

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1542

By: Seifried

6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 Section 11, Chapter 366, O.S.L. 2024 (21 O.S. Supp.
9 2025, Section 20K), which relates to Class B6
10 offenses; updating statutory references; adding
11 offense; amending 21 O.S. 2021, Section 1173, as last
12 amended by Section 1, Chapter 145, O.S.L. 2025 (21
13 O.S. Supp. 2025, Section 1173), which relates to
14 stalking; authorizing certain use of monitoring
15 device; conforming language; updating statutory
16 language; repealing 21 O.S. 2021, Section 1173, as
17 last amended by Section 118, Chapter 486, O.S.L. 2025
18 (21 O.S. Supp. 2025, Section 1173), which relates to
19 stalking; and providing an effective date.

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

21 SECTION 1. AMENDATORY Section 11, Chapter 366, O.S.L.

22 2024 (21 O.S. Supp. 2025, Section 20K), is amended to read as
23 follows:

24 Section 20K. A. ~~Upon the effective date of this act On or~~
25 after January 1, 2026, Class B6 shall include the following criminal
26 offenses:

27 1. Striking, tormenting, mistreating, or administering a
28 nonpoisonous desensitizing substance to a police dog or police

1 horse, as provided for in subsection A of Section 649.1 of ~~Title 21~~
2 ~~of the Oklahoma Statutes this title;~~

3 2. Interfering with the lawful performance of a police dog or
4 police horse, as provided for in subsection B of Section 649.1 of
5 ~~Title 21 of the Oklahoma Statutes this title;~~

6 3. Harming, torturing, injuring, disabling, or otherwise
7 mistreating or killing a service animal during the commission of a
8 misdemeanor or felony offense, as provided for in subsection D of
9 Section 649.3 of ~~Title 21 of the Oklahoma Statutes this title;~~

10 4. Assault, battery, or assault and battery upon a Department
11 of Corrections employee by a person in the custody of the Department
12 of Corrections, as provided for in subsection A of Section 650.2 of
13 ~~Title 21 of the Oklahoma Statutes this title;~~

14 5. Assault, battery, or assault and battery upon an employee of
15 a private prison contractor by a person incarcerated in an
16 institution operated by a private prison contractor, as provided for
17 in subsection B of Section 650.2 of ~~Title 21 of the Oklahoma~~
18 ~~Statutes this title;~~

19 6. Aggravated assault and battery upon a Department of Human
20 Services employee or contractor, as provided for in subsection C of
21 Section 650.2 of ~~Title 21 of the Oklahoma Statutes this title;~~

22 7. Assault, battery, or assault and battery upon an employee of
23 the Office of Juvenile Affairs by a person in the custody of the
24

1 Office of Juvenile Affairs, as provided for in subsection D of
2 Section 650.2 of ~~Title 21 of the Oklahoma Statutes this title;~~

3 8. Assault, battery, or assault and battery upon a medical care
4 provider, as provided for in Section 650.4 of ~~Title 21 of the~~
5 ~~Oklahoma Statutes this title;~~

6 9. Assault, battery, or assault and battery upon an officer of
7 the court, witness, or juror, as provided for in subsection B of
8 Section 650.6 of ~~Title 21 of the Oklahoma Statutes this title;~~

9 10. Aggravated assault and battery upon a school employee, as
10 provided for in subsection C of Section 650.7 of ~~Title 21 of the~~
11 ~~Oklahoma Statutes this title;~~

12 11. Assault, battery, or assault and battery upon an employee
13 of a facility maintained by the Office of Juvenile Affairs, a
14 facility maintained by a private contractor, juvenile detention
15 center, or juvenile bureau, as provided for in Section 650.8 of
16 ~~Title 21 of the Oklahoma Statutes this title;~~

17 12. Throwing, transferring, or placing any feces, urine, semen,
18 saliva, or blood upon an employee of the state, a county, or a city,
19 as provided for in Section 650.9 of ~~Title 21 of the Oklahoma~~
20 ~~Statutes this title;~~

21 13. Medical battery, as provided for in Section 650.11 of ~~Title~~
22 ~~21 of the Oklahoma Statutes this title; and~~

23 14. Child endangerment, as provided for in Section 852.1 of
24 ~~Title 21 of the Oklahoma Statutes this title; and~~

1 15. Stalking as provided for in subsection A of Section 1173 of
2 this title.

3 B. Any person convicted of a Class B6 criminal offense set
4 forth in this section shall be punished in accordance with the
5 corresponding penalties provided for in the Oklahoma Statutes.

6 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1173, as
7 last amended by Section 1, Chapter 145, O.S.L. 2025 (21 O.S. Supp.
8 2025, Section 1173), is amended to read as follows:

9 Section 1173. A. Any person who willfully, maliciously, and
10 repeatedly follows or harasses another person in a manner that:

11 1. Would cause a reasonable person or a member of the immediate
12 family of that person, as defined in subsection F of this section,
13 to feel frightened, intimidated, threatened, harassed, or molested;
14 and

15 2. Actually causes the person being followed or harassed to
16 feel terrorized, frightened, intimidated, threatened, harassed, or
17 molested,

18 shall, upon conviction, be guilty of the crime of stalking, which is
19 a Class B6 felony offense punishable by imprisonment in the custody
20 of the Department of Corrections for a term not to exceed three (3)
21 years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00),
22 or by both such fine imprisonment and imprisonment fine. Any person
23 convicted of a second violation of the provisions of this subsection
24 shall be punished by imprisonment in the custody of the Department

1 of Corrections for a term not to exceed six (6) years, or by a fine
2 not to exceed Ten Thousand Dollars (\$10,000.00), or by both such
3 ~~fine imprisonment~~ and ~~imprisonment fine~~. Any person convicted of a
4 third or subsequent violation of the provisions of this subsection
5 shall be punished by imprisonment in the custody of the Department
6 of Corrections for a term not to exceed twelve (12) years, or by a
7 fine not to exceed Fifteen Thousand Dollars (\$15,000.00), or by both
8 such ~~fine imprisonment~~ and ~~imprisonment fine~~.

9 B. Any person who violates the provisions of subsection A of
10 this section when:

11 1. There is a permanent or temporary restraining order, a
12 protective order, an emergency ex parte protective order, or an
13 injunction in effect prohibiting the behavior described in
14 subsection A of this section against the same party, when the person
15 violating the provisions of subsection A of this section has actual
16 notice of the issuance of such order or injunction;

17 2. ~~Said Such~~ person is on probation or parole, a condition of
18 which prohibits the behavior described in subsection A of this
19 section against the same party or under the conditions of a
20 community or alternative punishment; or

21 3. ~~Said Such~~ person, within ten (10) years preceding the
22 violation of subsection A of this section, completed the execution
23 of sentence for a conviction of a crime involving the use or threat

1 of violence against the same party, or against any member of the
2 immediate family of such party,
3 shall, upon conviction, be guilty of a Class B5 felony offense
4 punishable by imprisonment in the custody of the Department of
5 Corrections for a term not to exceed fifteen (15) years, or by a
6 fine not to exceed Twenty Thousand Dollars (\$20,000.00), or by both
7 such fine imprisonment and imprisonment fine.

8 C. Any person who:

9 1. Commits a second act of stalking within ten (10) years of
10 the completion of sentence for a prior conviction of stalking; or
11 2. Has a prior conviction of stalking and, after being served
12 with a protective order that prohibits contact with an individual,
13 knowingly makes unconsented contact with the same individual,
14 shall, upon conviction, be guilty of a Class B5 felony offense
15 punishable by imprisonment in the custody of the Department of
16 Corrections for a term not to exceed twenty (20) years, or by a fine
17 not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both
18 such fine imprisonment and imprisonment fine.

19 D. Any person who commits an act of stalking within ten (10)
20 years of the completion of execution of sentence for a prior
21 conviction under subsection B or C of this section shall, upon
22 conviction, be guilty of a Class B4 felony offense punishable by
23 imprisonment in the custody of the Department of Corrections for a
24 term not to exceed twenty-five (25) years, or by a fine not to

1 exceed Thirty Thousand Dollars (\$30,000.00), or by both such ~~fine~~
2 ~~imprisonment~~ and ~~imprisonment~~ ~~fine~~.

3 E. Evidence that the defendant continued to engage in a course
4 of conduct involving repeated unconsented contact, as defined in
5 subsection F of this section, with the victim after having been
6 requested by the victim to discontinue the same or any other form of
7 unconsented contact, and to refrain from any further unconsented
8 contact with the victim, shall give rise to a rebuttable presumption
9 that the continuation of the course of conduct caused the victim to
10 feel terrorized, frightened, intimidated, threatened, harassed, or
11 molested.

12 F. For purposes of determining the crime of stalking, the
13 following definitions shall apply:

14 1. "Harasses" means a pattern or course of conduct directed
15 toward another individual that includes, but is not limited to,
16 repeated or continuing unconsented contact, that would cause a
17 reasonable person to suffer emotional distress, and that actually
18 causes emotional distress to the victim. Harassment shall include
19 harassing or obscene phone calls as prohibited by Section 1172 of
20 this title and conduct prohibited by Section 850 of this title.
21 Harassment does not include constitutionally protected activity or
22 conduct that serves a legitimate purpose;

1 2. "Course of conduct" means a series of two or more separate
2 acts over a period of time, however short or long, evidencing a
3 continuity of purpose, including any of the following:

- 4 a. maintaining a visual or physical proximity to the
5 victim,
- 6 b. approaching or confronting the victim in a public
7 place or on private property,
- 8 c. appearing at the workplace of the victim or contacting
9 the employer or coworkers of the victim,
- 10 d. appearing at the home of the victim or contacting the
11 neighbors of the victim,
- 12 e. entering onto or remaining on property owned, leased,
13 or occupied by the victim,
- 14 f. contacting the victim by telephone, text message,
15 electronic message, electronic mail, or other means of
16 electronic communication or causing the telephone or
17 electronic device of the victim or the telephone or
18 electronic device of any other person to ring or
19 generate notifications repeatedly or continuously,
20 regardless of whether a conversation ensues,
- 21 g. photographing, videotaping, audiotaping, or, through
22 any other electronic means, monitoring or recording
23 the activities of the victim. This subparagraph
24 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

1. 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 course of conduct” 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. a. "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.

b. Following shall not include the use of a GPS or other monitoring device by an employer, whether public or private, to track employer owned or leased vehicles.

G. 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 3. REPEALER 21 O.S. 2021, Section 1173, as last amended by Section 118, Chapter 486, O.S.L. 2025 (21 O.S. Supp. 2025, Section 1173), is hereby repealed.

SECTION 4. This act shall become effective November 1, 2026.

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