

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1446

By: Wingard

AS INTRODUCED

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

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1031, as last amended by Section 397, Chapter 486, O.S.L. 2025 (21 O.S. Supp. 2025, 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

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

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

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

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.
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