

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1543

By: Coleman

6 AS INTRODUCED

7 An Act relating to driving under the influence;
8 amending Section 13, Chapter 366, O.S.L. 2024, as
9 amended by Section 6, Chapter 187, O.S.L. 2025 (21
O.S. Supp. 2025, Section 20M), which relates to Class
10 C2 felony offenses; adding offense; conforming
statutory language and references; updating statutory
language and references; amending 47 O.S. 2021,
11 Section 11-902, as amended by Section 1, Chapter 347,
O.S.L. 2025 (47 O.S. Supp. 2025, Section 11-902),
which relates to persons under the influence of
12 alcohol or other intoxicating substance; authorizing
aggregation of certain offenses; creating felony
offense; conforming language; updating statutory
13 references; repealing 47 O.S. 2021, Section 11-902,
as amended by Section 3, Chapter 172, O.S.L. 2025 (47
O.S. Supp. 2025, Section 11-902), which relates to
14 persons under the influence of alcohol or other
intoxicating substance; repealing 47 O.S. 2021,
Section 11-902, as amended by Section 6, Chapter 305,
15 O.S.L. 2025 (47 O.S. Supp. 2025, Section 11-902),
which relates to persons under the influence of
alcohol or other intoxicating substance; repealing 47
16 O.S. 2021, Section 11-902, as amended by Section 33,
Chapter 486, O.S.L. 2025 (47 O.S. Supp. 2025, Section
17 11-902), which relates to persons under the influence
of alcohol or other intoxicating substance; and
18 providing an effective date.

21
22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY Section 13, Chapter 366, O.S.L.

2 2024, as amended by Section 6, Chapter 187, O.S.L. 2025 (21 O.S.

3 Supp. 2025, Section 20M), is amended to read as follows:

4 Section 20M. A. ~~Upon the effective date of this act On or~~
5 after January 1, 2026, Class C2 shall include the following criminal
6 offenses:

7 1. Theft of anhydrous equipment, as provided for in subsection
8 B of Section 11-10 of Title 2 of the Oklahoma Statutes;

9 2. Branding, misbranding, marking, or mismarking any domestic
10 animal with intent to defraud, as provided for in Section 268 of
11 Title 4 of the Oklahoma Statutes;

12 3. Injuring, destroying, or attempting to injure or destroy any
13 pipeline transportation system, as provided for in subsection C of
14 Section 6.1 of Title 17 of the Oklahoma Statutes;

15 4. Embezzlement by a county treasurer or other officer, as
16 provided for in Section 641 of Title 19 of the Oklahoma Statutes;

17 5. Giving or offering any bribe to an executive officer, as
18 provided for in Section 265 of ~~Title 21 of the Oklahoma Statutes~~
19 this title;

20 6. Receiving or agreeing to receive a bribe by an executive
21 officer or person elected or appointed to an executive office, as
22 provided for in Section 266 of ~~Title 21 of the Oklahoma Statutes~~
23 this title;

1 7. Entry into a restricted area of a building or grounds using
2 or carrying a deadly or dangerous weapon or firearm or engaging in
3 acts of violence that result in great bodily injury, as provided for
4 in paragraph 1 of subsection B of Section 282 of ~~Title 21 of the~~
5 ~~Oklahoma Statutes this title~~;

6 8. Forcefully or fraudulently preventing the Legislature from
7 meeting or organizing, as provided for in Section 301 of ~~Title 21 of~~
8 ~~the Oklahoma Statutes this title~~;

9 9. Forcefully or fraudulently compelling or attempting to
10 compel the Legislature to adjourn or disperse, as provided for in
11 Section 303 of ~~Title 21 of the Oklahoma Statutes this title~~;

12 10. Compelling or attempting to compel either house of the
13 Legislature to pass, amend, or reject any bill or resolution, grant
14 or refuse any petition, or to perform or omit to perform any other
15 official act, as provided for in Section 305 of ~~Title 21 of the~~
16 ~~Oklahoma Statutes this title~~;

17 11. Offering to give a bribe to any member of the Legislature
18 in order to influence the member in giving or withholding a vote, as
19 provided for in Section 308 of ~~Title 21 of the Oklahoma Statutes~~
20 this title;

21 12. Asking, receiving, or agreeing to receive any bribe by a
22 member of the Legislature, as provided for in Section 309 of ~~Title~~
23 ~~21 of the Oklahoma Statutes this title~~;

1 13. Entering a fort, magazine, arsenal, armory, arsenal yard,
2 or encampment and seizing or taking away arms, ammunition, military
3 stores, or supplies belonging to the state, as provided for in
4 Section 350 of ~~Title 21 of the Oklahoma Statutes this title~~;

5 14. Carrying, causing to be carried, or publicly displaying any
6 red flag or other emblem or banner indicating disloyalty to the
7 ~~Government government~~ of the United States, as provided for in
8 Section 374 of ~~Title 21 of the Oklahoma Statutes this title~~;

9 15. Bribery by a fiduciary, as provided for in subsection A of
10 Section 380 of ~~Title 21 of the Oklahoma Statutes this title~~;

11 16. Bribery of a fiduciary, as provided for in subsection B of
12 Section 380 of ~~Title 21 of the Oklahoma Statutes this title~~;

13 17. Commercial bribery of an insured depository institution or
14 credit union, as provided in Section 380.1 of ~~Title 21 of the~~
15 ~~Oklahoma Statutes this title~~;

16 18. Accepting or requesting a bribe by public officers or
17 employees of this state, as provided for in Section 382 of ~~Title 21~~
18 ~~of the Oklahoma Statutes this title~~;

19 19. Offering or giving a bribe to any judicial officer, as
20 provided for in Section 383 of ~~Title 21 of the Oklahoma Statutes~~
21 ~~this title~~;

22 20. Attempting to influence a juror, as provided for in Section
23 388 of ~~Title 21 of the Oklahoma Statutes this title~~;

1 21. Conspiracy to commit a felony, as provided for in
2 subsection C of Section 421 of ~~Title 21 of the Oklahoma Statutes~~
3 this title;

4 22. Conspiring to commit any act against the peace of the state
5 by two or more persons outside of the state, as provided for in
6 Section 422 of ~~Title 21 of the Oklahoma Statutes~~ this title;

7 23. Conspiring to commit any act against the state by two or
8 more persons, as provided for in Section 424 of ~~Title 21 of the~~
9 ~~Oklahoma Statutes~~ this title;

10 24. Attempting to avoid a roadblock by failing to stop, passing
11 by or through such roadblock without permission, as provided for in
12 Section 540B of ~~Title 21 of the Oklahoma Statutes~~ this title;

13 25. Fraudulently producing an infant in order to intercept the
14 inheritance or distribution of any personal estate or real estate,
15 as provided for in Section 578 of ~~Title 21 of the Oklahoma Statutes~~
16 this title;

17 26. Maiming by inflicting upon ~~one's self~~ oneself any disabling
18 injury to escape any legal duty, as provided for in Section 752 of
19 ~~Title 21 of the Oklahoma Statutes~~ this title;

20 27. Financial exploitation of an elderly or disabled adult with
21 funds, assets, or property valued at One Hundred Thousand Dollars
22 (\$100,000.00) or less, as provided for in paragraph 2 of subsection
23 B of Section 843.4 of ~~Title 21 of the Oklahoma Statutes~~ this title;

1 28. Conducting gambling games, as provided for in Section 941
2 of ~~Title 21 of the Oklahoma Statutes~~ this title;

3 29. Using a house, room, or place to conduct gambling games, as
4 provided for in Section 946 of ~~Title 21 of the Oklahoma Statutes~~
5 this title;

6 30. Engaging or participating in illegal gambling games by a
7 public officer, as provided for in Section 948 of ~~Title 21 of the~~
8 ~~Oklahoma Statutes~~ this title;

9 31. Commercial gambling, as provided for in Section 982 of
10 ~~Title 21 of the Oklahoma Statutes~~ this title;

11 32. Letting premises for the purpose of betting on races or
12 receiving, registering, recording, or forwarding any money or thing
13 of value to a racetrack for betting purposes, as provided for in
14 paragraphs 2 through 6 of subsection A of Section 991 of ~~Title 21 of~~
15 ~~the Oklahoma Statutes~~ this title;

16 33. Using the ~~terms~~ term "prize" or "gift" in a manner that is
17 untrue or misleading, as provided for in Section 996.3 of ~~Title 21~~
18 ~~of the Oklahoma Statutes~~ this title;

19 34. Advocating criminal syndicalism, sabotage, or the
20 necessity, propriety, or expediency of doing any act of physical
21 violence or unlawful act as a means of accomplishing any industrial
22 or political ends, change, or revolution, as provided for in
23 subsection A of Section 1327 of ~~Title 21 of the Oklahoma Statutes~~
24 this title;

1 35. Arson in the fourth degree by attempting to set fire to or
2 burn any building or property, as provided for in subsection A of
3 Section 1404 of ~~Title 21 of the Oklahoma Statutes this title~~;

4 36. Delivering to another any merchandise for which any bill of
5 lading, receipt, or voucher has been issued and the value of the
6 property is Fifteen Thousand Dollars (\$15,000.00) or more, as
7 provided for in paragraph 4 of Section 1416 of ~~Title 21 of the~~
8 ~~Oklahoma Statutes this title~~;

9 37. Burglary in the second degree by breaking and entering into
10 any commercial building or by breaking and entering into a coin-
11 operated or vending machine, as provided for in subsection A of
12 Section 1435 of ~~Title 21 of the Oklahoma Statutes this title~~;

13 38. Embezzlement of property valued at Fifteen Thousand Dollars
14 (\$15,000.00) or more, as provided for in paragraph 4 of subsection B
15 of Section 1451 of ~~Title 21 of the Oklahoma Statutes this title~~;

16 39. Embezzlement by a county or state officer, as provided for
17 in subsection C of Section 1451 of ~~Title 21 of the Oklahoma Statutes~~
18 ~~this title~~;

19 40. False personation of another, as provided for in Section
20 1531 of ~~Title 21 of the Oklahoma Statutes this title~~;

21 41. Receiving money or property intended for another with a
22 value of Fifteen Thousand Dollars (\$15,000.00) or more, as provided
23 for in paragraph 4 of Section 1532 of ~~Title 21 of the Oklahoma~~
24 ~~Statutes this title~~;

1 42. Use of a motor vehicle or motor-driven cycle for the
2 purpose of falsely impersonating a law enforcement officer which
3 causes another person to be injured, defrauded, harassed, vexed, or
4 annoyed, as provided for in paragraph 2 of subsection F of Section
5 1533 of ~~Title 21 of the Oklahoma Statutes~~ this title;

6 43. Obtaining, attempting to obtain, or presenting to a
7 financial institution personal, financial, or other information of
8 another person, as provided for in Section 1533.2 of ~~Title 21 of the~~
9 ~~Oklahoma Statutes~~ this title;

10 44. Obtaining property by trick, deception, or by means of a
11 false or bogus check and the property value is Fifteen Thousand
12 Dollars (\$15,000.00) or more, as provided for in paragraph 3 of
13 subsection A of Section 1541.2 of ~~Title 21 of the Oklahoma Statutes~~
14 this title;

15 45. Making, drawing, uttering, or delivering two or more false
16 or bogus checks and the value is Fifteen Thousand Dollars
17 (\$15,000.00) or more, as provided for in paragraph 3 of subsection A
18 of Section 1541.3 of ~~Title 21 of the Oklahoma Statutes~~ this title;

19 46. Selling, exchanging, or delivering any forged or
20 counterfeited promissory note, check, bill, draft, or other evidence
21 of debt knowing the same is forged or counterfeited and the value of
22 the instrument is Fifteen Thousand Dollars (\$15,000.00) or more, as
23 provided for in paragraph 4 of subsection A of Section 1577 of ~~Title~~
24 ~~21 of the Oklahoma Statutes~~ this title;

1 47. Possession of any forged, altered, or counterfeited
2 negotiable note, bill, draft, or other evidence of debt and the
3 value of the instrument is Fifteen Thousand Dollars (\$15,000.00) or
4 more, as provided for in paragraph 4 of subsection A of Section 1578
5 of ~~Title 21 of the Oklahoma Statutes~~ this title;

6 48. Possession of any forged or counterfeited instrument with
7 intent to injure or defraud and the value of the instrument is
8 Fifteen Thousand Dollars (\$15,000.00) or more, as provided for in
9 paragraph 4 of subsection A of Section 1579 of ~~Title 21 of the~~
10 ~~Oklahoma Statutes~~ this title;

11 49. Uttering or publishing as true any forged, altered, or
12 counterfeited instrument or counterfeit coins and the value of the
13 instrument is Fifteen Thousand Dollars (\$15,000.00) or more, as
14 provided for in paragraph 4 of subsection A of Section 1592 of ~~Title~~
15 ~~21 of the Oklahoma Statutes~~ this title;

16 50. Exhibiting false, forged, or altered books, papers,
17 vouchers, security, or other instruments of evidence to any public
18 officer or board with intent to deceive, as provided for in Section
19 1632 of ~~Title 21 of the Oklahoma Statutes~~ this title;

20 51. Destroying, altering, mutilating, or falsifying any books,
21 papers, writing, or securities belonging to a corporation or
22 association with intent to defraud, as provided for in Section 1635
23 of ~~Title 21 of the Oklahoma Statutes~~ this title;

1 52. Larceny of lost property and the value of the property is
2 Fifteen Thousand Dollars (\$15,000.00) or more, as provided for in
3 paragraph 4 of Section 1702 of ~~Title 21 of the Oklahoma Statutes~~
4 this title;

5 53. Grand larceny and the value of the property is Fifteen
6 Thousand Dollars (\$15,000.00) or more, as provided for in paragraph
7 4 of subsection A of Section 1705 of ~~Title 21 of the Oklahoma~~
8 ~~Statutes~~ this title;

9 54. Grand larceny in any dwelling house or vessel, as provided
10 for in Section 1707 of ~~Title 21 of the Oklahoma Statutes~~ this title;

11 55. Larceny of any evidence of debt or other written
12 instrument, as provided for in Section 1709 of ~~Title 21 of the~~
13 ~~Oklahoma Statutes~~ this title;

14 56. Buying or receiving any property that has been stolen,
15 embezzled, or obtained by false pretense or robbery and has a value
16 of Fifteen Thousand Dollars (\$15,000.00) or more, as provided for in
17 paragraph 3 of subsection A of Section 1713 of ~~Title 21 of the~~
18 ~~Oklahoma Statutes~~ this title;

19 57. Buying or receiving any construction equipment or farm
20 equipment that has been stolen, embezzled, or obtained by false
21 pretense or robbery, as provided for in Section 1713.1 of ~~Title 21~~
22 ~~of the Oklahoma Statutes~~ this title;

1 58. Bringing into this state the stolen property of another
2 obtained from another state or country, as provided for in Section
3 1715 of ~~Title 21 of the Oklahoma Statutes~~ this title;

4 59. Larceny of livestock or implement of husbandry, as provided
5 for in subsection A of Section 1716 of ~~Title 21 of the Oklahoma~~
6 ~~Statutes~~ this title;

7 60. Larceny of a dog, as provided for in Section 1718 of ~~Title~~
8 ~~21 of the Oklahoma Statutes~~ this title;

9 61. Grand larceny of exotic livestock, as provided for in
10 Section 1719.2 of ~~Title 21 of the Oklahoma Statutes~~ this title;

11 62. Larceny of an aircraft, automobile, construction equipment,
12 or farm equipment, valued at Fifty Thousand Dollars (\$50,000.00) or
13 more, as provided for in Section 1720 of ~~Title 21 of the Oklahoma~~
14 ~~Statutes~~ this title;

15 63. Tapping or drilling into a pipeline, as provided for in
16 Section 1721 of ~~Title 21 of the Oklahoma Statutes~~ this title;

17 64. Taking any crude oil or gasoline from any pipe, pipeline,
18 tank, tank car, or other receptacle or container and the value of
19 such product is One Thousand Dollars (\$1,000.00) or more, as
20 provided for in paragraph 2 of Section 1722 of ~~Title 21 of the~~
21 ~~Oklahoma Statutes~~ this title;

22 65. Larceny of merchandise from a retailer or wholesaler and
23 the value of the goods is Fifteen Thousand Dollars (\$15,000.00) or
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1 more, as provided for in paragraph 5 of subsection A of Section 1731
2 of ~~Title 21 of the Oklahoma Statutes this title~~;

3 66. Larceny of trade secrets that is valued at Fifteen Thousand
4 Dollars (\$15,000.00) or more, as provided for in Section 1732 of
5 ~~Title 21 of the Oklahoma Statutes this title~~;

6 67. Procuring, soliciting, selling, or receiving by fraudulent,
7 deceptive, or false means two to ten telephone records without
8 authorization, as provided for in paragraph 2 of subsection B of
9 Section 1742.2 of ~~Title 21 of the Oklahoma Statutes this title~~;

10 68. Masking, altering, or removing any locomotive or railway
11 car lights or signals, as provided for in Section 1778 of ~~Title 21~~
12 ~~of the Oklahoma Statutes this title~~;

13 69. Mutilating, tearing, defacing, obliterating, or destroying
14 any written instrument, value of Fifteen Thousand Dollars
15 (\$15,000.00) or more, as provided for in Section 1779 of ~~Title 21 of~~
16 ~~the Oklahoma Statutes this title~~;

17 70. Violations of the Oklahoma Computer Crimes Act, as provided
18 for in paragraphs 1, 2, 3, 6, 7, 9, or 10 of subsection A of Section
19 1953 of ~~Title 21 of the Oklahoma Statutes this title~~;

20 71. Contracting the sale of rights arising from a criminal act
21 without providing for the forfeiture of the proceeds, as provided
22 for in subsection A of Section 17 of Title 22 of the Oklahoma
23 Statutes;

1 72. Violating any of the provisions of the Oklahoma Clean Air
2 Act knowing that the violation places others in danger of death or
3 serious bodily injury, as provided for in subsection B of Section 2-
4 5-116 of Title 27A of the Oklahoma Statutes;

5 73. Violating any of the provisions of the Oklahoma Pollutant
6 Discharge Elimination System Act knowing that the violation places
7 others in imminent danger of death or serious bodily injury, as
8 provided for in subparagraph a of paragraph 3 of subsection G of
9 Section 2-6-206 of Title 27A of the Oklahoma Statutes;

10 74. Soliciting or accepting any bribe or money by a game warden
11 in connection with the performance of his or her duties as a game
12 warden, as provided for in subsection E of Section 3-201 of Title 29
13 of the Oklahoma Statutes;

14 75. Taking or enticing away an incapacitated or partially
15 incapacitated person or person for whom a guardian has been
16 appointed without consent of the guardian, as provided for in
17 Section 4-904 of Title 30 of the Oklahoma Statutes;

18 76. Violating any of the provisions of the Viatical Settlements
19 Act of 2008 if the value of the viatical settlement contract is more
20 than Two Thousand Five Hundred Dollars (\$2,500.00) but not more than
21 Thirty-five Thousand Dollars (\$35,000.00), as provided for in
22 paragraph 2 of subsection F of Section 4055.14 of Title 36 of the
23 Oklahoma Statutes;

1 77. Embezzlement of certain funds held in trust, value of
2 Fifteen Thousand Dollars (\$15,000.00) or more, as provided for in
3 ~~paragraph (2)~~ subsection B of Section 153 of Title 42 of the
4 Oklahoma Statutes;

5 78. Providing any false statement of a material fact in an
6 application for a certificate of title, as provided for in Section
7 4-108 of Title 47 of the Oklahoma Statutes;

8 79. Altering or forging any certificate of title issued by the
9 Oklahoma Tax Commission, as provided for in Section 4-109 of Title
10 47 of the Oklahoma Statutes;

11 80. ~~Perjury by making any false affidavit, as provided for in~~
12 ~~Section 6-302 of Title 47 of the Oklahoma Statutes;~~

13 81. Creating, manufacturing, issuing, or selling security
14 verification forms, as provided for in subsection B of Section 7-612
15 of Title 47 of the Oklahoma Statutes;

16 82. 81. Committing two or more separate violations of driving
17 under the influence of alcohol or other intoxicating substance
18 within a period of one (1) year resulting in an aggregate offense as
19 provided in paragraph 2 of subsection C of Section 11-902 of Title
20 47 of the Oklahoma Statutes;

21 82. Committing a subsequent violation of driving under the
22 influence of alcohol or other intoxicating substance within ten (10)
23 years of being convicted of driving under the influence of alcohol
24 or other intoxicating substance, causing a personal injury accident

1 while driving under the influence of alcohol or other intoxicating
2 substance, or driving under the influence of alcohol or other
3 intoxicating substance while transporting a child, as provided for
4 in paragraph 2 3 of subsection C of Section 11-902 of Title 47 of
5 the Oklahoma Statutes;

6 83. Operating a vehicle without a valid driver license for the
7 class of vehicle being operated and causing an accident resulting in
8 great bodily injury to another person, as provided for in subsection
9 B of Section 11-905 of Title 47 of the Oklahoma Statutes;

10 84. Operating a crusher without a proper license and receiving,
11 obtaining, or possessing any vehicle or property known to be stolen,
12 as provided for in paragraph 2 of subsection B of Section 592.9 of
13 Title 47 of the Oklahoma Statutes;

14 85. Selling a vehicle or other property to a crusher using
15 false or altered identification or making a false declaration of
16 ownership or lien status, as provided for in paragraph 3 of
17 subsection B of Section 592.9 of Title 47 of the Oklahoma Statutes;

18 86. Owning, operating, or conducting a chop shop, transporting
19 any motor vehicle or parts to or from a chop shop, or selling,
20 transferring, purchasing, or receiving any motor vehicle or parts to
21 or from a chop shop, as provided for in subsection A of Section 1503
22 of Title 47 of the Oklahoma Statutes;

23 87. Altering, counterfeiting, defacing, destroying, disguising,
24 falsifying, forging, obliterating, or knowingly removing a vehicle

1 identification number, as provided for in subsection B of Section
2 1503 of Title 47 of the Oklahoma Statutes;

3 88. Perjury by a public officer or employee who states as true
4 any material matter knowing it to be false, as provided for in
5 Section 36.5 of Title 51 of the Oklahoma Statutes;

6 89. Advocating by teaching, justifying, or becoming a member of
7 or affiliated with the Communist Party or with any other party or
8 organization that advocates for the revolution, sedition, treason,
9 or overthrow of the government of the United States or the State of
10 Oklahoma by a public officer or employee, as provided for in Section
11 36.6 of Title 51 of the Oklahoma Statutes;

12 90. Perjury by verifying under oath any report, map, or drawing
13 required to be filed with the Corporation Commission knowing that
14 such material is false, as provided for in Section 109 of Title 52
15 of the Oklahoma Statutes;

16 91. Asking, receiving, or agreeing to receive any gift or
17 gratuity by any member of the Corporation Commission, as provided
18 for in Section 118 of Title 52 of the Oklahoma Statutes;

19 92. Burglary in the first degree by a bail enforcer by breaking
20 into and entering the dwelling house of any defendant or third party
21 for purposes of recovery or attempted recovery of a defendant, as
22 provided for in subsection A of Section 1350.6 of Title 59 of the
23 Oklahoma Statutes;

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1 93. Distributing, dispensing, transporting, or possessing a
2 controlled dangerous substance or soliciting a person less than
3 eighteen (18) years of age to cultivate, distribute, or dispense a
4 controlled dangerous substance, as provided for in paragraph 1 of
5 subsection A of Section 2-401 of Title 63 of the Oklahoma Statutes;

6 94. Creating, distributing, transporting, or possessing a
7 counterfeit controlled dangerous substance, as provided for in
8 paragraph 2 of subsection A of Section 2-401 of Title 63 of the
9 Oklahoma Statutes;

10 95. Manufacturing or distributing a controlled substance or
11 synthetic controlled substance, as provided for in paragraph 1 of
12 subsection C of Section 2-401 of Title 63 of the Oklahoma Statutes;

13 96. Larceny, burglary, or theft of a controlled dangerous
14 substance, as provided for in subsection A of Section 2-403 of Title
15 63 of the Oklahoma Statutes;

16 97. Obtaining or attempting to obtain any controlled dangerous
17 substance by fraud, deceit, misrepresentation, or subterfuge, as
18 provided for in paragraph 1 of subsection A of Section 2-407 of
19 Title 63 of the Oklahoma Statutes;

20 98. Obtaining or attempting to obtain any controlled dangerous
21 substance by forgery of, alteration of, or changing any information
22 on a prescription or any written order, as provided for in paragraph
23 2 of subsection A of Section 2-407 of Title 63 of the Oklahoma
24 Statutes;

1 99. Obtaining or attempting to obtain any controlled dangerous
2 substance by the concealment of a material fact, as provided for in
3 paragraph 3 of subsection A of Section 2-407 of Title 63 of the
4 Oklahoma Statutes;

5 100. Obtaining or attempting to obtain any controlled dangerous
6 substance by the use of a false name or false address, as provided
7 for in paragraph 4 of subsection A of Section 2-407 of Title 63 of
8 the Oklahoma Statutes;

9 101. Obtaining or attempting to obtain any controlled dangerous
10 substance by failing to disclose the receipt or prescription of a
11 controlled dangerous substance of the same or similar therapeutic
12 use from another practitioner, as provided for in paragraph 5 of
13 subsection A of Section 2-407 of Title 63 of the Oklahoma Statutes;

14 102. Manufacturing, creating, delivering, or possessing an
15 original prescription form or counterfeit prescription form, as
16 provided for in subsection B of Section 2-407 of Title 63 of the
17 Oklahoma Statutes;

18 103. Receiving or acquiring proceeds known to be derived from
19 any violation of the Uniform Controlled Dangerous Substances Act, as
20 provided for in subsection A of Section 2-503.1 of Title 63 of the
21 Oklahoma Statutes;

22 104. Knowingly or intentionally giving, selling, transferring,
23 trading, investing, concealing, transporting, or maintaining an
24 interest in anything of value which is intended to be used for

1 committing a violation of the Uniform Controlled Dangerous
2 Substances Act, as provided for in subsection B of Section 2-503.1
3 of Title 63 of the Oklahoma Statutes;

4 105. Directing, planning, organizing, initiating, financing,
5 managing, supervising, or facilitating the transportation or
6 transfer of proceeds known to be derived from a violation of the
7 Uniform Controlled Dangerous Substances Act, as provided for in
8 subsection C of Section 2-503.1 of Title 63 of the Oklahoma
9 Statutes;

10 106. Conducting a financial transaction involving proceeds
11 derived from a violation of the Uniform Controlled Dangerous
12 Substances Act for the purpose of concealing or disguising the
13 nature, location, source, ownership, or control of the proceeds
14 known to be derived from a violation of the Uniform Controlled
15 Dangerous Substances Act, as provided for in subsection D of Section
16 2-503.1 of Title 63 of the Oklahoma Statutes;

17 107. Encouraging, facilitating, or allowing access to any money
18 transmitter equipment for unlawful purposes, as provided for in
19 subsection B of Section 2-503.1d of Title 63 of the Oklahoma
20 Statutes;

21 108. Using a money services business or electronic funds
22 transfer network to facilitate any violation of the Uniform
23 Controlled Dangerous Substances Act, as provided for in Section 2-
24 503.1e of Title 63 of the Oklahoma Statutes;

1 109. Structuring, assisting, or attempting to structure any
2 unlawful transaction with one or more financial or nonfinancial
3 trades or businesses, as provided for in Section 2-503.1g of Title
4 63 of the Oklahoma Statutes;

5 110. Using explosive agent to kill, injure, or intimidate or to
6 damage property, as provided for in subsection B of Section 124.8 of
7 Title 63 of the Oklahoma Statutes;

8 110. 111. Altering, counterfeiting, defacing, destroying,
9 disguising, falsifying, forging, obliterating, or removing a hull
10 identification number of a vessel or motor, as provided for in
11 subsection B of Section 4253 of Title 63 of the Oklahoma Statutes;

12 111. Commit or attempt

13 112. Committing or attempting to commit certain violations of
14 the Vessel and Motor Chop Shop, Stolen and Altered Property Act, as
15 provided for in subsection D of Section 4253 of Title 63 of the
16 Oklahoma Statutes;

17 112. 113. Giving a false or bogus check in payment or
18 remittance of taxes, fees, penalties, or interest levied pursuant to
19 any state tax laws and the value of the false or bogus check is Five
20 Hundred Dollars (\$500.00) or more, as provided for in Section 218.1
21 of Title 68 of the Oklahoma Statutes;

22 113. 114. Perjury by providing false answers to any questions
23 from the Oklahoma Tax Commission or making or presenting any false

1 affidavit to be filed with the Oklahoma Tax Commission, as provided
2 for in Section 244 of Title 68 of the Oklahoma Statutes;

3 ~~114.~~ 115. Perjury by verifying by oath, affirmation, or
4 declaration, any false report or false return that is to be filed
5 with the Oklahoma Tax Commission, as provided for in Section 246 of
6 Title 68 of the Oklahoma Statutes;

7 ~~115.~~ 116. Making or manufacturing any tax stamp or falsely or
8 fraudulently forging, counterfeiting, reproducing, or possessing any
9 tax stamp, as provided for in subsection ~~(a)~~ A of Section 317 of
10 Title 68 of the Oklahoma Statutes;

11 ~~116.~~ 117. Offering or selling unregistered securities, as
12 provided for in Section 1-301 of Title 71 of the Oklahoma Statutes;

13 ~~117.~~ 118. Issuing investment certificates when insolvent by an
14 investment certificate issuer, as provided for in paragraph 1 of
15 subsection K of Section 1-308 of Title 71 of the Oklahoma Statutes;

16 ~~118.~~ 119. Transacting business as a broker-dealer without being
17 registered as a broker-dealer, as provided for in subsection A of
18 Section 1-401 of Title 71 of the Oklahoma Statutes;

19 ~~119.~~ 120. Employing or associating with an individual for
20 security transaction purposes when the registration of the
21 individual is suspended or revoked or the individual is barred from
22 employment or association with a broker-dealer, as provided for in
23 subsection C of Section 1-401 of Title 71 of the Oklahoma Statutes;

1 120. 121. Transacting business as an agent without being
2 registered as an agent, as provided for in subsection A of Section
3 1-402 of Title 71 of the Oklahoma Statutes;

4 121. 122. Employing or associating with an agent who transacts
5 business on behalf of broker-dealers when the agent is not
6 registered, as provided for in subsection D of Section 1-402 of
7 Title 71 of the Oklahoma Statutes;

8 122. 123. Conducting business on behalf of a broker-dealer when
9 the registration of the agent is suspended or revoked or the
10 individual is barred from employment or association with a broker-
11 dealer, as provided for in subsection F of Section 1-402 of Title 71
12 of the Oklahoma Statutes;

13 123. 124. Transacting business as an investment adviser without
14 being registered as an investment adviser, as provided for in
15 subsection A of Section 1-403 of Title 71 of the Oklahoma Statutes;

16 124. 125. Employing or associating with an individual to engage
17 in providing investment advice when the registration of the
18 individual is suspended or revoked or the individual is barred from
19 employment or association with an investment adviser, as provided
20 for in subsection C of Section 1-403 of Title 71 of the Oklahoma
21 Statutes;

22 125. 126. Employing or associating with an individual required
23 to be registered as an investment adviser representative who is not
24 registered as an investment adviser representative, as provided for

1 in subsection D of Section 1-403 of Title 71 of the Oklahoma
2 Statutes;

3 ~~126.~~ 127. Transacting business as an investment adviser
4 representative without being registered as an investment adviser
5 representative, as provided for in subsection A of Section 1-404 of
6 Title 71 of the Oklahoma Statutes;

7 ~~127.~~ 128. Conducting business on behalf of an investment
8 adviser or ~~federal-covered~~ federal covered investment adviser when
9 the registration of the investment adviser representative is
10 suspended or revoked or the individual is barred from employment or
11 association with an investment adviser or ~~federal-covered~~ federal
12 covered investment adviser, as provided for in subsection E of
13 Section 1-404 of Title 71 of the Oklahoma Statutes;

14 ~~128.~~ 129. Employing a device, scheme, or artifice to defraud
15 another when offering, selling, or purchasing a security, as
16 provided for in paragraph 1 of Section 1-501 of Title 71 of the
17 Oklahoma Statutes;

18 ~~129.~~ 130. Making an untrue statement of a material fact or
19 omitting a material fact when offering, selling, or purchasing a
20 security, as provided for in paragraph 2 of Section 1-501 of Title
21 71 of the Oklahoma Statutes;

22 ~~130.~~ 131. Engaging in an act, practice, or course of business
23 that operates as a fraud or deceit upon another person when

1 offering, selling, or purchasing a security, as provided for in
2 paragraph 3 of Section 1-501 of Title 71 of the Oklahoma Statutes;

3 ~~131.~~ 132. Employing a device, scheme, or artifice to defraud
4 another when advising others for compensation as to the value of
5 securities, as provided for in paragraph 1 of subsection A of
6 Section 1-502 of Title 71 of the Oklahoma Statutes;

7 ~~132.~~ 133. Making an untrue statement of a material fact or
8 omitting a material fact when advising others for compensation as to
9 the value of securities, as provided for in paragraph 2 of
10 subsection A of Section 1-502 of Title 71 of the Oklahoma Statutes;

11 ~~133.~~ 134. Engaging in an act, practice, or course of business
12 that operates as a fraud or deceit upon another person when advising
13 others for compensation as to the value of securities, as provided
14 for in paragraph 3 of subsection A of Section 1-502 of Title 71 of
15 the Oklahoma Statutes;

16 ~~134.~~ 135. Making false or misleading statements in a record, as
17 provided for in Section 1-505 of Title 71 of the Oklahoma Statutes;

18 ~~135.~~ 136. Making or causing to be made to a purchaser,
19 customer, client, or prospective customer or client, an inconsistent
20 representation, as provided for in Section 1-506 of Title 71 of the
21 Oklahoma Statutes;

22 ~~136.~~ 137. Willfully violating certain provisions of the
23 Oklahoma Uniform Securities Act of 2004, as provided for in
24 subsection A of Section 1-508 of Title 71 of the Oklahoma Statutes;

1 137. 138. Offering or selling any business opportunity without
2 being registered under the Oklahoma Business Opportunity Sales Act,
3 as provided for in Section 806 of Title 71 of the Oklahoma Statutes;

4 138. 139. Offering or selling any business opportunity without
5 a written disclosure being filed, as provided for in subsection A of
6 Section 808 of Title 71 of the Oklahoma Statutes;

7 139. 140. Offering or selling any business opportunity without
8 a business opportunity contract or agreement, as provided for in
9 subsection A of Section 809 of Title 71 of the Oklahoma Statutes;

10 140. 141. Making or using any specific representations from the
11 Oklahoma Business Opportunity Sales Act without having a minimum net
12 worth of Fifty Thousand Dollars (\$50,000.00), as provided for in
13 Section 811 of Title 71 of the Oklahoma Statutes;

14 141. 142. Using information filed with or obtained by the
15 Administrator of the Oklahoma Department of Securities that is not
16 public for the personal benefit of the Administrator or any officers
17 or employees of the Administrator, as provided for in subsection B
18 of Section 812 of Title 71 of the Oklahoma Statutes;

19 142. 143. Employing any device, scheme, or artifice to defraud
20 in connection with offering or selling any business opportunity, as
21 provided for in paragraph 1 of Section 819 of Title 71 of the
22 Oklahoma Statutes;

23 143. 144. Making any untrue statement of a material fact or
24 omitting a material fact in connection with offering or selling any

1 business opportunity, as provided for in paragraph 2 of Section 819
2 of Title 71 of the Oklahoma Statutes;

3 ~~144.~~ 145. Engaging in any act, practice, or course of business
4 which operates as a fraud or deceit in connection with offering or
5 selling any business opportunity, as provided for in paragraph 3 of
6 Section 819 of Title 71 of the Oklahoma Statutes;

7 ~~145.~~ 146. Making or causing to be made any false or misleading
8 statements or omitting to state a material fact necessary in any
9 document filed with the Administrator of the Oklahoma Department of
10 Securities or in any proceeding pursuant to the Oklahoma Business
11 Opportunity Sales Act, as provided for in Section 820 of Title 71 of
12 the Oklahoma Statutes;

13 ~~146.~~ 147. Filing any application for registration that is
14 false, incomplete, or misleading, as provided for in Section 821 of
15 Title 71 of the Oklahoma Statutes;

16 ~~147.~~ 148. Publishing, circulating, or using any advertising
17 that contains untrue statements of material facts or omits to state
18 material facts necessary, as provided for in Section 822 of Title 71
19 of the Oklahoma Statutes;

20 ~~148.~~ 149. Taking or receiving any rebate, percentage of
21 contract, money, or any other thing of value by an officer of the
22 Office of Management and Enterprise Services from any person, firm,
23 or corporation, as provided for in Section 71 of Title 74 of the
24 Oklahoma Statutes;

1 149. 150. Monopolizing, attempting to monopolize, or conspiring
2 to monopolize any part of trade or commerce, as provided for in
3 subsection B of Section 203 of Title 79 of the Oklahoma Statutes;

4 150. 151. Discrimination in price between different purchasers
5 of commodities by any person engaged in commerce, as provided for in
6 Section 204 of Title 79 of the Oklahoma Statutes;

7 151. 152. Violation of the Oklahoma Antitrust Reform Act, as
8 provided for in Section 206 of Title 79 of the Oklahoma Statutes;
9 and

10 152. 153. Having any interest, directly or indirectly, in any
11 contract for the purchase of property or construction of work by or
12 for the Grand River Dam Authority by a director, officer, agent, or
13 employee, as provided for in Section 867 of Title 82 of the Oklahoma
14 Statutes; and

15 153. ~~Using explosive agent to kill, injure, or intimidate or to~~
16 ~~damage property, as provided for in subsection B of Section 124.8 of~~
17 ~~Title 63 of the Oklahoma Statutes.~~

18 B. Any person convicted of a Class C2 criminal offense set
19 forth in this section shall be punished by imprisonment in the
20 custody of the Department of Corrections for a term of not more than
21 seven (7) years and shall serve at least twenty percent (20%) of the
22 sentence imposed before release from custody including release to
23 electronic monitoring pursuant to Section 510.9 of Title 57 of the
24 Oklahoma Statutes.

1 C. 1. Every person who, having been previously convicted of
2 one or two Class C or Class D criminal offenses, commits a Class C2
3 criminal offense shall, upon conviction, be punished by imprisonment
4 in the custody of the Department of Corrections for a term ~~of~~ not
5 less than two (2) years nor more than ten (10) years and shall serve
6 at least twenty percent (20%) of the sentence imposed before release
7 from custody including release to electronic monitoring pursuant to
8 Section 510.9 of Title 57 of the Oklahoma Statutes.

9 2. Every person who, having been previously convicted of three
10 Class C or Class D criminal offenses, or one or more Class Y, Class
11 A, or Class B criminal offenses, commits a Class C2 criminal offense
12 shall, upon conviction, be punished by imprisonment in the custody
13 of the Department of Corrections for a term ~~of~~ not less than two (2)
14 years nor more than twelve (12) years and shall serve at least forty
15 percent (40%) of the sentence imposed before release from custody
16 including release to electronic monitoring pursuant to Section 510.9
17 of Title 57 of the Oklahoma Statutes.

18 D. Unless specifically exempted pursuant to subsection E of
19 this section, Section 51.1 of ~~Title 21 of the Oklahoma Statutes~~ this
20 title shall not apply to Class C2 criminal offenses.

21 E. 1. The criminal offenses listed in paragraphs 1, 2, 52, 53,
22 54, 55, 63, 65, 67, 68, 76, and 77 of subsection A of this section
23 shall be exempt from the penalty provisions provided for in
24 subsections B and C of this section. Persons convicted of the

1 criminal offenses provided for in paragraphs 1, 2, 52, 53, 54, 55,
2 63, 65, 67, 68, 76, and 77 of subsection A of this section shall be
3 punished in accordance with the corresponding penalties provided for
4 in the Oklahoma Statutes including Section 51.1 of ~~Title 21 of the~~
5 ~~Oklahoma Statutes~~ this title.

6 2. The criminal offense listed in paragraph 64 of subsection A
7 of this section shall be exempt from the penalty provision provided
8 for in subsection B of this section. Persons convicted of the
9 criminal offense provided for in paragraph 64 of subsection A of
10 this section shall be punished in accordance with the corresponding
11 penalties as provided for in the Oklahoma Statutes including Section
12 51.1 of ~~Title 21 of the Oklahoma Statutes~~ this title. The
13 provisions of subsection C of this section still ~~apply~~ apply to
14 the criminal offense listed in paragraph 64 of subsection A of this
15 section.

16 F. All Class C2 criminal offenses shall be punishable by the
17 corresponding fines as provided for in the Oklahoma Statutes.

18 SECTION 2. AMENDATORY 47 O.S. 2021, Section 11-902, as
19 amended by Section 1, Chapter 347, O.S.L. 2025 (47 O.S. Supp. 2025,
20 Section 11-902), is amended to read as follows:

21 Section 11-902. A. It is unlawful and punishable as provided
22 for in this section for any person to drive, operate, or be in
23 actual physical control of a motor vehicle within this state,
24 whether upon public roads, highways, streets, turnpikes, other

1 public places or upon any private road, street, alley, or lane which
2 provides access to one or more single single-family or multi-family
3 multifamily dwellings, who:

4 1. Has a blood or breath alcohol concentration, as defined in
5 Section 756 of this title, of eight-hundredths (0.08) or more at the
6 time of a test of such person's blood or breath;

7 2. Is under the influence of alcohol;

8 3. Has any amount of a Schedule I chemical or controlled
9 substance, as defined in Section 2-204 of Title 63 of the Oklahoma
10 Statutes, or one of its metabolites or analogs in the person's
11 blood, saliva, urine, or any other bodily fluid at the time of a
12 test of such person's blood, saliva, urine, or any other bodily
13 fluid;

14 4. Is under the influence of any intoxicating substance other
15 than alcohol which may render such person incapable of safely
16 driving or operating a motor vehicle. The timing requirement for
17 the administration of tests pursuant to Section 756 of this title
18 shall not apply to this paragraph; or

19 5. Is under the combined influence of alcohol and any other
20 intoxicating substance which may render such person incapable of
21 safely driving or operating a motor vehicle. The timing requirement
22 for the administration of tests pursuant to Section 756 of this
23 title shall not apply to this paragraph.

1 B. The fact that any person charged with a violation of this
2 section is or has been lawfully entitled to use alcohol or a
3 controlled dangerous substance or any other intoxicating substance
4 shall not constitute a defense against any charge of violating this
5 section.

6 C. 1. Any person who is convicted of a violation of the
7 provisions of this section shall be guilty of a misdemeanor for the
8 first offense and shall:

- 9 a. participate in an assessment and evaluation pursuant
10 to subsection H of this section and shall follow all
11 recommendations made in the assessment and evaluation,
- 12 b. be punished by imprisonment in jail for not less than
13 ten (10) days nor more than one (1) year, and
- 14 c. be fined not more than One Thousand Dollars
15 (\$1,000.00).

16 2. When two or more separate violations of this section are
17 committed by the same person within a period of one (1) year, such
18 violations may be aggregated and prosecuted as a single offense. An
19 aggregated charge brought pursuant to this subsection may be filed
20 in any county in which any of the underlying violations occurred.
21 Any person who is convicted of the aggregate offense shall be guilty
22 of a Class C2 felony offense and shall participate in an assessment
23 and evaluation pursuant to subsection H of this section and shall be
24 sentenced to:

1 a. follow all recommendations made in the assessment and
2 evaluation for treatment at the defendant's expense,
3 b. imprisonment as provided for in subsections B through
4 E of Section 20M of Title 21 of the Oklahoma Statutes,
5 and
6 c. and a fine not more than Two Thousand Five Hundred
7 Dollars (\$2,500.00).

8 3. Any person who, having been convicted of or having received
9 deferred judgment for a violation of this section or a violation
10 pursuant to the provisions of any law of this state or another state
11 prohibiting the offenses provided in this section, Section 11-904 of
12 this title, or paragraph 4 of subsection A of Section 852.1 of Title
13 21 of the Oklahoma Statutes, or having a prior conviction in a
14 municipal criminal court of record for the violation of a municipal
15 ordinance prohibiting the offense provided for in this section,
16 commits a subsequent violation of this section within ten (10) years
17 of the date following the completion of the execution of such
18 sentence or deferred judgment shall, upon conviction, be guilty of a
19 Class C2 felony offense and shall participate in an assessment and
20 evaluation pursuant to subsection H of this section and shall be
21 sentenced to:

22 a. follow all recommendations made in the assessment and
23 evaluation for treatment at the defendant's expense,

- b. use of an ignition interlock device, as provided by subparagraph n of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes,
- c. imprisonment ~~in the custody of the Department of Corrections for not less than one (1) year and not more than five (5) years as provided for in subsections B through E of Section 20M of Title 21 of the Oklahoma Statutes, and~~
- d. a fine not more than Two Thousand Five Hundred Dollars (\$2,500.00).

However, if the treatment in subsection H of this section does not include residential or inpatient treatment for a period of not less than five (5) days, the person shall serve a term of imprisonment of at least five (5) days.

3. 4. Any person who commits a violation of this section after having been convicted of a felony offense pursuant to the provisions of this section or a violation pursuant to the provisions of any law of this state or another state prohibiting the offenses provided for in this section, Section 11-904 of this title, or paragraph 4 of subsection A of Section 852.1 of Title 21 of the Oklahoma Statutes shall be guilty of a Class B4 felony offense and participate in an assessment and evaluation pursuant to subsection H of this section and shall be sentenced to:

- 1 a. follow all recommendations made in the assessment and
- 2 evaluation for treatment at the defendant's expense,
- 3 b. two hundred forty (240) hours of community service,
- 4 c. use of an ignition interlock device, as provided by
- 5 subparagraph n of paragraph 1 of subsection A of
- 6 Section 991a of Title 22 of the Oklahoma Statutes,
- 7 d. imprisonment in the custody of the Department of
- 8 Corrections for not less than one (1) year and not
- 9 more than ten (10) years, and
- 10 e. a fine not more than Five Thousand Dollars
- 11 (\$5,000.00).

12 However, if the treatment in subsection H of this section does
13 not include residential or inpatient treatment for a period of not
14 less than ten (10) days, the person shall serve a term of
15 imprisonment of at least ten (10) days.

16 4. 5. Any person who commits a violation of this section after
17 having been twice convicted of a felony offense pursuant to the
18 provisions of this section or a violation pursuant to the provisions
19 of any law of this state or another state prohibiting the offenses
20 provided for in this section, Section 11-904 of this title, or
21 paragraph 4 of subsection A of Section 852.1 of Title 21 of the
22 Oklahoma Statutes shall be guilty of a Class B3 felony offense and
23 participate in an assessment and evaluation pursuant to subsection H
24 of this section and shall be sentenced to:

1 a. follow all recommendations made in the assessment and
2 evaluation for treatment at the defendant's expense,
3 followed by not less than one (1) year of supervision
4 and periodic testing, as provided in subparagraph q of
5 paragraph 1 of subsection A of Section 991a of Title
6 22 of the Oklahoma Statutes, at the defendant's
7 expense,

8 b. four hundred eighty (480) hours of community service,

9 c. use of an ignition interlock device, as provided by
10 subparagraph n of paragraph 1 of subsection A of
11 Section 991a of Title 22 of the Oklahoma Statutes, for
12 a minimum of ninety (90) days,

13 d. imprisonment in the custody of the Department of
14 Corrections for not less than one (1) year and not
15 more than twenty (20) years, and

16 e. a fine not more than Five Thousand Dollars
17 (\$5,000.00).

18 However, if the person does not undergo residential or inpatient
19 treatment pursuant to subsection H of this section, the person shall
20 serve a term of imprisonment of at least ten (10) days.

21 5. 6. Any person who, after a previous conviction of a
22 violation of murder in the second degree or manslaughter in the
23 first degree in which the death was caused as a result of driving
24 under the influence of alcohol or other intoxicating substance, is

1 convicted of a violation of this section shall be guilty of a Class
2 A2 felony offense and shall be punished by imprisonment in the
3 custody of the Department of Corrections for not less than five (5)
4 years and not ~~to exceed~~ more than twenty (20) years, and a fine not
5 more than Ten Thousand Dollars (\$10,000.00).

6 6. 7. Provided, however, a conviction from another state shall
7 not be used to enhance punishment pursuant to the provisions of this
8 subsection if that conviction is based on a blood or breath alcohol
9 concentration of less than eight-hundredths (0.08).

10 7. 8. In any case in which a defendant is charged with driving
11 under the influence of alcohol or other intoxicating substance
12 offense within any municipality with a municipal court other than a
13 court of record, the charge shall be presented to the county's
14 district attorney and filed with the district court of the county
15 within which the municipality is located.

16 D. Any person who is convicted of a violation of driving under
17 the influence while also committing one of more of the following
18 acts:

19 1. Driving, operating, or being in actual physical control of a
20 motor vehicle while having a blood or breath alcohol concentration
21 of fifteen-hundredths (0.15) or more at the time of a test of such
22 person's blood or breath;

1 2. Causing a motor vehicle incident involving one or more
2 vehicles that results in a report pursuant to Section 40-102 of this
3 title;

4 3. Driving in a manner that violates the provisions of Section
5 11-301, 11-302, 11-306, 11-309, or 11-311 of this title;

6 4. Driving while eluding peace officers pursuant to Section
7 540a of Title 21 of the Oklahoma Statutes;

8 5. Driving with a speed in excess of twenty (20) miles per hour
9 over the speed limit or ten (10) miles per hour over the speed limit
10 within an active school zone;

11 6. Operating a motor vehicle with a passenger younger than
12 eighteen (18) years of age; or

13 7. Reckless driving as defined in Section 11-901 of this title,
14 shall, upon conviction, be guilty of aggravated driving under the
15 influence, which shall be a Class B3 felony offense.

16 E. A person convicted of aggravated driving under the influence
17 shall participate in an assessment and evaluation pursuant to
18 subsection H of this section and shall comply with all
19 recommendations for treatment. Such person shall be sentenced as
20 provided in paragraph 1, 2, 3, 4, or 5, or 6 of subsection C of this
21 section and to:

22 1. Imprisonment as provided in paragraph 1, 2, 3, 4, or 5, or 6
23 of subsection C of this section, provided that:

1 a. for a first offense of a violation pursuant to this
2 section, the first ten (10) days of the sentence shall
3 not be subject to probation, suspension, or deferral
4 and may be served by night or weekend incarceration
5 pursuant to Section 991a of Title 22 of the Oklahoma
6 Statutes,

7 b. for a second offense of a violation pursuant to this
8 section, the first thirty (30) days of the sentence
9 shall not be subject to probation, suspension, or
10 deferral; provided further, this mandatory minimum
11 period of confinement shall be served in the county
12 jail as a condition of a suspended or deferred
13 sentence, pursuant to Section 991a of Title 22 of the
14 Oklahoma Statutes, and

15 c. the portion of the sentence not subject to probation,
16 suspension, or deferral shall increase by thirty (30)
17 days for each subsequent conviction after the second
18 offense;

19 2. A fine pursuant to paragraph 1, 2, 3, 4, ~~or~~ 5, or 6 of
20 subsection C of this section;

21 3. Not less than one (1) year of supervision and periodic
22 testing, as provided in subparagraph q of paragraph 1 of subsection
23 A of Section 991a of Title 22 of the Oklahoma Statutes, at the
24 defendant's expense; and

1 4. An ignition interlock device or devices, as provided by
2 subparagraph n of paragraph 1 of subsection A of Section 991a of
3 Title 22 of the Oklahoma Statutes, for a minimum of one hundred
4 eighty (180) days.

5 F. When a person is sentenced to imprisonment in the custody of
6 the Department of Corrections, the person shall be processed through
7 the Lexington Assessment and Reception Center or at a place
8 determined by the Director of the Department of Corrections. The
9 Department of Corrections shall classify and assign the person to
10 one or more of the following:

11 1. The Department of Mental Health and Substance Abuse Services
12 pursuant to paragraph 1 of subsection A of Section 612 of Title 57
13 of the Oklahoma Statutes; or

14 2. A correctional facility operated by the Department of
15 Corrections with assignment to substance abuse treatment.
16 Successful completion of a Department-of-Corrections-approved
17 substance abuse treatment program shall satisfy the recommendation
18 for a ten-hour or twenty-four-hour alcohol and drug substance abuse
19 course or treatment program or both. Successful completion of an
20 approved Department of Corrections substance abuse treatment program
21 may precede or follow the required assessment.

22 G. Service Oklahoma is hereby authorized to reinstate any
23 suspended or revoked driving privilege when the person meets the
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1 statutory requirements which that affect the existing driving
2 privilege.

3 H. Any person who is found guilty of a violation of the
4 provisions of this section shall be ordered to participate in an
5 alcohol and drug substance abuse evaluation and assessment program
6 offered by a certified assessment agency or certified assessor for
7 the purpose of evaluating and assessing the receptivity to treatment
8 and prognosis of the person and shall follow all recommendations
9 made in the assessment and evaluation for treatment. The court
10 shall order the person to reimburse the agency or assessor for the
11 evaluation and assessment. Payment shall be remitted by the
12 defendant or on behalf of the defendant by any third party, provided
13 no state-appropriated funds are utilized. The fee for an evaluation
14 and assessment shall be the amount provided in subsection C of
15 Section 3-460 of Title 43A of the Oklahoma Statutes. The evaluation
16 and assessment shall be conducted at a certified assessment agency,
17 the office of a certified assessor, or at another location as
18 ordered by the court. The agency or assessor shall, within seventy-
19 two (72) hours from the time the person is evaluated and assessed,
20 submit a written report to the court for the purpose of assisting
21 the court in its sentencing determination. The court shall, as a
22 condition of any sentence imposed, including deferred and suspended
23 sentences, require the person to participate in and successfully
24 complete all recommendations from the evaluation, such as an alcohol

1 and substance abuse treatment program pursuant to Section 3-452 of
2 Title 43A of the Oklahoma Statutes. If such report indicates that
3 the evaluation and assessment shows that the defendant would benefit
4 from a ten-hour or twenty-four-hour alcohol and drug substance abuse
5 course or a treatment program or both, the court shall, as a
6 condition of any sentence imposed, including deferred and suspended
7 sentences, require the person to follow all recommendations
8 identified by the evaluation and assessment and ordered by the
9 court. No person, agency, or facility operating an evaluation and
10 assessment program certified by the Department of Mental Health and
11 Substance Abuse Services shall solicit or refer any person evaluated
12 and assessed pursuant to this section for any treatment program or
13 substance abuse service in which such person, agency, or facility
14 has a vested interest; however, this provision shall not be
15 construed to prohibit the court from ordering participation in or
16 any person from voluntarily utilizing a treatment program or
17 substance abuse service offered by such person, agency, or facility.
18 If a person is sentenced to imprisonment in the custody of the
19 Department of Corrections and the court has received a written
20 evaluation report pursuant to the provisions of this subsection, the
21 report shall be furnished to the Department of Corrections with the
22 judgment and sentence. Any evaluation and assessment report
23 submitted to the court pursuant to the provisions of this subsection
24 shall be handled in a manner which will keep such report

1 confidential from the general public's review. Nothing contained in
2 this subsection shall be construed to prohibit the court from
3 ordering judgment and sentence in the event the defendant fails or
4 refuses to comply with an order of the court to obtain the
5 evaluation and assessment required by this subsection. If the
6 defendant fails or refuses to comply with an order of the court to
7 obtain the evaluation and assessment, Service Oklahoma shall not
8 reinstate driving privileges until the defendant has complied in
9 full with such order. Nothing contained in this subsection shall be
10 construed to prohibit the court from ordering judgment and sentence
11 and any other sanction authorized by law for failure or refusal to
12 comply with an order of the court.

13 I. Any person who is found guilty of a violation of the
14 provisions of this section shall be required by the court to attend
15 a victims impact panel program, as defined in subsection H of
16 Section 991a of Title 22 of the Oklahoma Statutes, if such a program
17 is offered in the county where the judgment is rendered, and to pay
18 a fee of Seventy-five Dollars (\$75.00), as set by the governing
19 authority of the program and approved by the court, to the program
20 to offset the cost of participation by the defendant, if in the
21 opinion of the court the defendant has the ability to pay such fee.

22 J. Any person who is found guilty of a felony violation of the
23 provisions of this section shall be required to submit to electronic
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1 monitoring as authorized and defined by Section 991a of Title 22 of
2 the Oklahoma Statutes.

3 K. Any person who is found guilty of a violation of the
4 provisions of this section who has been sentenced by the court to
5 perform any type of community service shall not be permitted to pay
6 a fine in lieu of performing the community service.

7 L. ~~When a person is found guilty of a violation of the~~
8 ~~provisions of this section, the court shall order, in addition to~~
9 ~~any other penalty, the defendant to pay an assessment of One Hundred~~
10 ~~Dollars (\$100.00) to be deposited in the Drug Abuse Education and~~
11 ~~Treatment Revolving Fund created in Section 2-503.2 of Title 63 of~~
12 ~~the Oklahoma Statutes, upon collection.~~

13 M. 1. When a person is eighteen (18) years of age or older,
14 and is the driver, operator, or person in physical control of a
15 vehicle, and is convicted of violating any provision of this section
16 while transporting or having in the motor vehicle any child less
17 than eighteen (18) years of age, the fine shall be enhanced to
18 double the amount of the fine imposed for the underlying driving
19 under the influence (DUI) violation which shall be in addition to
20 any other penalties allowed by this section.

21 2. Nothing in this subsection shall prohibit the prosecution of
22 a person pursuant to Section 852.1 of Title 21 of the Oklahoma
23 Statutes who is in violation of any provision of this section or
24 Section 11-904 of this title.

1 N. M. Any plea of guilty, nolo contendere, or finding of guilt
2 for a violation of this section or a violation pursuant to the
3 provisions of any law of this state or another state prohibiting the
4 offenses provided for in this section, Section 11-904 of this title,
5 or paragraph 4 of subsection A of Section 852.1 of Title 21 of the
6 Oklahoma Statutes shall constitute a conviction of the offense for
7 the purpose of this section; provided, any deferred judgment shall
8 only be considered to constitute a conviction for a period of ten
9 (10) years following the completion of any court-imposed
10 probationary term.

11 O. N. If qualified by knowledge, skill, experience, training,
12 or education, a witness shall be allowed to testify in the form of
13 an opinion or otherwise solely on the issue of impairment, but not
14 on the issue of specific alcohol concentration level, relating to
15 the following:

16 1. The results of any standardized field sobriety test
17 including, but not limited to, the horizontal gaze nystagmus (HGN)
18 test administered by a person who has completed training in
19 standardized field sobriety testing; or

20 2. Whether a person was under the influence of one or more
21 impairing substances and the category of such impairing substance or
22 substances. A witness who has received training and holds a current
23 certification as a drug recognition expert shall be qualified to

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1 give the testimony in any case in which such testimony may be
2 relevant.

3 SECTION 3. REPEALER 47 O.S. 2021, Section 11-902, as
4 amended by Section 3, Chapter 172, O.S.L. 2025 (47 O.S. Supp. 2025,
5 Section 11-902), is hereby repealed.

6 SECTION 4. REPEALER 47 O.S. 2021, Section 11-902, as
7 amended by Section 6, Chapter 305, O.S.L. 2025 (47 O.S. Supp. 2025,
8 Section 11-902), is hereby repealed.

9 SECTION 5. REPEALER 47 O.S. 2021, Section 11-902, as
10 amended by Section 33, Chapter 486, O.S.L. 2025 (47 O.S. Supp. 2025,
11 Section 11-902), is hereby repealed.

12 SECTION 6. This act shall become effective November 1, 2026.

14 60-2-2605 CN 1/12/2026 4:26:30 PM