

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 60th Legislature (2026)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 4142

By: Manger of the House

and

Hines of the Senate

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10                                   COMMITTEE SUBSTITUTE

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

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

21                   SECTION 1.           AMENDATORY           21 O.S. 2021, Section 1767.1, as  
22                   amended by Section 459, Chapter 486, O.S.L. 2025 (21 O.S. Supp.  
23                   2025, Section 1767.1), is amended to read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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10 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
11 OVERSIGHT, dated 02/24/2026 - DO PASS, As Amended.

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