

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1569

By: Rosino

AS INTRODUCED

An Act relating to criminal procedure; amending 22 O.S. 2021, Section 40.3A, which relates to reporting of rape, sodomy, or sexual assault incidents; broadening certain exception from specified reporting requirements; and providing an effective date.

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

SECTION 1. AMENDATORY 22 O.S. 2021, Section 40.3A, is amended to read as follows:

Section 40.3A. A. Any physician, surgeon, resident, intern, physician assistant, registered nurse, or any other health care professional examining, attending, or treating the victim of what appears to be or is reported by the victim to be rape, rape by instrumentation, or forcible sodomy, as defined in Section 1111, 1111.1 or 888 of Title 21 of the Oklahoma Statutes or any form of sexual assault, shall not be required to report any incident of what appears to be or is reported to be such crimes if:

1. Committed upon a person who is over the age of eighteen (18) years; ~~and~~

1 ~~2. The person~~ and is not an incapacitated adult; or

2 2. Committed between minors, as revealed during the course of a
3 medical history review, without evidence or a report of coercion,
4 exploitation, threat, or intimidation.

5 B. Any physician, surgeon, resident, intern, physician
6 assistant, registered nurse, or any other health care professional
7 examining, attending, or treating a victim shall be required to
8 report any incident of what appears to be or is reported to be rape,
9 rape by instrumentation, forcible sodomy, or any form of sexual
10 assault, if requested to do so either orally or in writing by the
11 victim and shall be required to inform the victim of the victim's
12 right to have a report made. A requested report of any incident
13 shall be promptly made orally or by telephone to the nearest law
14 enforcement agency in the county wherein the sexual assault occurred
15 or, if the location where the sexual assault occurred is unknown,
16 the report shall be made to the law enforcement agency nearest to
17 the location where the injury is treated.

18 C. In all cases of what appears to be or is reported to be
19 rape, rape by instrumentation, forcible sodomy, or any form of
20 sexual assault, the physician, surgeon, resident, intern, physician
21 assistant, registered nurse, or any other health care professional
22 examining, attending, or treating the victim of what appears to be
23 such crimes, shall clearly and legibly document the incident and
24

1 injuries observed and reported, as well as any treatment provided or
2 prescribed.

3 D. In all cases of what appears to be or is reported to be
4 rape, rape by instrumentation, forcible sodomy, or any form of
5 sexual assault, the physician, surgeon, resident, intern, physician
6 assistant, registered nurse, or any other health care professional
7 examining, attending, or treating the victim of what appears to be
8 rape, rape by instrumentation, forcible sodomy, or any form of
9 sexual assault, shall refer the victim to sexual assault and victim
10 services programs, including providing the victim with twenty-four-
11 hour statewide telephone communication service established by
12 Section 18p-5 of Title 74 of the Oklahoma Statutes.

13 E. Every physician, surgeon, resident, intern, physician
14 assistant, registered nurse, or any other health care professional
15 making a report of rape, rape by instrumentation, forcible sodomy,
16 or any form of sexual assault pursuant to this section or examining
17 such victims to determine the likelihood of such crimes, and every
18 hospital or related institution in which the victims were examined
19 or treated shall, upon the request of a law enforcement officer
20 conducting a criminal investigation into the case, provide to the
21 officer copies of the results of the examination or copies of the
22 examination on which the report was based, and any other clinical
23 notes, X-rays, photographs, and other previous or current records
24 relevant to the case.

SECTION 2. This act shall become effective September 1, 2026.

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