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February 3, 2026

By: Logan

An Act relating to crimes and punishments; defining terms; creating certain offenses related to gift cards and gift certificates; providing for penalties; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1740.3 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. For the purposes of this section:

1. "Cardholder" means any person to whom a physical or virtual gift card or gift certificate is issued through a purchase or who receives a gift card or gift certificate from another;

2. "Gift card" means card, code, or device that is issued to a consumer on a prepaid basis primarily for personal, family, or household purposes in a specified amount, regardless of whether that amount may be increased or reloaded in exchange for payment and that is redeemable upon presentation at a merchant or multiple merchants. It includes closed-loop gift cards that are redeemable at a single

1 merchant or group of affiliated merchants and open-loop gift cards
2 that are redeemable at multiple unaffiliated merchants for goods or
3 services within the payment card network;

4 3. "Gift certificate" means a written promise that is issued in
5 a specified amount, indicated on its face, and cannot be increased
6 in value, is usable to purchase goods or services only at a single
7 merchant or multiple merchants, and is purchased by a consumer on a
8 prepaid basis in exchange for payment;

9 4. "Issuer" means a person or entity engaged in the business of
10 offering goods or services for sale at retail and who sells gift
11 cards or gift certificates to consumers; and

12 5. "Redemption information" means information unique to each
13 gift card or gift certificate.

14 B. 1. Any person who, with intent to defraud, acquires or
15 retains possession of a gift card, gift certificate, or redemption
16 information without the consent of the cardholder or issuer shall,
17 upon conviction, be guilty of larceny punishable pursuant to Section
18 1702 of Title 21 of the Oklahoma Statutes.

19 2. Any person who, with intent to defraud, alters or tampers
20 with a gift card or gift certificate shall, upon conviction, be
21 guilty of forgery in the third degree punishable pursuant to
22 paragraph 3 of Section 1621 of Title 21 of the Oklahoma Statutes.

23 3. Any person who, with intent to defraud, devises a scheme to
24 obtain the redemption information to a gift card or gift certificate

1 from a cardholder or issuer by means of false or fraudulent
2 pretenses, representations, or promises shall, upon conviction, be
3 guilty of fraud punishable pursuant to Section 1541.1 of Title 21 of
4 the Oklahoma Statutes.

5 4. Any person who, with intent to defraud, uses, for the
6 purpose of obtaining money, goods, services, or anything else of
7 value, a gift card or gift card redemption information that has been
8 obtained in violation of paragraph 1 or 2 of this subsection shall,
9 upon conviction, be guilty of larceny punishable pursuant to Section
10 1702 of Title 21 of the Oklahoma Statutes. If the value of all
11 money, goods, services, and other things of value obtained in
12 violation of this paragraph exceeds Nine Hundred Fifty Dollars
13 (\$950.00) in any consecutive six-month period, the person shall,
14 upon conviction, be guilty of grand larceny punishable pursuant to
15 Section 1705 of Title 21 of the Oklahoma Statutes.

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

17 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
18 February 3, 2026 - DO PASS
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