

1 **SENATE FLOOR VERSION**

2 February 10, 2026

3 SENATE BILL NO. 1446

By: Wingard

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6 An Act relating to crimes and punishments; amending
7 21 O.S. 2021, Section 1031, as last amended by
8 Section 397, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
9 2025, Section 1031), which relates to Oklahoma Law on
10 Obscenity and Child Sexual Abuse Material; updating
11 statutory reference; amending certain penalty related
12 to child sex trafficking; updating statutory
13 references; and providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1031, as
16 last amended by Section 397, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
17 2025, Section 1031), is amended to read as follows:

18 Section 1031. A. Except as provided in subsection B, C, D, or
19 E of this section, any person violating any of the provisions of
20 paragraph 1, 2, 3, or 5 of subsection A of Section 1029 ~~or Section~~
21 ~~1030~~ of this title shall, upon conviction, be guilty of a
22 misdemeanor and shall be punished by imprisonment in the county jail
23 for not less than thirty (30) days nor more than one (1) year or by
24 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

1 (\$5,000.00) upon the second conviction for violation of any of such
2 provisions, and a fine not more than Seven Thousand Five Hundred
3 Dollars (\$7,500.00) upon the third or subsequent convictions for
4 violation of any of such provisions, or by both such imprisonment
5 and fine. In addition, the court may require a term of community
6 service not less than forty (40) nor more than eighty (80) hours.
7 The court in which any such conviction is had shall notify the
8 county superintendent of public health of such conviction.

9 B. Any person who engages in an act of prostitution with
10 knowledge that he or she is infected with the human immunodeficiency
11 virus shall, upon conviction, be guilty of a Class D1 felony offense
12 punishable by imprisonment as provided for in subsections B through
13 ~~F~~ E of Section 20N of this title.

14 C. Any person who engages in an act of child ~~prostitution~~ sex
15 trafficking as defined in Section 1030 of this title shall, upon
16 conviction, be guilty of a Class B1 felony offense punishable by
17 imprisonment in the custody of the Department of Corrections for not
18 ~~more~~ less than ten (10) years and by fines as follows: a fine not
19 more than Five Thousand Dollars (\$5,000.00) upon the first
20 conviction, a fine not more than Ten Thousand Dollars (\$10,000.00)
21 upon the second conviction, and a fine not more than Fifteen
22 Thousand Dollars (\$15,000.00) upon the third or subsequent
23 convictions.

24

1 D. Any person violating any of the provisions of Section 1029
2 ~~or 1030~~ of this title within one thousand (1,000) feet of a school
3 or church shall, upon conviction, be guilty of a Class D1 felony
4 offense and shall be punished by imprisonment as provided for in
5 subsections B through ~~F~~ E of Section 20N of this title, or by fines
6 as follows: a fine not more than Two Thousand Five Hundred Dollars
7 (\$2,500.00) upon the first conviction for violation of any of such
8 provisions, a fine not more than Five Thousand Dollars (\$5,000.00)
9 upon the second conviction for violation of any of such provisions,
10 and a fine not more than Seven Thousand Five Hundred Dollars
11 (\$7,500.00) upon the third or subsequent convictions for violation
12 of any of such provisions, or by both such imprisonment and fine.
13 In addition, the court may require a term of community service not
14 less than forty (40) nor more than eighty (80) hours. The court in
15 which any such conviction is had shall notify the county
16 superintendent of public health of such conviction.

17 E. Any person violating paragraph 4 of subsection A of Section
18 1029 of this title shall, upon conviction, be guilty of a Class B4
19 felony offense and shall be punished in accordance with the
20 provisions of subsection B of Section 1040.57 of this title.

21 SECTION 2. This act shall become effective November 1, 2026.

22 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
23 February 10, 2026 - DO PASS
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