

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1584

By: Burns

AS INTRODUCED

An Act relating to the Oklahoma State Bureau of Investigation; amending 74 O.S. 2021, Section 150.28b, as amended by Section 1, Chapter 130, O.S.L. 2023 (74 O.S. Supp. 2025, Section 150.28b), which relates to standardized sexual assault evidence kits; modifying time frame for which sexual assault evidence kits shall be submitted; requiring testing within certain time frame; updating statutory language; removing obsolete language; and providing an effective date.

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

SECTION 1. AMENDATORY 74 O.S. 2021, Section 150.28b, as amended by Section 1, Chapter 130, O.S.L. 2023 (74 O.S. Supp. 2025, Section 150.28b), is amended to read as follows:

Section 150.28b. A. All accredited crime laboratories in ~~the State of Oklahoma must~~ this state shall supply to all law enforcement agencies the same standardized sexual assault evidence kit for the collection of DNA or other evidence as a result of an alleged crime of sexual assault.

B. A sexual assault evidence kit, or other DNA evidence if a kit is not collected, must be submitted to the appropriate

1 accredited crime laboratory for forensic testing within ~~twenty (20)~~
2 ten (10) days after receipt of the evidence by a law enforcement
3 agency if a report of the sexual assault is made to the law
4 enforcement agency, unless the victim requests that the sexual
5 assault evidence kit not be tested.

6 C. If, at the time the forensic medical examination is
7 conducted, a report of the sexual assault is not made or if the
8 victim requests that the sexual assault evidence kit not be tested,
9 the medical provider shall inform the victim in writing of his or
10 her right to request the testing of the sexual assault evidence kit
11 at any future time. The law enforcement agency shall submit the
12 sexual assault evidence kit to the appropriate accredited crime
13 laboratory for forensic testing within ~~twenty (20)~~ ten (10) days of
14 such request. However, nothing in this subsection shall negate the
15 responsibility of a medical provider to report a suspected sexual
16 assault as provided for in Section 40.3A of Title 22 of the Oklahoma
17 Statutes.

18 D. A collected sexual assault evidence kit, whether tested or
19 untested, must be retained in a secure, environmentally safe manner
20 for not less than fifty (50) years or for the length of the statute
21 of limitations for the alleged crime, whichever is longer.

22 E. Each law enforcement agency is responsible for the
23 maintenance and storage of untested kits either in their own
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1 evidence storage or through an agreement with another agency with
2 larger capacity.

3 F. ~~By January 1, 2020, the~~ The Oklahoma State Bureau of
4 Investigation (OSBI) and each accredited crime laboratory, in
5 coordination with ~~Oklahoma~~ the Sexual Assault Forensic Evidence ~~Task~~
6 ~~Force~~ (SAFE) Board, shall adopt and disseminate guidelines and
7 procedures for the collection, submission, and testing of DNA
8 evidence that is obtained in connection with an alleged sexual
9 assault. A collected sexual assault evidence kit collected on or
10 after the effective date of this act shall be processed by the
11 appropriate accredited crime laboratory to which it was submitted
12 within thirty (30) days after receipt of the sexual assault evidence
13 kit. Priority testing shall be given for sexual assault evidence
14 kits that will yield evidentiary value to the investigation and
15 prosecution of the alleged sexual assault.

16 G. The OSBI may inquire as to the condition and location of a
17 sexual assault evidence kit that has not been submitted to a
18 forensic laboratory within the deadlines established in subsection B
19 of this section.

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

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