of a Class D3 felony offense and shall be fined not more than Ten Thousand Dollars (\$10,000.00), or imprisoned ~~not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

J. Any final order of the Commissioner pursuant to this section shall be appealable pursuant to Section 207 of Title 6 of the Oklahoma Statutes.

SECTION 651. AMENDATORY 19 O.S. 2021, Section 28, is amended to read as follows:

Section 28. Any election officer who shall be appointed, or commissioner, under the provisions of this act or the laws of Oklahoma, and who shall knowingly and willfully fail or refuse to perform required duties shall be guilty of a Class D3 felony offense and shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 652. AMENDATORY 19 O.S. 2021, Section 29, is amended to read as follows:

Section 29. Any person or corporation offering money or other thing of value, either directly or indirectly, for the purpose of influencing any voter for or against any proposition in such election shall be guilty of the felony of bribery, a Class D3 felony offense and shall, upon conviction, be punished by imprisonment as

provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 653. AMENDATORY 19 O.S. 2021, Section 92, is amended to read as follows:

Section 92. Any person or corporation offering money or other thing of value, either directly or indirectly, for the purpose of influencing any voter for or against any competing city, town or place in such election shall be guilty of the felony of bribery, a Class D3 felony offense and shall, upon conviction, be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 654. AMENDATORY 19 O.S. 2021, Section 112, is amended to read as follows:

Section 112. Any county treasurer violating any of the provisions of this act shall be guilty of a Class D3 felony offense and upon conviction shall be punished by confinement ~~in the State Penitentiary for a term not less than one (1) year nor more than four (4) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 655. AMENDATORY 19 O.S. 2021, Section 123, is amended to read as follows:

Section 123. It is hereby made unlawful and deemed a Class D3 felony offense for any of the funds of the county to be deposited in any bank in which the county treasurer or any member of the board of county commissioners is the owner of any stock or otherwise directly or indirectly pecuniarily interested. A county treasurer or county commissioner shall be considered to be interested in such bank if any member of his immediate family owns any interest in said depository bank. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 656. AMENDATORY 21 O.S. 2021, Section 187.1, is amended to read as follows:

Section 187.1. A. No person may contribute more than:

1. The limits set forth in the Rules of the Ethics Commission to a political party committee or political action committee;

2. The limits set forth in the Rules of the Ethics Commission to a candidate committee for a candidate for state office; or

3. The limits set forth in the Rules of the Ethics Commission to a campaign committee for a candidate for municipal office or to a campaign committee for a candidate for county office or to a municipal or county political committee.

B. No candidate, candidate committee, or other committee shall knowingly accept contributions in excess of the amounts provided herein.

C. These restrictions shall not apply to a committee supporting or opposing a state question or local question or to a candidate making a contribution of his or her own funds to his or her own campaign.

D. It shall be prohibited for a campaign contribution to be made to a particular candidate or committee through an intermediary or conduit for the purpose of:

1. Evading requirements of effective Rules of the Ethics Commission promulgated pursuant to Article XXIX of the Oklahoma Constitution or laws relating to the reporting of contributions and expenditures; or

2. Exceeding the contribution limitations imposed by subsection A of this section.

Any person making a contribution in violation of this subsection or serving as an intermediary or conduit for such a contribution, upon conviction, shall be subject to the penalties prescribed in subsections E and F of this section.

E. Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed exceeds the contribution limitation specified in subsection A of this section by Five Thousand Dollars (\$5,000.00) or more, upon conviction, shall be guilty of a Class D3 felony offense punishable by a fine of up to four times the amount exceeding the contribution limitation, or by imprisonment in the State Penitentiary for up to

~~one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by both such fine and imprisonment.

F. Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed is less than Five Thousand Dollars (\$5,000.00) in excess of the contribution limitation specified in subsection A of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than three times the amount exceeding the contribution limitation or One Thousand Dollars (\$1,000.00), whichever is greater, or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

G. No lobbyist or lobbyist principal as defined in the Rules of the Ethics Commission shall make or promise to make a contribution to, or solicit or promise to solicit a contribution for a member of the Oklahoma Legislature or a candidate for a state legislative office during any regular legislative session, beginning the first Monday in February, through its adjournment, and for five (5) calendar days following sine die adjournment. A member of the Oklahoma Legislature or a candidate for a state legislative office shall not intentionally solicit or accept a contribution from a lobbyist or lobbyist principal as defined in the Rules of the Ethics Commission during any regular legislative session and for five (5) calendar days after sine die adjournment. For the purposes of this subsection, a candidate shall mean any person who has filed a statement of organization for a state legislative office pursuant to the Rules of the Ethics Commission.

H. Any person who knowingly and willfully violates any provision of subsection G of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

SECTION 657. AMENDATORY 21 O.S. 2021, Section 187.2, is amended to read as follows:

Section 187.2. A. 1. No corporation or labor union may make a contribution to a political party, a political action committee or a candidate committee, and no political party committee, political action committee or candidate committee may accept a contribution from a corporation or labor union, except as permitted by law or the Rules of the Ethics Commission.

2. No limited liability company that has one or more incorporated members may make a contribution to a political party committee, a political action committee or a candidate committee, except as permitted by law or the Rules of the Ethics Commission.

3. No partnership that has one or more incorporated partners may make a contribution to a political party committee, a political action committee or a candidate committee, except as permitted by law or the Rules of the Ethics Commission.

B. No candidate, candidate committee, political party committee, political action committee or other committee shall knowingly accept contributions given in violation of the provisions of subsection A of this section.

C. The provisions of this section shall not apply to a bank, savings and loan association or credit union loaning money to a candidate in connection with his or her own campaign which is to be repaid with interest at a rate comparable to that of loans for equivalent amounts for other purposes.

D. Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed exceeds Five Thousand Dollars (\$5,000.00), upon conviction, shall be guilty of a Class D3 felony offense punishable by a fine of up to four times the amount of the prohibited contribution, or by imprisonment in the State Penitentiary for up to one (1) year as provided for in subsections B through F of Section 20P of this title, or by both such fine and imprisonment.

E. Any person who knowingly and willfully violates any provision of this section where the aggregate amount contributed is Five Thousand Dollars (\$5,000.00) or less, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than three times the amount of the prohibited contribution or One Thousand Dollars (\$1,000.00), whichever is greater, or by imprisonment in the county jail for up to one (1) year, or by both such fine and imprisonment.

SECTION 658. AMENDATORY 21 O.S. 2021, Section 275, is amended to read as follows:

Section 275. Any public officer who, for any gratuity or reward, appoints another person to a public office, or permits another person to exercise, perform or discharge any of the

prerogatives or duties of his office, shall be guilty of a Class D3 felony offense punishable by imprisonment in the county jail not less than six (6) months nor more than two (2) years as provided for in subsections B through F of Section 20P of this title, and by a fine of not less than Two Hundred Dollars (\$200.00) or more than One Thousand Dollars (\$1,000.00); and in addition thereto the public officer forfeits office.

SECTION 659. AMENDATORY 21 O.S. 2021, Section 306, is amended to read as follows:

Section 306. Any person who fraudulently alters the draft of any bill or resolution which has been presented to either of the houses composing the Legislature, to be passed or adopted, with intent to procure it to be passed or adopted by either house, or certified by the presiding officer of either house, in language different from that intended by such house, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished as provided for in subsections B through F of Section 20P of this title.

SECTION 660. AMENDATORY 21 O.S. 2021, Section 307, is amended to read as follows:

Section 307. Any person who fraudulently alters the engrossed copy or enrollment of any bill which has been passed by the Legislature, with intent to procure it to be approved by the Governor or certified by the Secretary of State, or printed or published by the printer of the statutes in language different from that in which it was passed by the Legislature, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 661. AMENDATORY 21 O.S. 2021, Section 360, is amended to read as follows:

Section 360. No public employee or public official, as defined in Section 304 of Title 51 of the Oklahoma Statutes, shall directly or indirectly coerce, attempt to coerce, command, advise or direct any state employee to pay, lend or contribute any part of his or her salary or compensation, time, effort or anything else of value to any party, committee, organization, agency or person for political purposes. No public employee or official shall retaliate against any employee for exercising his or her rights or for not

participating in permitted political activities as provided in Ethics Commission Rule 10-1-4. Any person convicted of willfully violating the provisions of this section shall be guilty of a Class D3 felony offense and shall be punished by the imposition of a fine of not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~for not longer than two (2) years~~ as provided for in subsections B through F of Section 20P of this title, or by both said fine and imprisonment.

SECTION 662. AMENDATORY 21 O.S. 2021, Section 372, is amended to read as follows:

Section 372. A. Any person who shall contemptuously or maliciously tear down, burn, trample upon, mutilate, deface, defile, defy, treat with indignity, wantonly destroy, or cast contempt, either by word or act, upon any flag, standard, colors or ensign of the United States of America, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

B. The word "defile" as used in this section shall include public conduct which brings shame or disgrace upon any flag of the United States by its use for unpatriotic or profane purpose.

C. The terms "flag", "standard", "colors", or "ensign" of the United States as used in this section shall include any picture, representation or part thereof which an average person would believe, upon seeing and without deliberation, to represent the flag, standard, colors or ensign of the United States of America.

SECTION 663. AMENDATORY 21 O.S. 2021, Section 384, is amended to read as follows:

Section 384. Any juror, referee, arbitrator, umpire or assessor, and every person authorized by law to hear or determine any question or controversy, who asks, receives, or agrees to receive, any bribe upon any agreement or understanding that his vote, opinion or decision upon any matter or question which is or may be brought before him for decision, shall be thereby influenced, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 664. AMENDATORY 21 O.S. 2021, Section 400, is amended to read as follows:

Section 400. Every player, participant, coach, umpire, referee or other person having or exercising authority in connection with the conducting of any amateur or professional athletic contest, who corruptly accepts or requests a gift or gratuity or a promise of any such gift or gratuity, or any other thing of value, or the performance of an act beneficial to any such person in consideration of such person performing any act or making any judgment or decision, or in consideration of such person playing or making decisions or judgments or conducting such athletic contest, in a manner intended or calculated to affect or change the result of such athletic contest, or in consideration of such person failing to participate or engage in any such contest, shall be deemed guilty of a Class D3 felony offense and upon conviction shall be punished by ~~imprisonment in the State Penitentiary for not to exceed one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by a fine of not to exceed Three Thousand Dollars (\$3,000.00) ~~or imprisonment in the county jail for not to exceed one (1) year,~~ or by both such fine and imprisonment.

SECTION 665. AMENDATORY 21 O.S. 2021, Section 451, is amended to read as follows:

Section 451. Any person who, upon any trial, proceedings, inquiry or investigation whatever, authorized by law, offers in evidence, as genuine, any book, paper, document, record, or other instrument in writing, knowing the same to have been forged, or fraudulently altered, shall, upon conviction, be guilty of a Class D3 felony offense and ~~shall be punished in the same manner as the forging or false alteration of such instrument is made punishable by the provisions of this title~~ by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 666. AMENDATORY 21 O.S. 2021, Section 567A, is amended to read as follows:

Section 567A. A. Any parent or other person who violates an order of any court of this state granting the custody of a child under the age of eighteen (18) years to any person, agency, institution, or other facility, with the intent to deprive the lawful custodian of the custody of the child, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F

of Section 20P of this title. The fine for a violation of this subsection shall not exceed Five Thousand Dollars (\$5,000.00).

B. The offender shall have an affirmative defense if the offender reasonably believes that the act was necessary to preserve the child from physical, mental, or emotional danger to the child's welfare and the offender notifies the local law enforcement agency nearest to the location where the custodian of the child resides.

C. If a child is removed from the custody of the child's lawful custodian pursuant to the provisions of this section any law enforcement officer may take the child into custody without a court order and, unless there is a specific court order directing a law enforcement officer to take the child into custody and release or return the child to a lawful custodian, the child shall be held in emergency or protective custody pursuant to the provisions of Section 1-4-201 of Title 10A of the Oklahoma Statutes.

SECTION 667. AMENDATORY 21 O.S. 2021, Section 589, is amended to read as follows:

Section 589. A. It shall be unlawful to willfully, knowingly and without probable cause make a false report to any person of any crime or circumstances indicating the possibility of crime having been committed, including the unlawful taking of personal property, which report causes or encourages the exercise of police action or investigation. Any person convicted of violating the provisions of this subsection shall be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than ninety (90) days or by a fine of not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

B. It shall be unlawful to willfully, knowingly, and without probable cause communicate false information concerning a missing child to a law enforcement agency that causes or encourages the activation of an AMBER alert warning system. Any person convicted of violating the provisions of this subsection shall be guilty of a Class D3 felony offense punishable by imprisonment in the county jail for not more than one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine of not less than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

SECTION 668. AMENDATORY 21 O.S. 2021, Section 590, is amended to read as follows:

Section 590. A. Every state governmental entity shall, for a period of two (2) years, maintain accurate and complete records, as defined in Section 203 of Title 67 of the Oklahoma Statutes, reflecting all financial and business transactions, which records shall include support documentation for each transaction. No such records shall be disposed of for three (3) years thereafter, except upon a unanimous vote of the members of the Archives and Records Commission pursuant to Section 306 of Title 67 of the Oklahoma Statutes, or upon a majority vote of the members of the Commission for records more than five (5) years old. The disposition of such records shall be in accordance with the provisions of Sections 305 through 317 of Title 67 of the Oklahoma Statutes, provided all state or federal audits have been completed, unless such audits request such records to be maintained for some given period of time.

B. Any person who willfully violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary for a period of not more than three (3) years as provided for in subsections B through F of Section 20P of this title, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Any person convicted of any such violation who holds any elective or appointive public office shall also be subject to immediate removal from office.

SECTION 669. AMENDATORY 21 O.S. 2021, Section 815, is amended to read as follows:

Section 815. Every person who willfully aids another in attempting to take his own life, in any manner which by the preceding sections would have amounted to aiding suicide if the person assisted had actually taken his own life, is, upon conviction, guilty of aiding an attempt at suicide, a Class D3 felony offense.

SECTION 670. AMENDATORY 21 O.S. 2021, Section 818, is amended to read as follows:

Section 818. Every person guilty of aiding an attempt at suicide shall be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary not exceeding two (2) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

SECTION 671. AMENDATORY 21 O.S. 2021, Section 950, is amended to read as follows:

Section 950. Any state, county, city, or township officer, or other person who shall hold for, receive or collect any money, or other valuable consideration, either for his own or the public use, for and with the understanding that he will aid, exempt or otherwise assist said person from arrest or conviction for a violation of any of the provisions of this article, or who shall issue, deliver or cause to be delivered to any person or persons, any license, permit, or other privileges, giving or pretending to give, any authority or right to any person or persons, to carry on, conduct, open or cause to be opened, any game or games which are forbidden or prohibited by any of the provisions of Sections 941 through 953 of this title shall, upon conviction, be deemed guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 672. AMENDATORY 21 O.S. 2021, Section 1053, is amended to read as follows:

Section 1053. Any person who contrives, prepares, sets up, proposes or draws any lottery shall be guilty of a Class D3 felony offense punishable by a fine equal to double the amount of the whole sum or value for which such lottery was made, and, if such amount cannot be ascertained, then, by imprisonment in the State Penitentiary not exceeding two (2) years or by imprisonment in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine of Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment.

SECTION 673. AMENDATORY 21 O.S. 2021, Section 1066, is amended to read as follows:

Section 1066. Every person who sets up, promotes or engages in any plan by which goods or anything of value is sold to a person, firm or corporation for a consideration and upon the further consideration that the purchaser agrees to secure one or more persons to participate in the plan by respectively making a similar purchase or purchases and in turn agreeing to secure one or more persons likewise to join in said plan, each purchaser being given the right to secure money, credits, goods or something of value, depending upon the number of persons joining in the plan, shall be held to have set up and promoted a lottery, which shall be deemed a

Class D3 felony offense, and shall be punished as provided in Section 1068 of this title.

SECTION 674. AMENDATORY 21 O.S. 2021, Section 1068, is amended to read as follows:

Section 1068. Any person violating the provisions of Section 1066 or 1067 of this title shall, upon conviction thereof, be guilty of a Class D3 felony offense and be punished by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~for a term not exceeding two (2) years in the State Penitentiary as provided for in subsections B through F of Section 20P of this title~~, or by both such fine and imprisonment.

SECTION 675. AMENDATORY 21 O.S. 2021, Section 1092, is amended to read as follows:

Section 1092. Any pawnbroker or person carrying on the business of a pawnbroker, and every junk dealer, who having received any goods which have been embezzled or stolen, refuses or omits to exhibit them, upon demand, during the usual business hours, to the owner of said goods or his agent authorized to demand an inspection thereof, or any peace officer, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 676. AMENDATORY 21 O.S. 2021, Section 1163, is amended to read as follows:

Section 1163. Any person who opens any grave or any place of burial, temporary or otherwise, or who breaks open any building wherein any dead body of a human being is deposited while awaiting burial, with intent either:

1. To remove any dead body of a human being for the purpose of selling the same, or for the purpose of dissection; or

2. To steal the coffin, or any part thereof or anything attached thereto, or connected therewith, or the vestments or other articles buried with the same,

shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding~~

~~two (2) years, or in a county jail not exceeding six (6) months as provided for in subsections B through F of Section 20P of this title, or by a fine not exceeding Two Hundred Fifty Dollars (\$250.00), or by both such fine and imprisonment.~~

SECTION 677. AMENDATORY 21 O.S. 2021, Section 1168.1, is amended to read as follows:

Section 1168.1. Anyone who knowingly buys, sells or barter~~s~~ for profit human skeletal remains or associated burial furniture, previously buried within this state, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 678. AMENDATORY 21 O.S. 2021, Section 1168.4, is amended to read as follows:

Section 1168.4. A. All persons who encounter or discover human skeletal remains or what they believe may be human skeletal remains or burial furniture thought to be associated with human burials in or on the ground shall immediately cease any activity which may cause further disturbance and shall report the presence and location of such human skeletal remains to an appropriate law enforcement officer.

B. Any person who willfully fails to report the presence or discovery of human skeletal remains or what they believe may be human skeletal remains within forty-eight (48) hours to an appropriate law enforcement officer in the county in which the remains are found shall be guilty of a misdemeanor.

C. Any person who knowingly disturbs human skeletal remains or burial furniture other than a law enforcement officer, registered mortician, a representative of the Office of the Chief Medical Examiner, a professional archaeologist or physical anthropologist, or other officials designated by law in performance of official duties, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

D. Anyone other than a law enforcement officer, registered mortician, a representative of the Office of the Chief Medical Examiner, a professional archaeologist or physical anthropologist, or other officials designated by law in performance of official

duties, who disturbs or permits disturbance of a burial ground with the intent to obtain human skeletal remains or burial furniture shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

E. The law enforcement officer, if there is a reason to believe that the skeletal remains may be human, shall promptly notify the landowner and the Chief Medical Examiner. If remains reported under this act are not associated with or suspected of association with any crime, the State Archaeologist and the State Historic Preservation Officer shall be notified within fifteen (15) days. If review by the State Archaeologist and the State Historic Preservation Officer of the human skeletal remains and any burial furniture demonstrates or suggests a direct historical relationship to a tribal group, then the State Archaeologist shall:

1. Notify the State Historic Preservation Officer; and

2. Consult with the tribal leader, designated by the Oklahoma Indian Affairs Commission, within fifteen (15) days regarding any proposed treatment or scientific studies and final disposition of the materials.

SECTION 679. AMENDATORY 21 O.S. 2021, Section 1168.6, is amended to read as follows:

Section 1168.6. A. Any person convicted of a misdemeanor pursuant to the provisions of Sections 1168 through 1168.5 of this title shall be punishable by a fine not exceeding Five Hundred Dollars (\$500.00), by imprisonment in the county jail not exceeding six (6) months, or by both such fine and imprisonment.

B. Any person convicted of a felony pursuant to the provisions of Sections 1168 through 1168.5 of this title shall be guilty of a Class D3 felony offense punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary not exceeding two (2) years as provided for in subsections B through F of Section 20P of this title, or by both such fine and imprisonment.

SECTION 680. AMENDATORY 21 O.S. 2021, Section 1174, is amended to read as follows:

Section 1174. It shall be unlawful for any person or persons, with the intent of intimidating any person or group of persons, to burn, or cause to be burned, a cross on the property of another, a highway or other public place. Any person who shall violate any provision of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 681. AMENDATORY 21 O.S. 2021, Section 1214, is amended to read as follows:

Section 1214. It shall be unlawful for any person to operate a mobile radio capable of receiving transmissions made by any law enforcement agency for illegal purposes or while in the commission of a crime and not otherwise, and any person violating the provisions hereof shall be guilty of a Class D3 felony offense and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for not more than three (3) years as provided for in subsections B through F of Section 20P of this title, or fined by not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

SECTION 682. AMENDATORY 21 O.S. 2021, Section 1267.1, is amended to read as follows:

Section 1267.1. Any person organizing or assisting to organize any group, company, assembly of persons, or association with the intent of advocating or encouraging the overthrow of the United States or state governments, or of acting to overthrow such governments, by force or violence, or who is or becomes a member or affiliate of any such organization knowing its purposes shall, upon conviction thereof, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 683. AMENDATORY 21 O.S. 2021, Section 1282, is amended to read as follows:

Section 1282.

FELONY USE OF A SLUNG SHOT

Any person who carries upon his person, whether concealed or not, or uses or attempts to use against another, any instrument or

weapon of the kind usually known as slung shot, or of any similar kind, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 684. AMENDATORY 21 O.S. 2021, Section 1442, is amended to read as follows:

Section 1442. Any person who has been previously convicted of the crime of burglary who has in his possession, custody or concealed about his person, or transports or causes to be transported, any combination of three (3) or more of the following tools: Sledge hammer, pry bar, punches, chisel, bolt cutters, with the intent to use or employ, or allow the same to be used or employed, in the commission of a crime, or knowing that the tools are to be used in the commission of a crime, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 685. AMENDATORY 21 O.S. 2021, Section 1503, is amended to read as follows:

Section 1503. Any person who shall obtain food, lodging, services or other accommodations at any hotel, inn, restaurant, boarding house, rooming house, motel or auto camp, with intent to defraud the owner or keeper thereof, if the value of such food, lodging, services or other accommodations is less than One Thousand Dollars (\$1,000.00), shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding Five Hundred Dollars (\$500.00), or be imprisoned in the county jail not exceeding three (3) months, or punished by both such fine and imprisonment, and if the value of such food, lodging, services or accommodations is valued at One Thousand Dollars (\$1,000.00) or more, any person convicted hereunder shall be deemed guilty of a Class D3 felony offense and shall be punished by imprisonment in the State Penitentiary for a term not exceeding five (5) years as provided for in subsections B through F of Section 20P of this title. Any person who shall obtain shelter, lodging, or any other services at any apartment house, apartment, rental unit, rental house, or trailer camp, with intent to defraud the owner or keeper thereof, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding One Hundred Dollars (\$100.00), or be imprisoned in the county jail not exceeding three (3) months, or be punished by both fine and imprisonment. Proof that such lodging, food, services or

other accommodations were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property, or that he gave a check on which payment was refused, or that he left the hotel, inn, restaurant, boarding house, rooming house, motel, apartment house, apartment, rental unit or rental house, trailer camp or auto camp, without payment or offering to pay for such food, lodging, services or other accommodation, or that he surreptitiously removed or attempted to remove his baggage, or that he registered under a fictitious name, shall be prima facie proof of the intent to defraud mentioned in this section; but this section shall not apply where there has been an agreement in writing for delay in payment.

SECTION 686. AMENDATORY 21 O.S. 2021, Section 1506, is amended to read as follows:

Section 1506. Any person who obtains any money or property from another, or obtains the signature of another to any written instrument, the false making of which would be forgery, by means of any false or fraudulent sale of property or pretended property by auction, or by any of the practices known as mock auctions, shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary not exceeding three (3) years or in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20P of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment; and, in addition, the person forfeits any license he may hold to act as an auctioneer, and is forever disqualified from receiving a license to act as auctioneer within this state.

SECTION 687. AMENDATORY 21 O.S. 2021, Section 1542, is amended to read as follows:

Section 1542. A. Every person who, with intent to cheat or defraud another, designedly, by color or aid of any false token or writing, or other false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money or property is, upon conviction, guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding three (3) years or in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20P of this title if the value is One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding three times the value of the money or property so obtained, or by both such fine and imprisonment. If the value is less than One

Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding three times the value of the money or property so obtained, or by both such fine and imprisonment.

B. Every person who, with intent to cheat or defraud another, possesses, uses, utters, transfers, makes, manufactures, counterfeits, or reproduces a retail sales receipt or a Universal Price Code Label is, upon conviction, guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding three (3) years or in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20P of this title if the value is One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding three times the value represented on the retail sales receipt or the Universal Price Code Label, or by both such fine and imprisonment. If the value is less than One Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding three times the value represented on the retail sales receipt or the Universal Price Code Label, or by both such fine and imprisonment. For purposes of this subsection, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime.

SECTION 688. AMENDATORY 21 O.S. 2021, Section 1543, is amended to read as follows:

Section 1543. Any person who designedly, by color or aid of any false token or writing, or other false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money or property for any alleged charitable or benevolent purpose whatever, shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary not exceeding three (3) years or in a county jail not exceeding one (1) year as provided for in subsections B through F of

Section 20P of this title, or by a fine not exceeding the value of the money or property so obtained, or by both such fine and imprisonment.

SECTION 689. AMENDATORY 21 O.S. 2021, Section 1550.32, is amended to read as follows:

Section 1550.32. A person who receives money, goods, services or anything else of value obtained in violation of Section 1550.29 of this title, ~~with the knowledge or belief that it was so obtained,~~ is, upon conviction, guilty of a Class D3 felony offense and is subject to the penalties set forth in subsection C of Section 1550.33 of this title.

SECTION 690. AMENDATORY 21 O.S. 2021, Section 1662, is amended to read as follows:

Section 1662. Any person who presents or causes to be presented any false or fraudulent claim, or any proof in support of any such claim, upon any contract of insurance, for the payment of any loss, or who prepares, makes or subscribes any account, certificate, survey affidavit, proof of loss, or other book, paper or writing, with intent to present or use the same, or to allow it to be presented or used in support of any such claim, ~~shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary not exceeding three (3) years as provided for in subsections B through F of Section 20P of this title,~~ shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary not exceeding three (3) years as provided for in subsections B through F of Section 20P of this title, or by a fine not exceeding twice the amount of the aggregated loss sum, or both.

SECTION 691. AMENDATORY 21 O.S. 2021, Section 1753, is amended to read as follows:

Section 1753. Any person who maliciously digs up, removes, displaces, breaks, or otherwise injures or destroys any public highway or bridge, or any private way laid out by authority of law, or bridge upon such way, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 692. AMENDATORY 21 O.S. 2021, Section 1753.8, is amended to read as follows:

Section 1753.8. A. Any person who defaces, steals or possesses any road sign or marker posted by any city, state or county shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Hundred Dollars (\$100.00), or restitution which shall be paid to the city, state or county, or by not more than twenty (20) days of community service, or by imprisonment in the county jail for a term of not more than thirty (30) days, or by such fine, imprisonment, community service, or restitution, as the Court may order.

B. If a violation of subsection A of this section results in personal injury to or death of any person, the person committing the violation shall, upon conviction, be guilty of a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years as provided for in subsections B through F of Section 20P of this title~~, or by a fine of not more than One Thousand Dollars (\$1,000.00). In addition, the person may be ordered to pay restitution, which shall be paid to the city, state or county, or to perform not less than forty (40) days of community service, or to such combination of fine, imprisonment, community service, and/or restitution, as the Court may order.

SECTION 693. AMENDATORY 21 O.S. 2021, Section 1755, is amended to read as follows:

Section 1755. Any person who maliciously injures or destroys any toll house or turnpike gate shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 694. AMENDATORY 21 O.S. 2021, Section 1760, is amended to read as follows:

Section 1760. A. Every person who maliciously injures, defaces or destroys any real or personal property not his or her own, in cases other than such as are specified in Section 1761 et seq. of this title, is guilty of:

1. A misdemeanor, if the damage, defacement or destruction causes a loss which has an aggregate value of less than One Thousand Dollars (\$1,000.00);

2. A Class D3 felony offense, if the damage, defacement or destruction causes a loss which has an aggregate value of One

Thousand Dollars (\$1,000.00) or more, punishable by imprisonment as provided for in subsections B through F of Section 20P of this title; or

3. A Class D3 felony offense, if the defendant has two or more prior convictions for an offense under this section, notwithstanding the value of loss caused by the damage, defacement or destruction.

B. In addition to any other punishment prescribed by law for violations of subsection A of this section, he or she is liable in treble damages for the injury done, to be recovered in a civil action by the owner of such property or public officer having charge thereof.

SECTION 695. AMENDATORY 21 O.S. 2021, Section 1765, is amended to read as follows:

Section 1765. Any person who willfully breaks, defaces, or otherwise injures any house of worship, or any part thereof, or any appurtenance thereto, or any book, furniture, ornament, musical instrument, article of silver or plated ware, or other chattel kept therein for use in connection with religious worship, shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 696. AMENDATORY 21 O.S. 2021, Section 1785, is amended to read as follows:

Section 1785. Any person who maliciously cuts, tears, disfigures, soils, obliterates, breaks or destroys any book, map, chart, picture, engraving, statue, coin, model, apparatus, specimen or other work of literature or art, or object of curiosity deposited in any public library, gallery, museum, collection, fair or exhibition, shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary for not exceeding three (3) years, or in a county jail not exceeding one (1) year as provided for in subsections B through F of Section 20P of this title.

SECTION 697. AMENDATORY 21 O.S. 2021, Section 1786, is amended to read as follows:

Section 1786. Any person who willfully breaks, digs up or obstructs any pipes or mains for conducting gas or water, or any

works erected for supplying buildings with gas or water, or any appurtenances or appendages therewith connected, or injures, cuts, breaks down or destroys any electric light wires, poles or appurtenances, or any telephone or telegraph wires, cable or appurtenances, shall, upon conviction, be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary not exceeding three (3) years, or in the county jail not exceeding one (1) year, and by a fine of not more than Five Hundred Dollars (\$500.00).

SECTION 698. AMENDATORY 21 O.S. 2021, Section 1791, is amended to read as follows:

Section 1791. A. Any person who, without good cause, maliciously and knowingly cuts or damages a fence used for the production or containment of cattle, bison, horses, sheep, swine, goats, domestic fowl, exotic livestock, exotic poultry or any game animals or domesticated game such that there is a loss or damage to the property is guilty of a misdemeanor. Any person convicted of a second or subsequent offense pursuant to this section shall be guilty of a Class D3 felony offense punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment ~~in the custody of the Department of Corrections not exceeding two (2) years~~ as provided for in subsections B through F of Section 20P of this title, or by both such fine and imprisonment.

B. The provisions of subsection A of this section shall not apply to any activities:

1. Performed pursuant to the Seismic Exploration Regulation Act;

2. Performed pursuant to Sections 318.2 through 318.9 of Title 52 of the Oklahoma Statutes; or

3. That are subject to the regulation of the Oklahoma Corporation Commission or the Federal Energy Regulatory Commission.

SECTION 699. AMENDATORY 21 O.S. 2021, Section 1792, is amended to read as follows:

Section 1792. A. Any person who shall willfully trespass or enter property containing a critical infrastructure facility without permission by the owner of the property or lawful occupant thereof shall, upon conviction, be guilty of a misdemeanor punishable by a

fine of not less than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of six (6) months, or by both such fine and imprisonment. If it is determined the intent of the trespasser is to willfully damage, destroy, vandalize, deface, tamper with equipment, or impede or inhibit operations of the facility, the person shall, upon conviction, be guilty of a Class D3 felony offense punishable by a fine of not less than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the custody of the Department of Corrections for a term of one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by both such fine and imprisonment.

B. Any person who shall willfully damage, destroy, vandalize, deface or tamper with equipment in a critical infrastructure facility shall, upon conviction, be guilty of a Class D3 felony offense punishable by a fine of One Hundred Thousand Dollars (\$100,000.00), or by imprisonment in the custody of the Department of Corrections for a term of not more than ten (10) years, or by both such fine and imprisonment.

C. If an organization is found to be a conspirator with persons who are found to have committed any of the crimes described in subsection A or B of this section, the conspiring organization shall be punished by a fine that is ten times the amount of said fine authorized by the appropriate provision of this section.

D. As used in this section, "critical infrastructure facility" means:

1. One of the following, if completely enclosed by a fence or other physical barrier that is obviously designed to exclude intruders, or if clearly marked with a sign or signs that are posted on the property that are reasonably likely to come to the attention of intruders and indicate that entry is forbidden without site authorization:

- a. a petroleum or alumina refinery,
- b. an electrical power generating facility, substation, switching station, electrical control center or electric power lines and associated equipment infrastructure,
- c. a chemical, polymer or rubber manufacturing facility,

- d. a water intake structure, water treatment facility, wastewater treatment plant or pump station,
- e. a natural gas compressor station,
- f. a liquid natural gas terminal or storage facility,
- g. a telecommunications central switching office,
- h. wireless telecommunications infrastructure, including cell towers, telephone poles and lines, including fiber optic lines,
- i. a port, railroad switching yard, railroad tracks, trucking terminal or other freight transportation facility,
- j. a gas processing plant, including a plant used in the processing, treatment or fractionation of natural gas or natural gas liquids,
- k. a transmission facility used by a federally licensed radio or television station,
- l. a steelmaking facility that uses an electric arc furnace to make steel,
- m. a facility identified and regulated by the United States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS) program,
- n. a dam that is regulated by the state or federal government,
- o. a natural gas distribution utility facility including, but not limited to, pipeline interconnections, a city gate or town border station, metering station, aboveground piping, a regulator station and a natural gas storage facility, or
- p. a crude oil or refined products storage and distribution facility including, but not limited to, valve sites, pipeline interconnections, pump station, metering station, below or aboveground pipeline or piping and truck loading or offloading facility; or

2. Any aboveground portion of an oil, gas, hazardous liquid or chemical pipeline, tank, railroad facility or other storage facility that is enclosed by a fence, other physical barrier or is clearly marked with signs prohibiting trespassing, that are obviously designed to exclude intruders.

SECTION 700. AMENDATORY 21 O.S. 2021, Section 1834, is amended to read as follows:

Section 1834. Any mortgagor, conditional sales contract vendee, pledgor or debtor under a security agreement of personal property, or his or her legal representative, who, while such mortgage, security agreement or conditional sales contract remains in force and unsatisfied, conceals, sells or in any manner disposes of such property, or any part thereof, or removes such property, or any part thereof, beyond the limits of the county, or materially injures or willfully destroys such property, or any part thereof, without the written consent of the holder of such mortgage or conditional sales contract, secured party or pledgee under a security agreement shall, upon conviction, be guilty of a Class D3 felony offense if the value of the property is One Thousand Dollars (\$1,000.00) or more and shall be punished by imprisonment ~~in the custody of the Department of Corrections for a period not exceeding three (3) years or in the county jail not exceeding one (1) year~~ as provided for in subsections B through F of Section 20P of this title, or by a fine of not to exceed Five Hundred Dollars (\$500.00). If the value of the property is less than One Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00). Provided, however, the writing containing the consent of the holder of the mortgage or conditional sales contract, secured party or pledgee under a security agreement, as before specified, shall be the only competent evidence of such consent, unless it appears that such writing has been lost or destroyed.

SECTION 701. AMENDATORY 21 O.S. 2021, Section 1861, is amended to read as follows:

Section 1861. A. The name and organizational or business affiliation of every person who by telephone engages in the solicitation or sale of any item, tangible or intangible, shall, by such person, be given to the person answering such telephone call. Such information shall be given immediately and prior to any

solicitation or sales presentation. The telephone number of the person placing the call must be given upon request of the party being called. The person in whose name the telephone is registered is responsible for his agents and employees conforming with the provisions of this section. This section does not apply to calls between persons known to each other and to religious groups, or nonprofit organizations within their own membership, and political activities.

B. No person may solicit contributions by telephone for a charitable nonprofit organization unless that organization has complied with the provisions of the Oklahoma Solicitation of Charitable Contributions Act, Sections 552.1 et seq. of Title 18 of the Oklahoma Statutes. Such person may charge a reasonable fee for his services, which shall not exceed ten percent (10%) of the net receipts of the solicitation; provided, however, that in the event the fee charged is based upon a predetermined flat fee, then this provision shall not apply. Provided, further, that all sums shall be paid directly to the nonprofit organization.

C. Violation of this section by a person, business or organization shall constitute a misdemeanor. A third and subsequent conviction under this section shall constitute a Class D3 felony offense punishable by imprisonment as provided for in subsections B through F of Section 20P of this title.

SECTION 702. AMENDATORY 21 O.S. 2021, Section 1871, is amended to read as follows:

Section 1871. A. Any person who uses a telecommunication device with the intent to avoid the payment of any lawful charge for telecommunication service or with the knowledge that it was to avoid the payment of any lawful charge for telecommunication service and the value of the telecommunication service is not more than One Thousand Dollars (\$1,000.00) or such value cannot be ascertained shall, upon conviction, be guilty of a misdemeanor.

B. Any person who uses a telecommunication device with the intent to avoid the payment of any lawful charge for telecommunication service or with the knowledge that it was to avoid the payment of any lawful charge for telecommunication service and the value of the telecommunication service exceeds One Thousand Dollars (\$1,000.00) shall, upon conviction, be guilty of a ~~Schedule G Class D3 felony, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before~~

~~the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title.~~

C. If the cloned cellular telephone used in violation of this section was used to facilitate the commission of a felony the person, upon conviction, shall be guilty of a ~~Schedule F Class D3~~ felony, ~~if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title.~~

D. Any person who has been convicted previously of an offense under this section shall be guilty of a Schedule E felony upon a second and any subsequent conviction, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed five (5) years.

SECTION 703. AMENDATORY 21 O.S. 2021, Section 1872, is amended to read as follows:

Section 1872. A. Any person who knowingly possesses an unlawful telecommunication device shall, upon conviction, be guilty of a misdemeanor.

B. Any person who knowingly possesses five or more unlawful telecommunication devices at the same time shall, upon conviction, be guilty of a ~~Schedule F Class D3~~ felony, ~~if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title.~~

C. Any person who:

1. Knowingly possesses an instrument capable of intercepting electronic serial number and mobile identification number combinations under circumstances evidencing an intent to clone; or

2. Knowingly possesses cloning paraphernalia under circumstances evidencing an intent to clone,

shall, upon conviction, be guilty of a ~~schedule F Class D3 felony, if the offense occurs on or after the effective date of Section 20.1 of this title. If the offense occurs before the effective date of Section 20.1 of this title, the crime shall be punishable by incarceration in the custody of the Department of Corrections for a term not to exceed two (2) years as provided for in subsections B through F of Section 20P of this title.~~

SECTION 704. AMENDATORY 22 O.S. 2021, Section 60.4, as amended by Section 7, Chapter 318, O.S.L. 2022 (22 O.S. Supp. 2024, Section 60.4), is amended to read as follows:

Section 60.4. A. 1. A copy of a petition for a protective order, any notice of hearing and a copy of any emergency temporary order or emergency ex parte order issued by the court shall be served upon the defendant in the same manner as a bench warrant. In addition, if the service is to be in another county, the court clerk may issue service to the sheriff by facsimile or other electronic transmission for service by the sheriff and receive the return of service from the sheriff in the same manner. Any fee for service of a petition for protective order, notice of hearing, and emergency ex parte order shall only be charged pursuant to subsection C of Section 60.2 of this title and, if charged, shall be the same as the sheriff's service fee plus mileage expenses.

2. Emergency temporary orders, emergency ex parte orders and notice of hearings shall be given priority for service and can be served twenty-four (24) hours a day when the location of the defendant is known. When service cannot be made upon the defendant by the sheriff, the sheriff may contact another law enforcement officer or a private investigator or private process server to serve the defendant.

3. An emergency temporary order, emergency ex parte order, a petition for protective order, and a notice of hearing shall have statewide validity and may be transferred to any law enforcement jurisdiction to effect service upon the defendant. The sheriff may transmit the document by electronic means.

4. The return of service shall be submitted to the sheriff's office or court clerk in the court where the petition, notice of hearing or order was issued.

5. When the defendant is a minor child who is ordered removed from the residence of the victim, in addition to those documents served upon the defendant, a copy of the petition, notice of hearing and a copy of any temporary order or ex parte order issued by the court shall be delivered with the child to the caretaker of the place where such child is taken pursuant to Section 2-2-101 of Title 10A of the Oklahoma Statutes.

B. 1. Within fourteen (14) days of the filing of the petition for a protective order, the court shall schedule a full hearing on the petition, if the court finds sufficient grounds within the scope of the Protection from Domestic Abuse Act stated in the petition to hold such a hearing, regardless of whether an emergency temporary order or ex parte order has been previously issued, requested or denied. Provided, however, when the defendant is a minor child who has been removed from the residence pursuant to Section 2-2-101 of Title 10A of the Oklahoma Statutes, the court shall schedule a full hearing on the petition within seventy-two (72) hours, regardless of whether an emergency temporary order or ex parte order has been previously issued, requested or denied.

2. The court may schedule a full hearing on the petition for a protective order within seventy-two (72) hours when the court issues an emergency temporary order or ex parte order suspending child visitation rights due to physical violence or threat of abuse.

3. If service has not been made on the defendant at the time of the hearing, the court shall, at the request of the petitioner, issue a new emergency order reflecting a new hearing date and direct service to issue.

4. A petition for a protective order shall, upon the request of the petitioner, renew every fourteen (14) days with a new hearing date assigned until the defendant is served. A petition for a protective order shall not expire unless the petitioner fails to appear at the hearing or fails to request a new order. A petitioner may move to dismiss the petition and emergency or final order at any time; however, a protective order must be dismissed by court order.

5. Failure to serve the defendant shall not be grounds for dismissal of a petition or an ex parte order unless the victim requests dismissal or fails to appear for the hearing thereon.

6. A final protective order shall be granted or denied within six (6) months of service on the defendant unless all parties agree that a temporary protective order remain in effect; provided, a victim shall have the right to request a final protective order hearing at any time after the passage of six (6) months.

C. 1. At the hearing, the court may impose any terms and conditions in the protective order that the court reasonably believes are necessary to bring about the cessation of domestic abuse against the victim or stalking or harassment of the victim or the immediate family of the victim but shall not impose any term and condition that may compromise the safety of the victim including, but not limited to, mediation, couples counseling, family counseling, parenting classes or joint victim-offender counseling sessions. The court may order the defendant to obtain domestic abuse counseling or treatment in a program certified by the Attorney General at the expense of the defendant pursuant to Section 644 of Title 21 of the Oklahoma Statutes.

2. If the court grants a protective order and the defendant is a minor child, the court shall order a preliminary inquiry in a juvenile proceeding to determine whether further court action pursuant to the Oklahoma Juvenile Code should be taken against a juvenile defendant.

D. Final protective orders authorized by this section shall be on a standard form developed by the Administrative Office of the Courts.

E. 1. After notice and hearing, protective orders authorized by this section may require the defendant to undergo treatment or participate in the court-approved counseling services necessary to bring about cessation of domestic abuse against the victim pursuant to Section 644 of Title 21 of the Oklahoma Statutes but shall not order any treatment or counseling that may compromise the safety of the victim including, but not limited to, mediation, couples counseling, family counseling, parenting classes or joint victim-offender counseling sessions.

2. The defendant may be required to pay all or any part of the cost of such treatment or counseling services. The court shall not be responsible for such cost.

3. Should the plaintiff choose to undergo treatment or participate in court-approved counseling services for victims of domestic abuse, the court may order the defendant to pay all or any part of the cost of such treatment or counseling services if the court determines that payment by the defendant is appropriate.

F. When necessary to protect the victim and when authorized by the court, protective orders granted pursuant to the provisions of this section may be served upon the defendant by a peace officer, sheriff, constable, or policeman or other officer whose duty it is to preserve the peace, as defined by Section 99 of Title 21 of the Oklahoma Statutes.

G. 1. Any protective order issued on or after November 1, 2012, pursuant to subsection C of this section shall be:

- a. for a fixed period not to exceed a period of five (5) years unless extended, modified, vacated or rescinded upon motion by either party or if the court approves any consent agreement entered into by the plaintiff and defendant; provided, if the defendant is incarcerated, the protective order shall remain in full force and effect during the period of incarceration. The period of incarceration, in any jurisdiction, shall not be included in the calculation of the five-year time limitation, or
- b. continuous upon a specific finding by the court of one of the following:
 - (1) the person has a history of violating the orders of any court or governmental entity,
 - (2) the person has previously been convicted of a violent felony offense,
 - (3) the person has a previous felony conviction for stalking as provided in Section 1173 of Title 21 of the Oklahoma Statutes,

- (4) a court order for a final Victim Protection Order has previously been issued against the person in this state or another state, or
- (5) the victim provides proof that a continuous protective order is necessary for his or her protection.

Further, the court may take into consideration whether the person has a history of domestic violence or a history of other violent acts. The protective order shall remain in effect until modified, vacated or rescinded upon motion by either party or if the court approves any consent agreement entered into by the plaintiff and defendant. If the defendant is incarcerated, the protective order shall remain in full force and effect during the period of incarceration.

2. The court shall notify the parties at the time of the issuance of the protective order of the duration of the protective order.

3. Upon the filing of a motion by either party to modify, extend, or vacate a protective order, a hearing shall be scheduled and notice given to the parties. At the hearing, the issuing court may take such action as is necessary under the circumstances.

4. If a child has been removed from the residence of a parent or custodial adult because of domestic abuse committed by the child, the parent or custodial adult may refuse the return of such child to the residence unless, upon further consideration by the court in a juvenile proceeding, it is determined that the child is no longer a threat and should be allowed to return to the residence.

H. 1. It shall be unlawful for any person to knowingly and willfully seek a protective order against a spouse or ex-spouse pursuant to the Protection from Domestic Abuse Act for purposes of harassment, undue advantage, intimidation, or limitation of child visitation rights in any divorce proceeding or separation action without justifiable cause.

2. The violator shall, upon conviction thereof, be guilty of a misdemeanor punishable by imprisonment in the county jail for a period not exceeding one (1) year or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

3. A second or subsequent conviction under this subsection shall be a Class D3 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a period not to exceed two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes,~~ or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

I. 1. A protective order issued under the Protection from Domestic Abuse Act shall not in any manner affect title to real property, purport to grant to the parties a divorce or otherwise purport to determine the issues between the parties as to child custody, visitation or visitation schedules, child support or division of property or any other like relief obtainable pursuant to Title 43 of the Oklahoma Statutes, except child visitation orders may be temporarily suspended or modified to protect from threats of abuse or physical violence by the defendant or a threat to violate a custody order. Orders not affecting title may be entered for good cause found to protect an animal owned by either of the parties or any child living in the household.

2. When granting any protective order for the protection of a minor child from violence or threats of abuse, the court shall allow visitation only under conditions that provide adequate supervision and protection to the child while maintaining the integrity of a divorce decree or temporary order.

J. 1. In order to ensure that a petitioner can maintain an existing wireless telephone number or household utility account, the court, after providing notice and a hearing, may issue an order directing a wireless service provider or public utility provider to transfer the billing responsibility for and rights to the wireless telephone number or numbers of any minor children in the care of the petitioning party or household utility account to the petitioner if the petitioner is not the wireless service or public utility account holder.

2. The order transferring billing responsibility for and rights to the wireless telephone number or numbers or household utility account to the petitioner shall list the name and billing telephone number of the account holder, the name and contact information of the person to whom the telephone number or numbers or household utility account will be transferred and each telephone number or household utility to be transferred to that person. The court shall ensure that the contact information of the petitioner is not

provided to the account holder in proceedings held under this subsection.

3. Upon issuance, a copy of the final order of protection shall be transmitted, either electronically or by certified mail, to the registered agent of the wireless service provider or public utility provider listed with the Secretary of State or Corporation Commission of Oklahoma or electronically to the email address provided by the wireless service provider or public utility provider. Such transmittal shall constitute adequate notice for the wireless service provider or public utility provider.

4. If the wireless service provider or public utility provider cannot operationally or technically effectuate the order due to certain circumstances, the wireless service provider or public utility provider shall notify the petitioner. Such circumstances shall include, but not be limited to, the following:

- a. the account holder has already terminated the account,
- b. the differences in network technology prevent the functionality of a mobile device on the network, or
- c. there are geographic or other limitations on network or service availability.

5. Upon transfer of billing responsibility for and rights to a wireless telephone number or numbers or household utility account to the petitioner under the provisions of this subsection by a wireless service provider or public utility provider, the petitioner shall assume all financial responsibility for the transferred wireless telephone number or numbers or household utility account, monthly service and utility billing costs and costs for any mobile device associated with the wireless telephone number or numbers. The wireless service provider or public utility provider shall have the right to pursue the original account holder for purposes of collecting any past due amounts owed to the wireless service provider or public utility provider.

6. The provisions of this subsection shall not preclude a wireless service provider or public utility provider from applying any routine and customary requirements for account establishment to the petitioner as part of this transfer of billing responsibility for a household utility account or for a wireless telephone number or numbers and any mobile devices attached to that number including,

but not limited to, identification, financial information and customer preferences.

7. The provisions of this subsection shall not affect the ability of the court to apportion the assets and debts of the parties as provided for in law or the ability to determine the temporary use, possession and control of personal property.

8. No cause of action shall lie against any wireless service provider or public utility provider, its officers, employees or agents for actions taken in accordance with the terms of a court order issued under the provisions of this subsection.

9. As used in this subsection:

- a. "wireless service provider" means a provider of commercial mobile service under Section 332(d) of the federal Telecommunications Act of 1996,
- b. "public utility provider" means every corporation organized or doing business in this state that owns, operates or manages any plant or equipment for the manufacture, production, transmission, transportation, delivery or furnishing of water, heat or light with gas or electric current for heat, light or power, for public use in this state, and
- c. "household utility account" shall include utility services for water, heat, light, power or gas that are provided by a public utility provider.

K. 1. A court shall not issue any mutual protective orders.

2. If both parties allege domestic abuse by the other party, the parties shall do so by separate petitions. The court shall review each petition separately in an individual or a consolidated hearing and grant or deny each petition on its individual merits. If the court finds cause to grant both motions, the court shall do so by separate orders and with specific findings justifying the issuance of each order.

3. The court may only consolidate a hearing if:

- a. the court makes specific findings that:

- (1) sufficient evidence exists of domestic abuse, stalking, harassment or rape against each party, and
- (2) each party acted primarily as aggressors,
- b. the defendant filed a petition with the court for a protective order no less than three (3) days, not including weekends or holidays, prior to the first scheduled full hearing on the petition filed by the plaintiff, and
- c. the defendant had no less than forty-eight (48) hours of notice prior to the full hearing on the petition filed by the plaintiff.

L. The court may allow a plaintiff or victim to be accompanied by a victim support person at court proceedings. A victim support person shall not make legal arguments; however, a victim support person who is not a licensed attorney may offer the plaintiff or victim comfort or support and may remain in close proximity to the plaintiff or victim.

SECTION 705. AMENDATORY 22 O.S. 2021, Section 1110, is amended to read as follows:

Section 1110. Whoever, having been admitted to bail or released on recognizance, bond, or undertaking for appearance before any magistrate or court of the State of Oklahoma, incurs a forfeiture of the bail or violates such undertaking or recognizance and willfully fails to surrender himself within five (5) days following the date of such forfeiture shall, if the bail was given or undertaking or recognizance extended in connection with a charge of felony or pending appeal or certiorari after conviction of any such offense, be guilty of a Class D3 felony offense and shall be fined not more than One Thousand Dollars (\$1,000.00), or imprisoned ~~not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both. Nothing in this section shall be construed to interfere with or prevent the exercise by any court of its power to punish for contempt.

SECTION 706. AMENDATORY 34 O.S. 2021, Section 23, is amended to read as follows:

Section 23. Every person who is a qualified elector of the State of Oklahoma may sign a petition for the referendum or for the initiative for any measure upon which he is legally entitled to vote. Any person signing any name other than his own to any petition, or knowingly signing his name more than once for the same measure at one election, or who is not at the time of signing the same a legal voter of this state, or whoever falsely makes or willfully destroys a petition or any part thereof, or who signs or files any certificate or petition knowing the same or any part thereof to be falsely made, or suppresses any certificate or petition or any part thereof which has been duly filed or who shall violate any provision of this statute, or who shall aid or abet any other person in doing any of said acts; and any person violating any provision of this chapter, shall, upon conviction thereof, be guilty of a Class D3 felony offense and shall be punished by a fine of not exceeding Five Hundred Dollars (\$500.00), or by imprisonment ~~in the State Penitentiary not exceeding two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment in the discretion of the court before which such conviction shall be had.

SECTION 707. AMENDATORY 36 O.S. 2021, Section 2737.1, is amended to read as follows:

Section 2737.1. A. Any person who willfully makes a false or fraudulent statement in or relating to an application for membership or for the purpose of obtaining money from or a benefit in any society, upon conviction, shall be guilty of a misdemeanor, punishable by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not less than thirty (30) days nor more than one (1) year, or both.

B. Any person who willfully makes a false or fraudulent statement in any verified report or declaration under oath required or authorized by this article, or of any material fact or thing contained in a sworn statement concerning the death or disability of a member for the purpose of procuring payment of a benefit named in the certificate, is guilty of the felony of perjury, a Class D3 felony offense, and ~~is subject to the penalties therefor prescribed by law~~ shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

C. Any person who solicits membership for, or in any manner assists in procuring membership in, any society not licensed to do business in this state, upon conviction, shall be fined not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00).

D. Any person guilty of a willful violation of, or neglect of or refusal to comply with, the provisions of this article for which a penalty is not otherwise prescribed, shall, upon conviction, be subject to a fine not exceeding One Thousand Dollars (\$1,000.00).

SECTION 708. AMENDATORY 37A O.S. 2021, Section 6-115, is amended to read as follows:

Section 6-115. Any person who shall operate a whiskey still with intent to produce alcoholic beverages or any person who shall carry on the business of a distiller without possessing a valid and existing distiller's license issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act shall be guilty of a Class D3 felony offense and, upon conviction, be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in the State Penitentiary for not more than three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes,~~ or by both such fine and imprisonment.

SECTION 709. AMENDATORY 37A O.S. 2021, Section 6-116, is amended to read as follows:

Section 6-116. Any person who shall file a false or fraudulent return in connection with any tax imposed by the Oklahoma Alcoholic Beverage Control Act, or willfully evade, or attempt to evade, any tax herein levied shall be guilty of a Class D3 felony offense and, upon conviction, be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in the State Penitentiary for not more than three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes,~~ or by both such fine and imprisonment.

SECTION 710. AMENDATORY 37A O.S. 2021, Section 6-117, is amended to read as follows:

Section 6-117. Any person who shall knowingly engage in any activity or perform any transaction or act for which a license is

required under the Oklahoma Alcoholic Beverage Control Act, not having such license, shall be guilty of a misdemeanor and for the first offense, upon conviction, be fined not more than Two Thousand Five Hundred Dollars (\$2,500.00) and imprisoned for not less than thirty (30) days nor more than six (6) months, and for a second or subsequent offense shall be guilty of a Class D3 felony offense and be fined not more than Two Thousand Five Hundred Dollars (\$2,500.00), or imprisoned ~~in the State Penitentiary for not more than one (1) year~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

SECTION 711. AMENDATORY 37A O.S. 2021, Section 6-120, is amended to read as follows:

Section 6-120. A. Any person who shall sell, furnish or give alcoholic beverage to a person under twenty-one (21) years of age shall be guilty of a misdemeanor for a first violation, and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any person convicted of a second or subsequent violation shall be guilty of a Class D3 felony offense, and shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. The ABLE Commission shall revoke the license of any person convicted of a violation of this section.

B. Any person convicted of a violation pursuant to subsection A of this section shall be required to attend a victims impact panel program, as defined in Section 991a of Title 22 of the Oklahoma Statutes.

SECTION 712. AMENDATORY 37A O.S. 2021, Section 6-121, is amended to read as follows:

Section 6-121. Any person who shall knowingly sell, furnish or give alcoholic beverage to an insane, mentally deficient or intoxicated person shall be guilty of a misdemeanor for a first violation, and upon conviction shall be fined not more than Five Hundred Dollars (\$500.00), or imprisoned in the county jail for not more than one (1) year, or by both such fine and imprisonment. Any

person convicted of a second or subsequent violation shall be guilty of a Class D3 felony offense, and shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in the State Penitentiary for not more than five (5) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment. The ABLE Commission shall revoke the license of any person convicted of a violation of this section.

SECTION 713. AMENDATORY 37A O.S. 2021, Section 6-129, is amended to read as follows:

Section 6-129. A. As used in this section, "powdered alcohol" means alcohol prepared or sold in a powder form for either direct use or reconstitution.

B. It is unlawful for any person or licensee to use, offer for use, purchase, offer to purchase, sell, offer to sell or possess powdered alcohol.

C. It is unlawful for a holder of a license pursuant to the provisions of ~~Title 37A of the Oklahoma Statutes~~ this title for on-premises or off-premises consumption of alcoholic beverages to use powdered alcohol as an alcoholic beverage.

D. Any person or license holder that violates this section ~~is guilty of a misdemeanor and shall~~, upon conviction, be guilty of and punished as follows:

1. For a first offense, a misdemeanor punishable by a fine of not more than Three Hundred Dollars (\$300.00), or by imprisonment for not more than thirty (30) days, or by both;

2. For a second offense, a misdemeanor punishable by a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or by imprisonment for not more than six (6) months, or by both; or

3. For a third or subsequent offense, a D3 felony offense punishable by a fine of not more than Three Thousand Dollars (\$3,000.00), or by imprisonment for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both.

SECTION 714. AMENDATORY 40 O.S. 2021, Section 181, is amended to read as follows:

Section 181. It shall be unlawful and deemed a Class D3 felony offense for any railroad, company or any other person, firm, or corporation, using steam boilers, to command, order or permit by themselves or their agents, any of their employees to enter any steam boiler, firebox or smoke chamber thereto, for the purpose of repairing or cleaning the same or for any other purpose when the same is under steam pressure.

SECTION 715. AMENDATORY 40 O.S. 2021, Section 182, is amended to read as follows:

Section 182. Any officer, superintendent, foreman, boss, or other person in authority, who, on behalf of any railroad, corporation, or any other person, firm or corporation, using steam boilers, violating any of the provisions of Section 181 of this title, shall be deemed guilty of a Class D3 felony offense, and shall upon conviction, be punished by imprisonment ~~for a period of not less than one (1) year nor more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 716. AMENDATORY 44 O.S. 2021, Section 210, is amended to read as follows:

Section 210. Whenever the National Guard is called into service under proclamation of the Governor for the performance of any duties contemplated in this act, any person who willfully assaults, or fires at, or throws any dangerous missile at, against, or upon any member or body of the National Guard so engaged, or civil officer or other persons lawfully aiding or assisting them in the discharge of their duties, shall be deemed guilty of a Class D3 felony offense and upon conviction shall be imprisoned ~~in the State Penitentiary not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 717. AMENDATORY 47 O.S. 2021, Section 579.1, as amended by Section 17, Chapter 240, O.S.L. 2024 (47 O.S. Supp. 2024, Section 579.1), is amended to read as follows:

Section 579.1. A. It shall be unlawful to be a broker.

B. For the purposes of this section, "broker" means a person who, for a fee, commission or other valuable consideration, arranges or offers to arrange a transaction involving the sale of a new motor vehicle or new powersports vehicle, and who is not:

1. A new motor vehicle or new powersports vehicle dealer or employee of such a dealer;

2. A distributor or employee of such a distributor;

3. A motor vehicle manufacturer or employee of such a manufacturer; or

4. An auctioneer or any other person engaged in the auto auction business.

However, an individual shall not be deemed to be a broker if the individual is the owner of the new or used motor vehicle or new or used powersports vehicle which is the object of the brokering transaction.

C. Any person convicted of being a broker as defined by this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year and a fine of not more than One Thousand Dollars (\$1,000.00). Any person convicted of a second or subsequent offense shall be guilty of a ~~Schedule G Class D3~~ felony offense, and the fine for a felony violation of this section shall be not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00).

SECTION 718. AMENDATORY 56 O.S. 2021, Section 183, is amended to read as follows:

Section 183. A. This section shall be known and may be cited as "Kelley's Law".

B. All applications, information and records concerning any applicant or recipient obtained pursuant to law or as authorized by law by the Department of Human Services or any other public or private entity shall be confidential and shall be open to inspection only:

1. To persons duly authorized by the Department of Human Services pursuant to rule promulgated in compliance with Article I

of the Administrative Procedures Act or by the United States in connection with the performance of their official duties; or

2. As otherwise authorized by law.

Provided, however, the Department of Human Services shall maintain a process to allow an authorized representative of a client of the Department of Human Services to have access to confidential information when necessary for eligibility determination and the appeals process. For purposes of this section, "authorized representative" shall mean any person designated by a client of the Department of Human Services to review confidential information about the client pertinent to eligibility determination and the appeals process.

C. The Developmental Disabilities Services Division of the Department of Human Services shall require all authorized persons accessing service recipient information within a home record to sign a form certifying that they have been informed and understand the penalties for misuse of confidential and protected information within the home record. The form shall include criminal penalties related to identity theft.

D. It shall be unlawful and a misdemeanor for any public officer or employee, to furnish or permit to be taken off of the records any information therein contained for commercial or political purposes.

E. It shall also be a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for not to exceed two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes~~, for any person, firm or corporation to publish, or to use for commercial or political purposes, any list or names obtained through access to such information or records.

SECTION 719. AMENDATORY 56 O.S. 2021, Section 185, is amended to read as follows:

Section 185. A. Any person who:

1. Obtains or attempts to obtain, or aids, abets or assists any person to obtain, by means of a false statement or representation, by false impersonation, by a fictitious transfer, conveyance or encumbrance of property or income, by a knowing and willful failure

to report to the Department of Human Services income, personal property, real property, household members, or other material eligibility factors at the time of application or during the receipt of assistance, or by other fraudulent device, assistance to which an applicant is not entitled or assistance greater than that to which an applicant is justly entitled; or

2. By sale, barter, purchase, theft, acquisition, possession or use of any electronic benefits or debit card or any other device authorizing participation in the Temporary Assistance for Needy Families or other program of the Department, knowingly obtains, aids, abets or assists any person to obtain or attempt to obtain assistance to which a person is not entitled,

shall be guilty of a misdemeanor, if the aggregate amount of assistance received as a result thereof is Five Hundred Dollars (\$500.00) or less. Upon conviction thereof, such person shall be fined not more than Five Hundred Dollars (\$500.00) or be imprisoned for not more than three (3) months or be both so fined and imprisoned in the discretion of the court; provided, however, if the aggregate amount of assistance received as a result thereof is in excess of Five Hundred Dollars (\$500.00), such person shall be guilty of a Class D3 felony offense and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00), or be imprisoned in the State Penitentiary for a term of not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or be subject to both such fine and imprisonment in the discretion of the court.

B. Every county Department of Human Services office in this state shall conspicuously post a sign in an area clearly visible to all visitors of the county office which shall provide information about how to report individuals who have obtained public assistance through fraudulent means or who have used public assistance in a manner not consistent with its intended use. The sign shall make reference to the Department of Human Services fraud hotline and provide the current phone number for the hotline. The sign shall also contain notification that all reports to the hotline may be filed anonymously by persons suspecting fraudulent activity.

C. Notwithstanding any other provision of law, the identity of any person making a report on another individual who may have obtained public assistance through fraudulent means, or an individual using public assistance in a manner not consistent with

its intended use, shall not be revealed without the permission of the person making the report.

SECTION 720. AMENDATORY 56 O.S. 2021, Section 243, is amended to read as follows:

Section 243. A. No person shall:

1. Obtain;
2. Attempt to obtain;
3. Aid;
4. Abet;
5. Assist any person to obtain, by means of:
 - a. a false statement or representation,
 - b. false impersonation,
 - c. a fictitious transfer, conveyance or encumbrance of property or income,
 - d. knowing and willful failure to report to the Department of Human Services:
 - (1) income,
 - (2) personal property,
 - (3) real property,
 - (4) household members, or
 - (5) other eligibility factors,at the time of application or during a period of receipt of assistance, or
 - e. any other fraudulent device:
 - (1) food stamps or coupons, or any benefit or debit card or any other device authorizing

participation in the food stamp program, to which such applicant for food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program is not entitled, or

- (2) a greater amount of food stamps or coupons, or a greater number of benefit or debit cards or any other device authorizing participation in the food stamp program than that amount or number which such applicant for food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program is justly entitled to;

6. Acquire, possess, use or transfer food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program that has been issued to another person, except as authorized by this act and the rules of the Department of Human Services;

7. Acquire or transfer food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program, except in exchange for food or food products for human consumption. For purposes of this paragraph, the phrase "food or food products for human consumption" shall not be construed as including alcoholic beverages, tobacco, beer, or imported foods; or

8. Transfer any food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program, to a person who is not authorized by this act and rules of the Department of Human Services to acquire, possess, or use the transferred food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program.

B. 1. Any person, firm or corporation who violates any of the provisions of this section shall be guilty of a:

- a. misdemeanor, if the aggregate amount of food stamps or coupons, or the aggregate value of any benefit or debit card or any other device authorizing participation in the food stamp program obtained or transferred is Five Hundred Dollars (\$500.00) or less, and, upon conviction thereof, shall be punishable by a

fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than three (3) months, or by both such fine and imprisonment, in the discretion of the court, or

- b. Class D3 felony offense, if the aggregate amount of food stamps or coupons, or the aggregate value of any benefit card or debit card or any other device authorizing participation in the food stamp program obtained or transferred is in excess of Five Hundred Dollars (\$500.00), and, upon conviction thereof, shall be punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State Penitentiary for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, in the discretion of the court.

2. Any store which allows purchases of prohibited items shall not be allowed to participate in the program.

3. Any person, firm or corporation who knowingly traffics in food stamps or coupons of an aggregate value of One Hundred Dollars (\$100.00) or less, or any benefit or debit card or any other device authorizing participation in the food stamp program with an aggregate value of One Hundred Dollars (\$100.00) or less, shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not more than Five Hundred Dollars (\$500.00), by imprisonment in the county jail for not more than three (3) months, or by both such fine and imprisonment, in the discretion of the court.

4. Any person, firm or corporation who knowingly traffics in food stamps or coupons of an aggregate value exceeding One Hundred Dollars (\$100.00), or any benefit or debit card or any other device authorizing participation in the food stamp program with an aggregate value exceeding One Hundred Dollars (\$100.00), shall, upon conviction, be guilty of a Class D3 felony offense, punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), by imprisonment ~~in the State Penitentiary for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment, in the discretion of the court.

5. Any district attorney who enters into a deferred adjudication or who negotiates for a deferred sentence with a

defendant charged with a violation of the provisions of this section shall present the defendant with a disqualification consent agreement as part of the deferred adjudication or sentence.

C. As used in this section, "to traffic or trafficking in food stamps" means:

1. The buying, selling, stealing, or otherwise effecting an exchange of food stamp benefits issued and accessed via electronic benefit transfer cards, benefit or debit cards, card numbers and personal identification numbers, or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone;

2. The exchange of firearms, ammunition, explosives, or controlled substances, as defined in Section 802 of Title 21 of the United States Code, for food stamp benefits or food stamp electronic benefit transfer cards, benefit or debit cards;

3. The possession of stolen food stamp electronic benefit transfer cards, benefit or debit cards;

4. Purchasing a product with food stamp benefits that has a container requiring a return deposit with the intent of obtaining cash by discarding the product and returning the container for the deposit amount, intentionally discarding the product, and intentionally returning the container for the deposit amount;

5. Purchasing a product with food stamp benefits with the intent of obtaining cash or consideration other than eligible food by reselling the product, and subsequently intentionally reselling the product purchased with food stamp benefits in exchange for cash or consideration other than eligible food; or

6. Intentionally purchasing products originally purchased with food stamp benefits in exchange for cash or consideration other than eligible food.

SECTION 721. AMENDATORY 57 O.S. 2021, Section 13, is amended to read as follows:

Section 13. If any person committed to prison, for the purpose of detaining him for trial, for a capital offense, shall break prison and escape, he shall be guilty of a Class D3 felony offense and shall be imprisoned ~~in the state prison for the term of two (2)~~

years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 722. AMENDATORY 59 O.S. 2021, Section 15.26, is amended to read as follows:

Section 15.26. Any individual holding a certificate or license who knowingly falsifies any report or statement bearing on any attestation, investigation, or audit made by the individual or subject to the individual's direction shall be guilty of a Class D3 felony offense, and upon conviction shall be punishable ~~by imprisonment for a period of not more than one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes~~, or by a fine of not more than Twenty-five Thousand Dollars (\$25,000.00) per occurrence, or by both such fine and imprisonment.

SECTION 723. AMENDATORY 59 O.S. 2021, Section 328.49, is amended to read as follows:

Section 328.49. A. The Board of Dentistry shall be responsible for the enforcement of the provisions of the State Dental Act against all persons who are in violation thereof, including, but not limited to, individuals who practice or attempt to practice dentistry or dental hygiene without proper authorization from the Board.

B. 1. It shall be unlawful for any person, except a licensed dentist, to:

- a. practice or attempt to practice dentistry,
- b. hold oneself out to the public as a dentist or as a person who practices dentistry, or
- c. employ or use the words "Doctor" or "Dentist", or the letters "D.D.S." or "D.M.D.", or any modification or derivative thereof, when such use is intended to give the impression that the person is a dentist.

2. It shall be unlawful for any person, except a registered dental hygienist, to:

- a. practice or attempt to practice dental hygiene,

- b. hold oneself out to the public as a dental hygienist or as a person who practices dental hygiene, or
- c. employ or use the words "Registered Dental Hygienist", or the letters "R.D.H.", or any modification or derivative thereof, when such use is intended to give the impression that the person is a dental hygienist.

3. It shall be unlawful for any person to:

- a. give false or fraudulent evidence or information to the Board in an attempt to obtain any license or permit from the Board, or
- b. aid or abet another person in violation of the State Dental Act.

4. Each day a person is in violation of any provision of this subsection shall constitute a separate criminal offense and, in addition, the district attorney may file a separate charge of medical battery for each person who is injured as a result of treatment performed in violation of this subsection.

C. 1. If a person violates any of the provisions of subsection B of this section, the Board shall refer the alleged violation to the district attorney of the county in which the violation is alleged to have occurred to bring a criminal action in that county against the person. At the request of the Board, district attorney or Attorney General, attorneys employed or contracted by the Board may assist the district attorney or Attorney General in prosecuting charges under the State Dental Act or any violation of law relating to or arising from an investigation conducted by the Board of Dentistry upon approval of the Board or the Executive Director.

2. Any person who violates any of the provisions of paragraph 1 or 3 of subsection B of this section, upon conviction, shall be guilty of a Class D1 felony offense punishable by a fine in an amount not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than four (4) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

Any person who violates any of the provisions of paragraph 2 of subsection B of this section, upon conviction, shall be guilty of a misdemeanor punishable by a fine in an amount not less than Five Hundred Dollars (\$500.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), or by imprisonment in the county jail for a term of not more than ninety (90) days, or by both such fine and imprisonment. Any second or subsequent violation of paragraph 2 of subsection B of this section, upon conviction, shall be a Class D3 felony offense punishable by a fine in an amount not less than One Thousand Five Hundred Dollars (\$1,500.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the county jail for a term of not more than one (1) year or imprisonment in the custody of the Department of Corrections for a term of not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

D. The Board may initiate a civil action, pursuant to Chapter 24 of Title 12 of the Oklahoma Statutes, seeking a temporary restraining order or injunction, without bond, commanding a person to refrain from engaging in conduct which constitutes a violation of any of the provisions of subsection B of this section. In a civil action filed pursuant to this subsection, the prevailing party shall be entitled to recover costs and reasonable attorney fees.

E. In addition to any other penalties provided herein, any person found guilty of contempt of court by reason of the violation of any injunction prohibiting the unlicensed practice of dentistry now in effect or hereafter entered pursuant to any provision of the State Dental Act or any preceding state dental act, shall be punished by imprisonment in the county jail for a term of not less than thirty (30) days nor more than one (1) year, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00). The court may also require the defendant to furnish a good and sufficient bond in a penal sum to be set by the court, not less than One Thousand Dollars (\$1,000.00), which shall be conditioned upon future compliance in all particulars with the injunction entered, and in the event of failure of the defendant to furnish such bond when so ordered, the defendant shall be confined in the county jail pending compliance therewith. Such bond shall be mandatory as to any person hereafter found guilty of a second contempt of court for violation of any injunction entered pursuant to the State Dental Act, or any preceding state dental act.

SECTION 724. AMENDATORY 59 O.S. 2021, Section 1350.2, is amended to read as follows:

Section 1350.2. A. On and after February 1, 2015, no person shall act or engage in, solicit or offer services, or represent himself or herself, as a bail enforcer as defined by the Bail Enforcement and Licensing Act without first having been issued a valid license by the Council on Law Enforcement Education and Training.

B. On or after February 1, 2015, any person who shall act or engage in, solicit or offer services, or represent himself or herself, as a bail enforcer without a valid license issued by the Council shall be guilty of a Class D3 felony offense, upon conviction, punishable by a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the custody of the Department of Corrections for a term of not more than three (3) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

C. Any person violating the provisions of subsection B of this section while having in his or her possession or under his or her control any firearm or weapon, including a firearm under the authority of the Oklahoma Self-Defense Act, shall be guilty of a Class D3 felony offense and shall be punished, upon conviction, by an additional fine in an amount not exceeding Five Thousand Dollars (\$5,000.00), or by an additional term of imprisonment ~~up to three (3) years, or by both such fine and imprisonment~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes. In addition, the authority to carry the firearm may be permanently revoked by the issuing authority.

SECTION 725. AMENDATORY 59 O.S. 2021, Section 1350.4, is amended to read as follows:

Section 1350.4. A. It shall be unlawful and deemed a Class D3 felony offense for any person whose license as a bail enforcer has been suspended, revoked, surrendered or denied, to perform, or assist in the performance of, any function or service as a bail enforcer.

B. Except as provided in ~~paragraph~~ subsection C of Section 1311.3 of this title, it shall be unlawful and deemed a Class D3 felony offense for a bail enforcer licensed in this state to assist,

aid or conspire with an unlicensed person, or a person whose license as a bail enforcer or bail bondsman has been suspended, revoked, surrendered or denied, to engage in any function or service as a bail enforcer. Provided, however, a commissioned Oklahoma peace officer or reserve peace officer who is off-duty may assist a bail enforcer without having been issued a bail enforcer license. Any such peace officer engaged in a recovery and surrender shall wear clothing clearly marked "bail enforcer" or "bail enforcement" and shall not wear any clothing marked "police" or use any other words or phrases that imply that such person is associated with law enforcement or a government agency; or use any vehicle marked "police" or with any other words or phrases that imply that such a person is associated with law enforcement or a government agency; or display an official peace officer badge, except when the policies of the officer's employing law enforcement agency, and the agency in whose jurisdiction the officer is engaged in a recovery and surrender, allows the officer to do so.

C. Any violation of this section shall be a violation of the Bail Enforcement and Licensing Act which is punishable as provided in Section 1350.2 of this title.

SECTION 726. AMENDATORY 59 O.S. 2021, Section 1350.12, is amended to read as follows:

Section 1350.12. A. It shall be unlawful and deemed a D3 felony offense for any person engaged in a recovery and surrender to mark any vehicle, wear any apparel, or display any badge or identification card bearing the words "police", "deputy", "detective", "officer", "agent", "investigator", "fugitive agent", "recovery agent", "enforcement officer", "bounty hunter", "bail agent", or "recovery detective" or use any other words or phrases that imply that such person is associated with law enforcement or a government agency except as provided in ~~paragraph~~ subsection B of Section 1350.4 of this title.

B. It shall be unlawful for any person not duly licensed or not authorized to engage in a recovery and surrender pursuant to the Bail Enforcement and Licensing Act to mark any vehicle, wear any apparel, or display any badge or identification card bearing the words "bail enforcer", "bail enforcement" or "bail enforcement agency" or use any other words or phrases that imply that such person is licensed or authorized to act under the Bail Enforcement and Licensing Act or state or federal laws.

C. Any person duly licensed, or authorized to engage in a recovery and surrender pursuant to the Bail Enforcement and Licensing Act, shall wear apparel bearing the words "bail enforcer" or "bail enforcement" during the recovery and surrender as provided in ~~paragraph~~ subsection B of Section 1350.4 of this title.

D. Any violation shall be deemed a D3 felony offense and shall be a violation of the Bail Enforcement and Licensing Act which is punishable as provided in Section 1350.2 of this title, or the violator may be prosecuted for false impersonation of an officer.

SECTION 727. AMENDATORY 59 O.S. 2021, Section 1350.16, is amended to read as follows:

Section 1350.16. A. The words "Bail Enforcer" or "Bail Enforcement" shall be displayed in bold letters on all clothing worn during the recovery of a defendant and such words together with the person's valid state-issued license number shall be on the badge authorized by or issued by CLEET, which badge shall be in the possession of and visibly displayed by the bail enforcer during the recovery of a defendant.

B. Vehicles used by a bail enforcer, if marked, must bear the words "Bail Enforcer" or "Bail Enforcement". No such vehicle shall be equipped with a siren, a lamp with a red or blue lens, or an overhead light or lights with red or blue lens.

C. Any violation of the provisions of this section shall be deemed a Class D3 felony offense punishable as provided in Section 1350.2 of this title. In addition, the Council on Law Enforcement Education and Training may suspend or revoke the license pursuant to the rules promulgated for such prohibited conduct.

SECTION 728. AMENDATORY 59 O.S. 2021, Section 1529, is amended to read as follows:

Section 1529. Willful violation of any of the provisions of this act shall be a misdemeanor upon first conviction punishable by not more than thirty (30) days in the county jail or by a fine not to exceed Five Hundred Dollars (\$500.00) or both. Subsequent convictions of a willful violation of this act shall be a Class D3 felony offense punishable by not more than three (3) years in the State Penitentiary imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 729. AMENDATORY 61 O.S. 2021, Section 114, is amended to read as follows:

Section 114. The chief administrative officer and members of the governing body of the awarding public agency authorizing or awarding or supervising the execution of a public construction contract, and their relatives within the third degree of consanguinity or affinity, are forbidden to be interested directly or indirectly through stock ownership, partnership interest or otherwise in any such contract. Contracts entered into in violation of this section shall be void. Persons willfully violating this section shall be guilty of a Class D3 felony and shall be offense punishable by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes and shall be subject to removal from office.

SECTION 730. AMENDATORY 62 O.S. 2021, Section 89.11, is amended to read as follows:

Section 89.11. A. The State Treasurer shall develop and implement a system of procedures to record and audit all transactions, including electronic investment bidding transactions with outside financial concerns. Said system of procedures shall be promulgated pursuant to the Administrative Procedures Act and must be approved by the Cash Management and Investment Oversight Commission not later than October 1, 1994.

B. The Executive Review Committee must approve any proposed destruction or changes of any transaction records, including electronic investment bidding transactions. Any approved destructions or changes of such transactions shall be detailed in writing by the Executive Review Committee. The provisions of this subsection shall not apply to corrections of scrivener error in transaction records; however, for purposes of this section, "scrivener error" shall not be defined to include any deliberate change in a transaction record made:

1. For the purpose of causing a record to reflect a transaction having occurred which did not in fact occur;

2. For the purpose of causing a record to reflect that a transaction did not occur when in fact it did occur; or

3. Resulting in inaccuracy in a record which is material to determining whether an act or omission occurred if such act or omission constitutes a violation of any law, rule or requirement.

C. The State Auditor and Inspector, the Attorney General and other authorized law enforcement officers are authorized to inspect any transaction records or documents, including electronic investment bidding transactions created pursuant to this section.

D. The willful interference with the inspections authorized by subsection C of this section or the deliberate falsification or destruction of transaction records, other than as permitted by subsection B of this section, by the State Treasurer, any employee of the State Treasurer, or any other person or firm shall, upon conviction, be a Class D3 felony offense and shall be punishable by imprisonment ~~in the State Penitentiary for a term not to exceed three (3) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, by a fine of Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine, and shall also constitute grounds for termination of such employee. A violation of the requirements of subsection C of this section, shall be grounds for disciplinary action, including termination from employment.

SECTION 731. AMENDATORY 63 O.S. 2021, Section 1-324.1, is amended to read as follows:

Section 1-324.1. A. It shall be unlawful and deemed a Class D3 felony offense for any person to commit any of the following specified acts in relation to birth, death or stillbirth certificates issued by this state:

1. Create, issue, present or possess a fictitious birth, death or stillbirth certificate;

2. Apply for a birth, death or stillbirth certificate under false pretenses;

3. Alter information contained on a birth, death or stillbirth certificate;

4. Obtain, display or represent a birth certificate of any person as one's own by any person, other than the person named on the birth certificate;

5. Obtain, display or represent a fictitious death or stillbirth certificate for the purpose of fraud;

6. Make a false statement or knowingly conceal a material fact or otherwise commit fraud in an application for a birth, death or stillbirth certificate;

7. Knowingly present a false or forged certificate for filing;

8. Knowingly provide false personal data to a certifier of a death certificate; or

9. Knowingly misrepresent any person's relationship to the decedent.

B. Except as otherwise provided in this subsection, it is a felony for any employee or person authorized to issue or create a birth, death or stillbirth certificate or related record under this title to knowingly issue such certificate or related record to a person not entitled thereto, or to knowingly create or record such certificate bearing erroneous information thereon. A certifier who knowingly omits to list a lethal agent or improperly states manner of death in violation of subsection E of Section 1-317 of this title shall be deemed to have engaged in unprofessional conduct as described in paragraph 8 of Section 509 of Title 59 of the Oklahoma Statutes.

C. Except as otherwise provided in subsection B of this section, a violation of any of the provisions of this section shall constitute a Class D3 felony offense punishable as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

D. Notwithstanding any provision of this section, the State Commissioner of Health or a designated agent, upon the request of a chief administrator of a health or law enforcement agency, may authorize the issuance, display or possession of a birth, death or stillbirth certificate, which would otherwise be in violation of this section, for the sole purpose of education with regard to public health or safety; provided, however, any materials used for such purposes shall be marked "void".

E. The provisions of this section shall not apply to any request made to the State Department of Health pursuant to

subsection E of Section 1550.41 of Title 21 of the Oklahoma Statutes.

SECTION 732. AMENDATORY 63 O.S. 2021, Section 1-757.10, is amended to read as follows:

Section 1-757.10. A. Individuals or entities not certified under the Oklahoma Abortion-Inducing Drug Certification Program that provide drugs for the purpose of inducing abortion are in violation of this act.

B. Individuals or entities that provide abortion-inducing drugs to any person or entity that is not certified, or otherwise authorized, to provide abortion-inducing drugs under the Oklahoma Abortion-Inducing Drug Certification Program are in violation of this act.

C. A person who intentionally, knowingly or recklessly violates any provision of this act is guilty of a misdemeanor.

D. A person who intentionally, knowingly or recklessly violates any provision of this act by fraudulent use of an abortion-inducing drug, with or without the knowledge of the pregnant woman, is guilty of a Class D3 felony offense.

E. No civil or criminal penalty may be assessed against the pregnant woman upon whom the drug-induced abortion is attempted, induced or performed.

SECTION 733. AMENDATORY 63 O.S. 2021, Section 2-307, is amended to read as follows:

Section 2-307. Persons registered to manufacture, distribute, or dispense controlled dangerous substances under this act shall keep records and maintain inventories in conformance with the record-keeping and inventory requirements of federal law and with the additional rules the Director issues. Any person who violates the provisions of this section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 734. AMENDATORY 63 O.S. 2021, Section 2-312.1, is amended to read as follows:

Section 2-312.1. A. A licensed practitioner as defined in Section 355 of Title 59 of the Oklahoma Statutes shall not prescribe, dispense, deliver, or administer an anabolic steroid or human growth hormone or cause an anabolic steroid or human growth hormone to be administered under the direction or supervision of the practitioner except for a valid medical purpose and in the course of a professional practice. A valid medical purpose for the use of anabolic steroids or human growth hormones shall not include bodybuilding, muscle enhancement or increasing muscle bulk or strength of a person who is in good health. This section shall not prohibit the use of anabolic steroids for the treatment of livestock or domestic animals in accordance with state or federal law.

B. The prescribing, dispensing, delivering or administering of an anabolic steroid by a licensed practitioner in violation of the provisions of subsection A of this section shall be grounds for revocation or nonrenewal of the license of such licensed practitioner to practice in this state. In addition, any licensed practitioner prescribing, dispensing, delivering or administering an anabolic steroid in violation of the provisions of subsection A of this section, upon conviction thereof shall be guilty of a Class D3 felony offense punishable by imprisonment in the State Penitentiary for a term of not more than three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine.

SECTION 735. AMENDATORY 63 O.S. 2021, Section 2-314, is amended to read as follows:

Section 2-314. A. Whenever a manufacturer or wholesaler distributes a controlled dangerous substance in a container prepared by him, he shall securely affix to each individual container in which that substance is contained a label showing in legible English the name and address of the vendor and the quantity, kind, and form of substance contained therein.

B. Whenever a pharmacist dispenses any controlled dangerous substance, he shall affix to each immediate container in which such substance is dispensed the prescription number, the date dispensed, the patient's name, the name of the doctor, name and address of the pharmacy for which he is lawfully acting; or, if the patient is an animal, the name of the owner of the animal and words "for veterinary use only".

C. Whenever a practitioner dispenses any controlled dangerous substance, he shall affix to each immediate container in which such substance is dispensed a label showing date dispensed, his name, his address, his state registration number, name of the patient, or, if the patient is an animal, the name of the owner of the animal.

D. No person except a pharmacist for the purpose of filling a prescription shall alter, deface, or remove any label so affixed. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 736. AMENDATORY 63 O.S. 2021, Section 2-405, is amended to read as follows:

Section 2-405. A. No person shall use tincture of opium, tincture of opium camphorated, or any derivative thereof, by the hypodermic method, either with or without a medical prescription therefor.

B. No person shall use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act, except those persons holding an unrevoked license in the professions of podiatry, dentistry, medicine, nursing, optometry, osteopathy, veterinary medicine or pharmacy.

C. No person shall deliver, sell, possess or manufacture drug paraphernalia knowing, or under circumstances where one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, inject, ingest, inhale or otherwise introduce into the human body a controlled dangerous substance in violation of the Uniform Controlled Dangerous Substances Act.

D. Any person eighteen (18) years of age or over who violates subsection C of this section by delivering or selling drug paraphernalia to a person under eighteen (18) years of age shall, upon conviction, be guilty of a Class D3 felony offense and shall be

punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

E. Any person who violates subsections A, B or C of this section shall, upon conviction, be guilty of a misdemeanor punishable as follows:

1. For a first offense the person shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than One Thousand Dollars (\$1,000.00), or both such fine and imprisonment;

2. For a second offense the person shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment; and

3. For a third or subsequent offense the person shall be punished by imprisonment in the county jail for not more than one (1) year or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both such fine and imprisonment.

F. Any person convicted of any offense described in this section shall, in addition to any fine imposed, pay a special assessment trauma-care fee of One Hundred Dollars (\$100.00) to be deposited into the Trauma Care Assistance Revolving Fund created in Section 1-2522 of this title.

SECTION 737. AMENDATORY 63 O.S. 2021, Section 3101.11, is amended to read as follows:

Section 3101.11. A. A physician or other health care provider who willfully fails to arrange the care of a patient in accordance with Section 3101.9 of this title shall be guilty of unprofessional conduct.

B. A physician who willfully fails to record the determination of the patient's condition in accordance with Section 3101.7 of this title shall be guilty of unprofessional conduct.

C. Any person who willfully conceals, cancels, defaces, alters, or obliterates the advance directive of another without the declarant's consent, or who falsifies or forges a revocation of the advance directive of another shall be, upon conviction, guilty of a Class D3 felony offense and shall be punished by imprisonment as

provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

D. A person who in any way falsifies or forges the advance directive of another, or who willfully conceals or withholds personal knowledge of a revocation as provided in Section 3101.6 of this title shall be, upon conviction, guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

E. A person who requires or prohibits the execution of an advance directive as a condition for being insured for, or receiving, health care services shall be, upon conviction, guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

F. A person who coerces or fraudulently induces another to execute an advance directive or revocation shall be, upon conviction, guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

G. The sanctions provided in this section do not displace any sanction applicable under other law.

SECTION 738. AMENDATORY 63 O.S. 2021, Section 4009.1, as amended by Section 206, Chapter 282, O.S.L. 2022 (63 O.S. Supp. 2024, Section 4009.1), is amended to read as follows:

Section 4009.1. A. 1. Service Oklahoma shall promulgate rules specifying the location and manner in which serial numbers for outboard motors shall be affixed. In promulgating such rules, Service Oklahoma shall consider the existence of voluntary industry standards, the current state of technology and the overall process of reducing vessel and motor thefts in this state.

2. Any outboard motor manufactured on or after October 1, 1985, which is for sale in this state shall comply with the rules promulgated pursuant to this section.

3. Any person, firm or corporation which sells or offers to sell any outboard motor or outboard motor part manufactured on or after October 1, 1985, which does not comply with this subsection

shall be, upon conviction, guilty of a misdemeanor, punishable by a fine of up to Five Hundred Dollars (\$500.00), imprisonment in the county jail for a period of up to one (1) year, or both such fine and imprisonment.

B. 1. It is unlawful for any person to knowingly possess any outboard motor or outboard motor part upon which the serial number required by subsection A of this section has been removed, erased, defaced or otherwise altered to prevent identification.

2. It is unlawful for any person to knowingly possess, manufacture, sell or exchange, offer to sell or exchange, aid in sale or exchange, supply in blank, authorize or direct, give away, or to conspire to or attempt to commit any of the previously mentioned acts, any counterfeit manufacturer's outboard motor or outboard motor part serial number plate or decal, used for the purpose of identification of any outboard motor or outboard motor part, or to conspire or attempt to commit any of these acts.

3. Any person violating any provision of this subsection shall be, upon conviction, guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

C. If any serial number required by this section to identify ownership of an outboard motor or outboard motor part does not exist or has been removed, erased, defaced or otherwise altered to prevent identification, and the true identity cannot be determined, the outboard motor or outboard motor part may be seized by any peace officer in this state and shall be subject to forfeiture pursuant to the procedures established for the law enforcement agency by which the seizing officer is employed. Such outboard motor or outboard motor part may not be sold or used to propel a vessel on the waters of this state unless and until Service Oklahoma issues to the outboard motor or outboard motor part a replacement identifying number which shall be affixed to the motor or part and shall thereafter be used for identification purposes of the motor or part.

SECTION 739. AMENDATORY 64 O.S. 2021, Section 1017, is amended to read as follows:

Section 1017. Any person who shall execute or make any sworn statement or affidavit containing false information in connection with any transaction made from the funds held by the Commissioners of the Land Office shall be guilty of the felony of perjury, a Class

D3 felony offense, and, upon conviction thereof, shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in the custody of the Department of Corrections for a term not to exceed one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both fine and imprisonment.

SECTION 740. AMENDATORY 64 O.S. 2021, Section 1018, is amended to read as follows:

Section 1018. Any person, firm, business, or other entity who, without written authority from the Commissioners of the Land Office, trespasses, uses, cuts timber, injures or destroys surface or subsurface lands or improvements, removes anything of value from the surface or subsurface, assumes possession without a lease or other legal interest in the lands, or who refuses to surrender possession at the expiration, rescission or termination of a lease or easement shall be subject to a civil action for actual damages, possession of the land, injunction, civil penalties equal to the amount of actual damages, attorney fees, litigation expenses, sheriff fees and court costs. Damage claims shall carry sixteen-percent interest from the date of injury. The person, business or other entity shall also, upon conviction, be guilty of a Class D3 felony offense and shall be subject to criminal penalties as may be provided by law imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 741. AMENDATORY 64 O.S. 2021, Section 1029, is amended to read as follows:

Section 1029. The Cash Journal shall be balanced daily and the total of the receipts of each day shall be deposited with the State Treasurer as now required by the State Depository Law, except that deposits placed at auction for the sale or lease of lands or minerals pending finalization of a sale or lease transaction shall be secured by the Secretary of the Land Office for safekeeping. The deposits held by the Secretary shall be paid into the treasury clearing account of the Commissioners of the Land Office within three (3) business days following final approval and execution of all required documents related to the transaction. A deposit shall be returned to the payor of the deposit within three (3) business days following the determination by the Commissioners of the Land Office that the transaction will not be finalized. It shall be the duty of the Commissioners of the Land Office to notify each debtor to make their checks, drafts, or other transfer of monies payable to

the order of the Commissioners of the Land Office. The endorsements on the checks, drafts or other evidence of transfers of monies shall be in the following words:

"Pay to the order of the Treasury of the State of Oklahoma, for credit only to the Commissioners of the Land Office". No person, firm or corporation shall cash or pay out on any check, voucher, draft, money order or other evidence of transfers of money, or its equivalent, without the endorsements, and the endorsement of the State Treasurer appearing thereon.

Any person, firm or corporation knowingly violating this provision shall be guilty of a Class D3 felony offense and, upon conviction, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~in the custody of the Department of Corrections for a term of not more than three (3) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both the fine and imprisonment. In addition, the person, firm or corporation shall be civilly liable to the Commissioners of the Land Office for the use and benefit of the fund which has sustained the loss in double the amount of the check, voucher, money order, draft or other evidence of transfer of money, so cashed or paid.

All checks or vouchers drawn against any Special Agency Account by the Commissioners of the Land Office shall be issued only by the principal fiscal officer upon written application of the head of the division of the School Land Department. Each check or voucher shall be signed in the name of the Commissioners of the Land Office by the Secretary or in the absence of the Secretary by the Assistant Secretary and shall be countersigned by the principal fiscal officer. The form of check or voucher shall be prescribed by the State Treasurer and shall indicate on its face the purpose for which drawn, the amount and the account to which chargeable. No check shall leave the office until protected by use of a machine for printing amounts on checks, as by perforations, so as to prevent alterations.

SECTION 742. AMENDATORY 68 O.S. 2021, Section 317.1, is amended to read as follows:

Section 317.1. A. No person shall make a delivery sale of cigarettes to any individual who is under the legal minimum purchase age in this state. Any person who violates the provisions of this

section shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

B. Each person taking a delivery sale order shall comply with:

1. The age verification requirements set forth in Section 7 of this act;

2. The disclosure requirements set forth in Section 8 of this act;

3. The shipping requirements set forth in Section 9 of this act;

4. The registration and reporting requirements set forth in Section 10 of this act;

5. The tax collection requirements set forth in Section 11 of this act; and

6. All other laws of Oklahoma generally applicable to sales of cigarettes that occur entirely within Oklahoma, including, but not limited to, those laws imposing:

a. excise taxes,

b. sales taxes,

c. licensing and tax-stamping requirements, and

d. escrow or other payment obligations.

SECTION 743. AMENDATORY 68 O.S. 2021, Section 349.1, is amended to read as follows:

Section 349.1. A. Sales of cigarettes and other tobacco products by retailers licensed by noncompacting federally recognized Indian tribes or nations (hereinafter "tribe or nation") shall be subject to the cigarette excise tax imposed by Section 302 et seq. of this title and the excise tax on other tobacco products imposed by Section 402 et seq. of this title.

B. 1. Members of noncompacting federally recognized Indian tribes or nations may purchase cigarettes and other tobacco products, without payment of Oklahoma cigarette excise tax or Oklahoma other tobacco products excise tax, subject to the following conditions:

- a. the member of the noncompacting federally recognized Indian tribe (hereinafter "purchaser") is purchasing for his or her personal use, and not for sale, transfer or other disposition to another person or entity,
- b. the purchaser is purchasing from a retailer licensed by the federally recognized Indian tribe or nation of which the purchaser is a member,
- c. the licensed retailer of purchaser's federally recognized Indian tribe or nation is located upon "Indian country" of that licensing tribe or nation, as that term is defined by 18 USC Section 1151(a) and paragraph 3 of Section 348 of this title.

2. Members of noncompacting federally recognized tribes or nations are not entitled to purchase cigarettes or other tobacco products, free of Oklahoma excise tax, from retailers licensed by any other tribe or nation, compacting or not, but have a right to purchase cigarettes and other tobacco products, free of Oklahoma excise tax, upon the "Indian country" of the tribe or nation of which the purchaser is a member, per the United States Supreme Court decision "Oklahoma Tax Commission v. Citizen Band Potawatomi Indian Tribe of Oklahoma", 498 U.S. 505 (1991).

C. Cigarettes held for sale to members of a noncompacting tribe or nation by licensed retailers of that tribe or nation, which are located on the "Indian country" of that tribe or nation, as defined by 18 USC Section 1151(a) and paragraph 3 of Section 348 of this title, must bear a stamp issued by the Oklahoma Tax Commission evidencing that cigarettes are purchased free of Oklahoma cigarette excise tax. The following procedures shall apply to said stamps (hereafter, "Native American tax free stamps"):

1. The probable demand for Native American tax free stamps for each noncompacting tribe or nation shall be determined by the Tax Commission by ascertaining the total membership in Oklahoma of the tribe or nation from the Bureau of Indian Affairs or other reliable

source of public information regarding such membership, and multiplying that number by the percentage of smokers in Oklahoma or in the United States, whichever is greater, based on the most recent data available from the State Department of Health and/or other reliable source of public information. The product of that calculation shall be multiplied by the average yearly consumption of cigarettes by smokers in Oklahoma or the United States, whichever is greater, based on the most recent data available from the State Department of Health and/or other reliable source of public information. The resulting number shall be deemed to constitute the probable demand for Native American tax free stamps of such noncompacting tribe or nation for a calendar year.

2. A preliminary determination of probable demand shall be furnished to the governing authorities of each noncompacting tribe or nation which may submit, for consideration by the Tax Commission, any verifiable information in its possession regarding such probable demand, including, but not limited to, a verifiable record of previous sales to tribal members or other statistical evidence.

3. After consideration of all verifiable information furnished by a noncompacting tribe or nation pursuant to paragraph 2 of this subsection, the Tax Commission shall make its final determination of probable demand, and furnish such determination to the subject noncompacting tribe or nation and to all Oklahoma-licensed cigarette wholesalers.

4. Each calendar year, the Tax Commission shall establish, as to any and all Oklahoma-licensed cigarette wholesalers supplying cigarettes to tribally licensed or owned retailers of each noncompacting tribe or nation an allocation of the probable demand for such tribe or nation, based upon each wholesaler's previous year's reported sales of cigarettes to the tribally licensed or owned retailers of such tribe or nation. In making such allocation, the Tax Commission shall consider such other verifiable information as may be submitted by a licensed wholesaler or such tribe or nation. Upon reaching a final determination of allocation, the Tax Commission shall advise the affected wholesaler and the tribe or nation.

5. Oklahoma-licensed wholesalers may request and receive from the Tax Commission, at the beginning of each quarter of the year, their allocated share of Native American tax free stamps for the tribally licensed or owned retailers of each noncompacting tribe or nation. Once a wholesaler has received its allocated share of

Native American tax free stamps for the tribally licensed or owned retailers of a noncompacting tribe or nation for the quarter, that wholesaler may not receive any further Native American tax free stamps for tribally licensed or owned retailers of that tribe or nation during the quarter, absent good cause shown by verifiable information submitted by the wholesaler and/or that tribe or nation, which shall be considered and determined by the Tax Commission on a case-by-case basis.

6. The Tax Commission is empowered and authorized to promulgate such rules and regulations as, in its discretion, shall be deemed necessary to implement and enforce the provisions of this section.

7. The sale of cigarettes bearing the Native American tax-free stamp to a nonmember of the tribe or nation which licensed the tribally owned or licensed retailer shall, in accordance with the United States Supreme Court decision "Oklahoma Tax Commission v. Citizen Band Potawatomi Indian Tribe of Oklahoma", 498 U.S. 505 (1991), obligate that tribal retailer for payment of the applicable Oklahoma cigarette excise tax, together with the costs and attorney fees associated with any civil action brought to collect the unpaid Oklahoma cigarette excise tax. Such actions may be instituted in the district court in and for the county in which the tribal retailer is located.

D. The Oklahoma excise tax on all tobacco products other than cigarettes (hereafter "other tobacco products") held for sale by Oklahoma-licensed wholesalers shall be paid by the wholesaler and stamps affixed thereto by the wholesaler pursuant to Section 403 of this title, including those other tobacco products which may be purchased by members of noncompacting tribes and nations on the "Indian country" of such tribe or nation from a retailer licensed or owned by such tribe or nation. The following procedures shall apply to the tax-free sale of other tobacco products:

1. The probable demand for the tax-free consumption of other tobacco products by members of each noncompacting tribe or nation shall be determined by the Tax Commission by ascertaining the total membership in Oklahoma of the tribe or nation from the Bureau of Indian Affairs or other reliable source of public information regarding such membership, and multiplying that number by the percentage of users of such other tobacco products in Oklahoma or the United States, whichever is greater, based on the most recent data available from the State Department of Health and/or other reliable source of public information. The product of that

calculation shall be multiplied by the average yearly consumption of users of such other tobacco products in Oklahoma or the United States, whichever is greater, based on the most recent data available from the State Department of Health and/or other reliable source of public information. The resulting number shall be deemed to constitute the probable demand for the tax-free consumption of other tobacco products by members of such noncompacting tribes or nations for a calendar year.

2. A preliminary determination of probable demand shall be furnished to the governing authorities of each noncompacting tribe or nation, which may submit, for consideration by the Tax Commission, any verifiable information in its possession regarding such probable demand, including, but not limited to, a verifiable record of previous sales to tribal members or other statistical evidence.

3. After consideration of all verifiable information furnished by a noncompacting tribe or nation pursuant to paragraph 2 of this subsection, the Tax Commission shall make its final determination of probable demand and furnish such determination to the subject noncompacting tribe or nation and to all Oklahoma-licensed other tobacco product wholesalers.

4. Each calendar year, the Tax Commission shall establish, as to any and all Oklahoma-licensed other tobacco product wholesalers supplying other tobacco products to the tribally licensed or owned retailers of each noncompacting tribe or nation an allocation of the probable demand for such tribe or nation, based upon each wholesaler's previous year's reported sales of other tobacco products to the tribally licensed or owned retailers of such tribe or nation. In making such allocation, the Tax Commission shall consider such other verifiable information as may be submitted by a licensed wholesaler or such tribe or nation. Upon reaching a final determination of allocation, the Tax Commission shall advise the affected wholesaler and the tribe or nation.

5. Oklahoma-licensed wholesalers may request and receive from the Tax Commission, on the 30th of each month, a refund and/or credit for the previous month's tax-free sales of other tobacco products, equal to the lesser of: one twelfth (1/12) of their allocated share of tax-free sales of other tobacco products to the tribally licensed or owned retailers of each noncompacting tribe or nation or verifiable tax-free sales to the licensed or owned tribal retailers of such tribe or nation. Once a wholesaler has received

such refund and/or credit for a previous month's tax-free sales to the tribally licensed or owned retailers of each noncompacting tribe or nation, that wholesaler may not receive any further refund and/or credit for said previous month, absent good cause shown by verifiable information submitted by the wholesaler and/or the noncompacting tribe or nation, which shall be considered and determined by the Tax Commission on a case-by-case basis.

6. The Tax Commission is empowered and authorized to promulgate such rules and regulations as, in its discretion, shall be deemed necessary to implement and enforce the provisions of this section.

7. The tax-free sale of other tobacco products to a nonmember of the noncompacting tribe or nation which licenses the tribally owned or licensed retailer shall, in accordance with the United States Supreme Court decision "Oklahoma Tax Commission v. Citizen Potawatomi Indian Tribe of Oklahoma", 498 U.S. 505 (1991), obligate that tribal retailer for payment of the applicable Oklahoma other tobacco product excise tax, together with the costs and attorney fees associated with any civil action brought to collect the unpaid Oklahoma other tobacco product excise tax. Such actions may be instituted in the district court in and for the county in which the tribal retailer is located.

E. The provisions of this section are intended to, and shall be construed to apply only to, sales of cigarettes and other tobacco products on the "Indian country" of noncompacting federally recognized Indian tribes or nations to the members of such tribes or nations. In the event that a noncompacting tribe or nation enters into an agreement with the State of Oklahoma, pursuant to Section 346 of this title, the terms of such compact shall take precedence over the provisions of this section, which shall have no application to any tribe or nation, while any compact between the State of Oklahoma and that tribe or nation is in force and effect.

F. All cigarettes which are sold or held for sale at tribally owned or licensed stores shall have affixed thereto a stamp or stamps evidencing payment or nonpayment of the Oklahoma cigarette excise tax, as required by the provisions in this section.

G. It shall be unlawful for any person knowingly to ship, transport, receive, possess, sell, distribute or purchase contraband cigarettes. Any person who engages in shipping, transporting, receiving, possessing, selling, distributing or purchasing contraband cigarettes shall, upon conviction, be guilty of a

misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00). Any person convicted of a second or subsequent violation hereof shall be guilty of a Class D3 felony offense and shall be ~~punishable~~ punished by a fine of not more than Five Thousand Dollars (\$5,000.00), by a term of imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

H. Any person who knowingly engages in shipping, transporting, receiving, processing, selling, distributing or purchasing contraband cigarettes shall be subject to the forfeiture of property as is provided by Section 305 of this title and assessment of penalty as provided thereby and assessment for any delinquent taxes found to be owing.

I. Pursuant to 25 C.F.R., Section 140.17, no trader shall sell tobacco, cigars or cigarettes to any Indian or other person under eighteen (18) years of age.

SECTION 744. AMENDATORY 68 O.S. 2021, Section 426, is amended to read as follows:

Section 426. A. It shall be unlawful for any person knowingly to ship, transport, receive, possess, sell, distribute or purchase contraband tobacco products. Any person who engages in shipping, transporting, receiving, possessing, selling, distributing or purchasing contraband tobacco products shall, upon conviction, be guilty of a misdemeanor punishable by a fine of not more than Two Thousand Dollars (\$2,000.00). Any person convicted of a second or subsequent violation hereof shall be guilty of a Class D3 felony offense and shall be ~~punishable~~ punished by a fine of not more than Five Thousand Dollars (\$5,000.00), by a term of imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

B. Any person who knowingly engages in shipping, transporting, receiving, possessing, selling, distributing or purchasing contraband tobacco products shall be subject to the forfeiture of property as is provided by Section 417 of this title and assessment of penalty as provided thereby and assessment for any delinquent taxes found to be owing.

SECTION 745. AMENDATORY 68 O.S. 2021, Section 1364, as last amended by Section 1, Chapter 203, O.S.L. 2024 (68 O.S. Supp. 2024, Section 1364), is amended to read as follows:

Section 1364. Permits to do business.

A. Every person desiring to engage in a business within this state who would be designated as a Group One or Group Three vendor, pursuant to Section 1363 of this title, shall be required to secure from the Oklahoma Tax Commission every three (3) years a written permit for a fee of Twenty Dollars (\$20.00) prior to engaging in such business in this state. Each such person shall file with the Tax Commission an application for a permit to engage in or transact business in this state, setting forth such information as the Tax Commission may require. The application shall be signed by the owner of the business or representative of the business entity and as a natural person, and, in the case of a corporation, as a legally constituted officer thereof. To obtain a sales tax permit, an individual or sole proprietor must be at least eighteen (18) years of age. A parent or legal guardian may apply for a permit on behalf of an individual or sole proprietor who is not at least eighteen (18) years of age, provided the parent or legal guardian will be considered the authorized user responsible for remitting state tax.

B. Upon receipt of an initial application, the Tax Commission may issue a probationary permit effective for six (6) months which will automatically renew for an additional thirty (30) months unless the applicant receives written notification of the refusal of the Commission to renew the permit. Within twenty (20) days of the date of the written notification of the notice of refusal, the applicant may request a hearing to show cause why the permit should be renewed. Upon receipt of a request for a hearing, the Tax Commission shall set the matter for hearing and give ten (10) days' notice in writing of the time and place of the hearing. At the hearing, the applicant shall set forth the qualifications of the applicant for a permit and proof of compliance with all state tax laws.

C. Holders of a probationary permit as provided in subsection B of this section shall not be permitted to present the permit to obtain a commercial license plate for their motor vehicle as provided in Section 1133.1 of Title 47 of the Oklahoma Statutes.

D. Upon verification that the applicant is a Group Three vendor, the Tax Commission may require such applicant to furnish a surety bond or other security as the Commission may deem necessary to secure payment of taxes under this article, prior to issuance of a permit for the place of business set forth in the application for permit. Provided, the Tax Commission is hereby authorized to set guidelines, by adoption of regulations, for the issuance of sales tax permits. Pursuant to the guidelines the Tax Commission may refuse to issue permits to any Group Three vendors, or any class of vendors included in the whole classification of Group Three vendors, if the Tax Commission determines that it is likely this state will lose tax revenue due to the difficulty of enforcing this article for any reasons stated in paragraph 21 of Section 1354 of this title.

E. A separate permit for each additional place of business to be operated must be obtained from the Tax Commission for a fee of Ten Dollars (\$10.00). Such permit shall be good for a period of three (3) years. The Tax Commission shall grant and issue to each applicant a separate permit for each place of business in this state, upon proper application therefor and verification thereof by the Tax Commission.

F. A permit is not assignable and shall be valid only for the person in whose name it is issued and for the transaction of business at the place designated therein. The permit shall at all times be conspicuously displayed at the place of business for which issued in a position where it can be easily seen. The permit shall be in addition to all other permits required by the laws of this state. Provided, if the location of the business is changed, such person shall file with the Tax Commission an application for a permit to engage in or transact business at the new location. Upon issuance of the permit to the new location of such business, no additional permit fee shall be due until the expiration of the permit issued to the previous location of such business.

G. It shall be unlawful for any person coming within the class designated as Group One or the class designated as Group Three to engage in or transact a business of reselling tangible personal property or services within this state unless a written permit or permits shall have been issued to such person. Any person who engages in a business subject to the provisions of this section without a permit or permits, or after a permit has been suspended, upon conviction, shall be guilty of a misdemeanor punishable by a fine of not more than One Thousand Dollars (\$1,000.00). Any person convicted of a second or subsequent violation hereof shall be guilty

of a Class D3 felony and offense punishable by a fine of not more than Five Thousand Dollars (\$5,000.00), or by a term of imprisonment in the custody of the Department of Corrections for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both such fine and imprisonment.

H. Any person operating under a permit as provided in this article shall, upon discontinuance of business by sale or otherwise, return such permit to the Tax Commission for cancellation, together with a remittance for any unpaid or accrued taxes. Failure to surrender a permit and pay any and all accrued taxes will be sufficient cause for the Tax Commission to refuse to issue a permit subsequently to such person to engage in or transact any other business in this state. In the case of a sale of any business, the tax shall be deemed to be due on the sale of the fixtures and equipment, and the Tax Commission shall not issue a permit to continue or conduct the business to the purchaser until all tax claims due this state have been settled.

I. All permits issued under the provisions of this article shall expire three (3) years from the date of issuance at the close of business at each place or location of the business within this state. No refund of the fee shall be made if the business is terminated prior to the expiration of the permit. Whenever the sales tax reports required to be filed by Section 1365 of this title indicate there is no business activity at a place of business for a period of twelve (12) months, the Tax Commission, after giving twenty (20) days' notice to the permit holder in writing of the time and place of hearing to show cause why the sales tax permit for that place of business should not be revoked, may revoke or suspend the permit pursuant to an order of the Tax Commission after failure to show cause or failure to appear by the permit holder.

J. Whenever a holder of a permit fails to comply with any provisions of this article, the Tax Commission, after giving twenty (20) days' notice in writing of the time and place of hearing to show cause why the permit should not be revoked, may revoke or suspend the permit pursuant to an order of the Tax Commission after failure to show cause or failure to appear by the permit holder, the permit to be renewed upon removal of cause or causes of revocation or suspension. However, if a holder of a permit becomes delinquent for a period of three (3) months or more in reporting or paying of any tax due under this article, any duly authorized agent of the Tax Commission may remove the permit from the taxpayer's premises and it

shall be returned or renewed only upon the filing of proper reports and payment of all taxes due under this article.

K. Permits are not required of persons coming within the classification designated as Group Two. The Oklahoma Tax Commission shall issue a limited permit to Group Five vendors. The permit shall be in such form as the Tax Commission may prescribe.

L. Nothing in this article shall be construed to allow a permit holder to purchase, tax exempt, anything for resale that the permit holder is not regularly in the business of reselling.

M. All monies received pursuant to issuance of such permits to do business shall be paid to the State Treasurer and placed to the credit of the General Revenue Fund of the State Treasury.

N. Notwithstanding the provisions of Section 205 of this title, the Oklahoma Tax Commission is authorized to release the following information contained in the Master Sales and Use Tax File to vendors:

1. Permit number;
2. Name in which permit is issued;
3. Name of business operation if different from ownership (DBA);
4. Mailing address;
5. Business address;
6. Business class, North American Industry Classification System (NAICS), or Standard Industrial Classification (SIC); and
7. Effective date and expiration or cancellation date of permit.

Release of such information shall be limited to tax remitters for the express purpose of determining the validity of sales permits presented as evidence of purchasers' sales tax resale status under this Oklahoma Tax Code.

The provisions of this subsection shall be strictly interpreted and shall not be construed as permitting the disclosure of any other

information contained in the records and files of the Tax Commission relating to sales tax or to any other taxes.

This information may be provided on a subscription basis, with periodic updates, and sufficient fee charged, not to exceed One Hundred Fifty Dollars (\$150.00) per year, to offset the administrative costs of providing the list. All revenue received by the Oklahoma Tax Commission from such fees shall be deposited to the credit of the Oklahoma Tax Commission Fund. No liability whatsoever, civil or criminal, shall attach to any member of the Tax Commission or any employee thereof for any error or omission in the disclosure of information pursuant to this subsection.

O. If the Tax Commission enters into the Streamlined Sales and Use Tax Agreement under Section 1354.18 of this title, the Tax Commission is authorized to participate in its online sales and use tax registration system and shall not require the payment of the registration fees or other charges provided in this section from a vendor who registers within the online system if the vendor has no legal requirement to register.

SECTION 746. AMENDATORY 68 O.S. 2021, Section 1625, is amended to read as follows:

Section 1625. The following license fees shall be due and payable on or before March 1 of each year to the Office of the State Fire Marshal. Any licensed manufacturer, distributor or wholesaler permitted to sell fireworks at wholesale or retail, pursuant to Section 1623 of this title, may apply for a license.

1. A license fee of One Thousand Dollars (\$1,000.00) annually shall be charged for the license to do business within this state as a manufacturer. Provided, no manufacturer's license shall be issued without:

- a. proof of inspection by the State Fire Marshal pursuant to Section 1633 of this title, and
- b. proof of workers' compensation coverage pursuant to the provisions of Title 85 of the Oklahoma Statutes.

2. A license fee of One Thousand Dollars (\$1,000.00) annually shall be charged for the license to do business within this state as a distributor.

3. A license fee of Five Hundred Dollars (\$500.00) annually shall be charged for the license to do business within this state as a wholesaler.

4. Any person operating a retail location where fireworks are sold directly to the consumer shall be required to purchase a retail fireworks license. The retail license fee shall be Ten Dollars (\$10.00) annually and may be purchased from any licensed wholesaler, manufacturer or distributor. These serially numbered licenses shall be made available at any time to the licensed wholesalers, manufacturers or distributors in books of twenty licenses to a book. Retail licenses which are unsold may be exchanged for new licenses. Any person purchasing a retail fireworks license pursuant to this paragraph shall, at the time of purchasing such license, sign an affidavit attesting to the fact that the name, mailing address and telephone number of the purchaser as it appears on such license is correct and that the purchaser operates a retail location where fireworks are sold directly to the consumer. Said affidavit shall be an integral but easily detachable part of the application form for a retail fireworks license. Any person who signs said affidavit as required by this paragraph when such person knows that it is not true, upon conviction, shall be guilty of the felony of perjury, a Class D3 felony offense, and shall be punished by imprisonment as provided for by law in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

Any person engaged in more than one of the licensed activities provided in this section shall only pay one fee to be based on the classification requiring the higher fee.

SECTION 747. AMENDATORY 68 O.S. 2021, Section 2861, is amended to read as follows:

Section 2861. A. A county board of equalization is hereby created for each county in the state. Said board shall consist of three (3) members.

B. Members of the county board of equalization shall be appointed as follows:

1. One member shall be appointed by the Oklahoma Tax Commission;

2. One member shall be appointed by the board of county commissioners; and

3. One member shall be appointed by the district judge or a majority of the district judges in all judicial districts where more than one district judge is elected.

C. The tenure of office of each county board of equalization member shall be coterminous with that of the first county commissioner district and the third county commissioner district.

D. The qualifications of the members of the county board of equalization shall be as follows:

1. The member must be a qualified elector and resident of the county;

2. The member may not hold an elected office of the state, county, school district or municipal subdivision;

3. The member may not file for any elected office of the state, county, school district or municipal subdivision without first resigning from the county board of equalization; and

4. Not more than one member shall live in any one county commissioner's district; provided, any member serving on the effective date of this act may continue to serve until completion of the member's tenure of office pursuant to the provisions of subsection C of this section notwithstanding the provisions of this paragraph.

E. The county clerk shall serve as secretary and clerk of said board without additional compensation.

F. If there is a conflict or dispute as to the membership, the eligibility of any appointee for membership, the priority of an appointment or appointments, one as opposed to another, or the right of any appointee to serve in any county commissioner's district, then, such conflict or dispute shall be resolved by a determination and order of the Oklahoma Tax Commission.

G. It shall be unlawful for any member of the county board of equalization to sell or contract to sell, or to lease or contract to lease, or to represent any person, firm, corporation or association in the sale or the lease of any machinery, supplies, equipment, material, or other goods, wares, or merchandise to any county or city or town of the county. It shall also be unlawful for any

member of the county board of equalization to serve as employee, official, or attorney for any county or city, or town of the county, or for any such member to represent any taxpayer before the board in any manner, or to use the position as a board member to further the member's own interests. It shall also be unlawful for any taxpayer or interested party to employ any member of the county board of equalization in any matter coming before the board.

H. Any person violating any of the provisions of this section shall be deemed guilty of a Class D3 felony offense, and upon conviction thereof shall be punished by a fine of not less than Two Hundred Dollars (\$200.00) and not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the State Penitentiary for not less than six (6) months or more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

I. Any action taken by a county excise board after August 24, 1989, and before May 30, 1990, are hereby declared to be official actions of a duly constituted county excise board.

SECTION 748. AMENDATORY 68 O.S. 2021, Section 3908, is amended to read as follows:

Section 3908. Any person making an application, claim for payment or any report, return, statement, invoice, or other instrument or providing any other information pursuant to the provisions of this act who willfully makes a false or fraudulent application, claim, report, return, statement, invoice, or other instrument or who willfully provides any false or fraudulent information, or any person who willfully aids or abets another in making such false or fraudulent application, claim, report, return, statement, invoice, or other instrument or who willfully aids or abets another in providing any false or fraudulent information, upon conviction, shall be guilty of a Class D3 felony offense. The fine for a violation of this provision shall not be less than One Thousand Dollars (\$1,000.00) nor more than Fifty Thousand Dollars (\$50,000.00). Any person convicted of a violation of this section shall be liable for the repayment of all incentive payments which were paid to the establishment. Interest shall be due on such payments at the rate of ten percent (10%) per annum.

SECTION 749. AMENDATORY 69 O.S. 2021, Section 1213, is amended to read as follows:

Section 1213. ~~(a)~~ A. Any person or persons who shall willfully or knowingly obstruct or damage any public road or highway by obstructing the side or cross drain or ditches thereof, or by turning water upon such road or highway or right-of-way, or by throwing or depositing brush, trees, stumps, logs, or any refuse or debris whatsoever in the road or highway, or on the sides or in the ditches thereof, or by fencing across or upon the right-of-way of the same, or by planting any hedge within the lines established for such road or highway, or by changing the location thereof, or shall obstruct said road, highway or drains in any other manner whatsoever, or, except as provided in subsection ~~(b)~~ B of this section, any person or persons who shall willfully or knowingly deface, damage, destroy or remove any traffic-control device, road sign, signboard, guide sign or signpost shall be deemed guilty of a misdemeanor.

~~(b)~~ B. If any person or persons willfully or knowingly defaces, damages, destroys or removes any traffic-control device, road sign, signboard, guide sign or signpost and such action results in personal injury to or death of any person, the person or persons responsible for such action shall be guilty of a Class D3 felony offense punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. Notice of this provision shall be placed in the manual provided by the Department of Public Safety which manual is issued for purpose of passing driving privilege.

~~(c)~~ C. The governing body who finds any road or highway obstructed as above specified shall notify the person violating the provisions of this section, verbally or in writing, to remove such obstruction forthwith, and if such person does not remove the obstruction within ten (10) days after being notified, he shall pay the sum of Five Dollars (\$5.00) for each and every day after the tenth day such obstruction is maintained or permitted to remain, such fine to be recovered by suit brought by the governing body in any court of competent jurisdiction.

SECTION 750. AMENDATORY 70 O.S. 2021, Section 17-110, is amended to read as follows:

Section 17-110. Any person who shall knowingly make any false statement or shall falsify or permit to be falsified, any record or

records of this retirement system in any attempt to defraud such system as a result of such act shall be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes. Should any charge or error in the records result in any member or beneficiary receiving from the retirement system more or less than he would have been entitled to receive had the records been correct, the Board of Trustees shall correct such error, and so far as practicable, shall adjust the payment in such a manner that the actuarial equivalent of the benefit to which such member or beneficiary was correctly entitled shall be paid, and to take from the Interest Fund sufficient to reimburse the Fund where an overpayment had already been made, and any such overpayment recovered from the member shall be placed in the Interest Fund.

SECTION 751. AMENDATORY 71 O.S. 2021, Section 621, is amended to read as follows:

Section 621. A. It is unlawful and deemed a Class D3 felony offense for any person to offer or dispose of any interest in subdivided land located in this state or to offer or dispose in this state of any subdivided land located without this state unless it is registered under this Code or the land or transaction is exempt under Sections 622 or 623 of this Code.

B. It is unlawful and deemed a Class D3 felony offense for any subdivider or registrant of subdivided lands registered under this Code, or any person in control of, controlled by, or under common control with the subdivider or registrant, or any agent, to offer or dispose of any of the registered subdivided land if the subdivider or registrant is in violation of this Code, or any rule promulgated under this Code, or any order issued under this Code of which he has notice, or if the registration statement relating to the subdivided lands, as of the date of such offer or disposition, is incomplete in any material respect or contains any statement which is false or misleading with respect to any material fact.

SECTION 752. AMENDATORY 71 O.S. 2021, Section 626, as amended by Section 3, Chapter 78, O.S.L. 2022 (71 O.S. Supp. 2024, Section 626), is amended to read as follows:

Section 626. A. It shall be unlawful and deemed a Class D3 felony offense for a person to dispose of an interest in subdivided lands, pursuant to a registration under this Code, unless a current public offering statement is delivered to the purchaser at the

expense of the subdivider or the subdivider's agent at least forty-eight (48) hours prior to any sale, contract to sell or option to purchase and unless the purchaser is afforded a reasonable opportunity to examine and is permitted to retain the public offering statement. The subdivider shall obtain and retain a receipt, signed by the purchaser, acknowledging receipt of a copy of the public offering statement prior to the execution by the purchaser of any contract or agreement for the disposition of any lot in a subdivision, which receipt shall be kept in the files of the subdivider and be subject to inspection by the Administrator for a period of three (3) years from the date the receipt is taken.

B. A public offering statement shall disclose fully and accurately all material circumstances or features which affect the subdivided lands or which would be a material consideration in making the purchasing decision. The proposed public offering statement shall be submitted to the Administrator as required by paragraph 20 of Section 625 of this Code and shall be in such form and contain such information as the Administrator by rule requires including:

1. The name, principal address, electronic mail address, website address, and telephone number of the subdivider and the subdivider's offices and agents in this state;

2. A general description of the subdivided lands including a statement of the total number of lots to be offered;

3. A statement as to whether the subdivider holds any option to purchase adjacent properties and, if so, a description of such option and the location and zoning of the adjacent properties;

4. The assistance, if any, that the subdivider and the subdivider's agents or affiliates will provide to the purchaser in the resale of the property and the extent to which the subdivider, agents, or affiliates will be in competition in the event of resale;

5. The material terms of any encumbrances, easements, liens, and restrictions including zoning and other regulations affecting the subdivided lands and each unit or lot, the efforts to remove such liens or encumbrances, the results of the success or failure thereof, and all existing taxes and existing or proposed special taxes or assessments which affect the subdivided lands;

6. The use for which the property is to be offered;

7. Information concerning existing or proposed improvements including, but not limited to, streets, water supply, levees, drainage control systems, irrigation systems, sewage disposal systems and customary utilities and the estimated cost, date of completion, and responsibility for construction and maintenance of existing and proposed improvements which are referred to in connection with the offering or disposition of any lot in subdivided lands;

8. Such financial statements of the subdivider as the Administrator may require;

9. The topographic and climatic characteristics of the subdivided lands and adjacent area;

10. A statement of the existing provisions for access of the subdivision to community fire protection, the location of primary and secondary schools, the proximity to municipalities and the population thereof, the improvements installed or to be installed including off-site and on-site community and recreational facilities, by whom they were or are to be installed, maintained or paid for, and an estimate of completion thereof; and

11. Such additional information as may be required by the Administrator including any of the information contained in the application for registration.

C. The public offering statement shall not be used for any promotional purpose before registration of the subdivided lands and afterwards it shall be used only in its entirety. It shall be unlawful for any person to advertise or represent that the Administrator has approved or recommended the subdivided lands or a disposition thereof. No portion of the public offering statement may be underscored, italicized, or printed in larger or heavier or different colored type than the remainder of the statement unless required or approved by the Administrator.

D. The Administrator may require the subdivider or the subdivider's agent to alter or amend the proposed public offering statement in order to provide full and fair disclosure to prospective purchasers.

SECTION 753. AMENDATORY 71 O.S. 2021, Section 631, as amended by Section 6, Chapter 78, O.S.L. 2022 (71 O.S. Supp. 2024, Section 631), is amended to read as follows:

Section 631. It is unlawful and shall be deemed a Class D3 felony offense for any person to transact business in this state as an agent unless the person has obtained a real estate broker's or real estate sales associate's license from this state, provided that the provisions of this section shall not apply to a person whose dealings relate solely to property exempt under Section 622 of this title or to transactions exempt under Section 623 of this title.

SECTION 754. AMENDATORY 71 O.S. 2021, Section 641, is amended to read as follows:

Section 641. It is unlawful and deemed a Class D3 felony offense for any subdivider, agent, or affiliate of either, in connection with the offer or disposition in this state of any subdivided land, directly or indirectly, to:

1. Employ any device, scheme or artifice to defraud;
2. Make any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or
3. Engage in any act, practice or course of business which operates or would operate as a fraud or deceit upon any person.

SECTION 755. AMENDATORY 71 O.S. 2021, Section 653, is amended to read as follows:

Section 653. A. It is unlawful and deemed a Class D3 felony offense for any person, in connection with the offer or disposition of subdivided land, to publish, circulate or use any advertising concerning the subdivided land which contains:

1. Any untrue statement, omission or pictorial representation of a material fact which under the circumstances makes the statement, omission or pictorial representation misleading; or
2. Any statement which differs materially from the information contained in a registration application or public offering statement.

B. All advertising except advertising relating to subdivided land or transactions exempt pursuant to Sections 622 and 623 shall be filed with the Administrator not later than ten (10) days prior to its use and shall not be used until a copy thereof has been approved for use by the Administrator, except advertising which the Administrator exempts by rule or order. Any advertising filed with the Administrator pursuant to this section shall be accompanied by the filing fee specified in Section 652 of this title.

SECTION 756. AMENDATORY 71 O.S. 2021, Section 654, is amended to read as follows:

Section 654. It is unlawful and shall be deemed a Class D3 felony offense for any person to make or cause to be made, in any document filed under this Code or in any proceeding under this Code, any false or misleading statement in any material respect or, in connection with such statement, to omit to state a material fact necessary in order to make the statements made, in light of the circumstances under which they are made, not misleading.

SECTION 757. AMENDATORY 71 O.S. 2021, Section 658, is amended to read as follows:

Section 658. A. Any person who willfully violates any provision of this Code ~~except Section 654 of this title~~, or any rule under this Code, or any order of which the person has notice, or who violates Section 654 of this title, knowing or having reasonable cause to believe that the statement made was false or misleading in any material respect, shall be guilty of a Class D3 felony offense and may be fined not more than Twenty-five Thousand Dollars (\$25,000.00), or imprisoned not more than three (3) years as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

B. The Administrator may refer such evidence as is available concerning violations of this Code or any rule or order hereunder to the Attorney General or the district attorney of the appropriate district, who may, with or without any reference, institute the appropriate criminal proceedings. The Attorney General or district attorney may designate and appoint one or more lawyers of the Department of Securities as special assistants as available for the purpose of assisting in or conducting all criminal prosecutions arising by reason of proceedings under this section.

C. Nothing in this Code limits the power of the state to punish any person for any conduct which constitutes a crime under any other statute.

SECTION 758. AMENDATORY 72 O.S. 2021, Section 6-1, is amended to read as follows:

Section 6-1. A. Any person who knowingly with intent to impersonate and with intent to deceive, misrepresents himself or herself as a member or veteran of the United States Armed Forces by wearing any decoration or medal authorized by the Congress of the United States for the Armed Forces of the United States, or any of the service medals or badges awarded to the members of such forces, or the ribbon, button, or rosette of any such badge, decoration or medal, or any colorable imitation thereof, except when authorized under regulations as authorized by the applicable federal law, shall be guilty of a misdemeanor and shall be fined One Thousand Dollars (\$1,000.00) or be imprisoned in the county jail for a period of not more than six (6) months or both.

B. If a decoration or medal involved in an offense under subsection A of this section is a Congressional Medal of Honor, the offender shall upon conviction be guilty of a Class D3 felony offense and fined an amount not to exceed Five Thousand Dollars (\$5,000.00), or be imprisoned in the county jail for a period of not more than one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or both.

C. If a person presents any falsified or altered document as proof of service or authorization for decoration or medal, such person shall be guilty of a Class D3 felony offense and fined an amount not to exceed Five Thousand Dollars (\$5,000.00), or be imprisoned in the county jail for a period of not more than one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 759. AMENDATORY 74 O.S. 2021, Section 217, is amended to read as follows:

Section 217. If by reason of sickness, absence or other cause, the State Auditor and Inspector is temporarily unable to perform the duties of the office, the Deputy State Auditor and Inspector shall perform the duties of the office of State Auditor and Inspector until such disability ceases, whenever the same will not be inconsistent with the Constitution.

The State Auditor and Inspector shall be reimbursed actual and necessary travel expenses when traveling on official state business as provided by the State Travel Reimbursement Act.

If the State Auditor and Inspector, or any deputy, or employee, shall at any time, directly or indirectly, receive compensation for service, or neglect of service, other than that provided for in this article, such person shall be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes. The making of a false report knowingly by the State Auditor and Inspector, or any assistant or deputy, authorized by this article, of the financial condition of any office or institution required or authorized to be examined by this article shall, upon conviction, be a Class D3 felony, ~~and any offense~~ and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes. Any failure to perform the duties required of them to be performed by this article shall constitute a misdemeanor.

SECTION 760. AMENDATORY 82 O.S. 2021, Section 674, is amended to read as follows:

Section 674. The making of profit, directly or indirectly, by any officer of any district organized under this act, or by any public officer within the state, out of any contracts entered into by the district, or by use of any contracts entered into by the district, or by use of any money belonging to a district by lending it or otherwise using it, or by depositing the same in any manner, contrary to law, or by removal of any money by any such officer or by his consent and placing elsewhere than is prescribed either by law or by the official acts of the board of directors for the purpose of profit, or any person who shall misrepresent any material fact concerning the proposed project to any property owner when procuring signatures to a petition to inaugurate such project, shall constitute a Class D3 felony offense, and on conviction thereof shall subject such officer to imprisonment ~~in the State Penitentiary for a term not exceeding two (2) years~~ as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment, and the officer offending shall be liable personally and upon his official bond for all losses to such district and for all profits realized by such unlawful use of monies.

SECTION 761. AMENDATORY 85A O.S. 2021, Section 38, is amended to read as follows:

Section 38. A. An employer shall secure compensation to employees under this act in one of the following ways:

1. By insuring and keeping insured the payment of compensation with any stock corporation, mutual association, or other concerns authorized to transact the business of workers' compensation insurance in this state. When an insurer issues a policy to provide workers' compensation benefits under the provisions of this act, it shall file a notice with the Workers' Compensation Commission containing the name, address, and principal occupation of the employer, the number, effective date, and expiration date of the policy, and such other information as may be required by the Commission. The notice shall be filed by the insurer within thirty (30) days after the effective date of the policy. Any insurer who does not file the notice required by this paragraph shall be subject to a fine by the Commission of not more than One Thousand Dollars (\$1,000.00);

2. By obtaining and keeping in force guaranty insurance with any company authorized to do guaranty business in this state. Each company that issues workers' compensation guaranty insurance shall file a copy of the contract with the Commission within thirty (30) days after the effective date of the contract. Any company that does not file a copy of the contract as required by this paragraph shall be subject to a fine by the Commission of not more than One Thousand Dollars (\$1,000.00);

3. By furnishing satisfactory proof to the Commission of the employer's financial ability to pay the compensation. The Commission, under rules adopted by the Commission, shall require any employer that has:

a. less than one hundred employees or less than One Million Dollars (\$1,000,000.00) in net assets to:

(1) deposit with the Commission securities, an irrevocable letter of credit or a surety bond payable to the state, in an amount determined by the Commission which shall be at least an average of the yearly claims for the last three (3) years, or

- (2) provide proof of excess coverage with such terms and conditions as is commensurate with their ability to pay the benefits required by the provisions of this act, and
- b. one hundred or more employees and One Million Dollars (\$1,000,000.00) or more in net assets to:
 - (1) secure a surety bond payable to the state, or an irrevocable letter of credit, in an amount determined by the Commission which shall be at least an average of the yearly claims for the last three (3) years, or
 - (2) provide proof of excess coverage with terms and conditions that are commensurate with their ability to pay the benefits required by the provisions of this act;

4. By forming a group self-insurance association consisting of two or more employers which shall have a common interest and which shall have entered into an agreement to pool their liabilities under the Administrative Workers' Compensation Act. Such agreement shall be subject to rules of the Commission. Any employer, upon application to become a member of a group self-insurance association, shall file with the Commission a notice, in such form as prescribed by the Commission, acknowledging that the employer accepts joint and several liability. Upon approval by the Commission of such application for membership, said member shall be a qualified self-insured employer; or

5. By any other security as may be approved by the Commission and the Insurance Department.

B. The Commission may waive the requirements of this section in an amount which is commensurate with the ability of the employer to pay the benefits required by the provisions of this act. Irrevocable letters of credit required by this subsection shall contain such terms as may be prescribed by the Commission and shall be issued for the benefit of the state by a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation.

C. An employer who does not fulfill the requirements of this section is not relieved of the obligation to pay compensation under this act. The security required under this section, including any interest, shall be maintained by the Commission as provided in this act until each claim for benefits is paid, settled, or lapses under this act, and costs of administration of such claims are paid.

D. Failure on the part of any employer to secure the payment of compensation provided in this act shall have the effect of enabling the Commission to assert the rights of an injured employee against the employer.

E. Any employer that knowingly provides false information to the Commission for purposes of securing or maintaining a self-insurance permit shall be guilty of a Class D3 felony offense and subject to a maximum fine of Ten Thousand Dollars (\$10,000.00).

SECTION 762. This act shall become effective January 1, 2026.

Passed the House of Representatives the 22nd day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 28th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____

Approved by the Governor of the State of Oklahoma this _____
day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20_____, at _____ o'clock _____ M.
By: _____