

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1709

By: Jett

6 AS INTRODUCED

7 An Act relating to firearms; amending Section 15,
8 Chapter 366, O.S.L. 2024 (21 O.S. Supp. 2025, Section
9 200), which relates to Class D2 offenses; conforming
10 statutory reference; updating statutory language and
11 references; repealing 21 O.S. 2021, Section 1289.18,
12 as amended by Section 598, Chapter 486, O.S.L. 2025
13 (21 O.S. Supp. 2025, Section 1289.18), which relates
14 to the Oklahoma Firearms Act of 1971; and providing
15 an effective date.

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

17 SECTION 1. AMENDATORY Section 15, Chapter 366, O.S.L.

18 2024 (21 O.S. Supp. 2025, Section 200), is amended to read as
19 follows:

20 Section 200. A. ~~Upon the effective date of this act On or~~
21 after January 1, 2026, Class D2 shall include the following criminal
22 offenses:

23 1. ~~Attempt~~ Attempting to escape from ~~a~~ penitentiary, as
24 provided for in Section 434 of ~~Title 21 of the Oklahoma Statutes~~
this title;

1 2. Attempt Attempting to escape from prison, not a
2 penitentiary, as provided for in Section 436 of ~~Title 21 of the~~
3 ~~Oklahoma Statutes this title;~~

4 3. Escape from arrest or detention for a felony, as provided
5 for in subsection C of Section 444 of ~~Title 21 of the Oklahoma~~
6 ~~Statutes this title;~~

7 4. Aggravated assault and battery upon medical care provider,
8 as provided for in Section 650.5 of ~~Title 21 of the Oklahoma~~
9 ~~Statutes this title;~~

10 5. Omitting to provide for a child, as provided for in Section
11 852 of ~~Title 21 of the Oklahoma Statutes this title;~~

12 6. Harboring an endangered runaway child, second or subsequent
13 offense, as provided for in Section 856.2 of ~~Title 21 of the~~
14 ~~Oklahoma Statutes this title;~~

15 7. Discharging a stun gun, tear gas, mace, or other agent
16 against officer, as provided for in Section 1272.3 of ~~Title 21 of the~~
17 ~~Oklahoma Statutes this title;~~

18 8. Possession of sawed-off shotgun, as provided for in Section
19 1289.18 of ~~Title 21 of the Oklahoma Statutes;~~

20 9. Transmit Transmitting threatening letter, as provided for in
21 Section 1304 of ~~Title 21 of the Oklahoma Statutes this title;~~

22 10. Abortion

23 9. Performing an abortion without a license, as provided for in
24 Section 1-731 of Title 63 of the Oklahoma Statutes;

1 11. Abortion

2 10. Performing an abortion after the first trimester, as
3 provided for in Section 1-731 of Title 63 of the Oklahoma Statutes;

4 12. 11. Self-induced abortion, as provided for in Section 1-733
5 of Title 63 of the Oklahoma Statutes;

6 13. Violate

7 12. Violation of the Oklahoma Unborn Child Protection from
8 Dismemberment Abortion Act, as provided for in Section 1-737.9 of
9 Title 63 of the Oklahoma Statutes;

10 14. 13. Violation of the Unborn Child Pain Awareness/Prevention
11 Act, as provided for in Section 1-738.14 of Title 63 of the Oklahoma
12 Statutes;

13 15. 14. Knowingly perform an abortion on an unemancipated
14 minor, as provided for in Section 1-740.4b of Title 63 of the
15 Oklahoma Statutes;

16 16. 15. Make a fraudulent statement to obtain an abortion for a
17 minor, as provided for in Section 1-740.4b of Title 63 of the
18 Oklahoma Statutes;

19 17. 16. Violation of the Pain-Capable Unborn Child Protection
20 Act, as provided for in Section 1-745.7 of Title 63 of the Oklahoma
21 Statutes;

22 18. 17. Violation of the Heartbeat Informed Consent Act, as
23 provided for in Section 1-746.7 of Title 63 of the Oklahoma
24 Statutes;

1 19. 18. Abortion on a minor less than fourteen (14) years of
2 age or failure to submit tissue, as provided for in Section 1-749 of
3 Title 63 of the Oklahoma Statutes;

4 20. 19. Distribution of imitation controlled substance, second
5 offense, as provided for in Section 2-401 of Title 63 of the
6 Oklahoma Statutes; and

7 21. ~~Assist~~

8 20. Assisting another in the purchase of pseudoephedrine
9 products, second or subsequent offense, as provided for in Section
10 2-701 of Title 63 of the Oklahoma Statutes.

11 B. Any person convicted of a Class D2 criminal offense set
12 forth in this section shall be punished by imprisonment in the
13 custody of the Department of Corrections for a term ~~of~~ not more than
14 two (2) years and shall serve at least twenty percent (20%) of the
15 sentence imposed before release from custody.

16 C. 1. Every person who, having been previously convicted of
17 one or two Class C or Class D criminal offenses, commits a Class D2
18 criminal offense shall, upon conviction, be punished by imprisonment
19 in the custody of the Department of Corrections for a term ~~of~~ not
20 less than one (1) year nor more than five (5) years and shall serve
21 at least twenty percent (20%) of the sentence imposed before release
22 from custody including release to electronic monitoring pursuant to
23 Section 510.9 of Title 57 of the Oklahoma Statutes.

1 2. Every person who, having been previously convicted of three
2 Class C or Class D criminal offenses, or one or more Class Y, Class
3 A, or Class B criminal offenses, commits a Class D2 criminal offense
4 shall, upon conviction, be punished by imprisonment in the custody
5 of the Department of Corrections for a term of not less than one (1)
6 year nor more than ten (10) years and shall serve at least thirty
7 percent (30%) of the sentence imposed before release from custody
8 including release to electronic monitoring pursuant to Section 510.9
9 of Title 57 of the Oklahoma Statutes.

10 D. Unless specifically exempted pursuant to subsection E of
11 this section, Section 51.1 of Title 21 of the Oklahoma Statutes
12 shall not apply to Class D2 criminal offenses.

13 E. 1. The criminal offenses listed in paragraphs 7, 9, 10, 11,
14 12, 13, 14, 15, 16, 17, and 18, ~~and~~ 19 of subsection A of this
15 section shall be exempt from the penalty provisions provided for in
16 subsections B and C of this section. Persons convicted of the
17 criminal offenses provided for in paragraphs 7, 9, 10, 11, 12, 13,
18 14, 15, 16, 17, and 18, ~~and~~ 19 of subsection A of this section shall
19 be punished in accordance with the corresponding penalties provided
20 for in the Oklahoma Statutes including Section 51.1 of Title 21 of
21 the Oklahoma Statutes.

22 2. The criminal offense listed in paragraphs 2, 4, 5, and 6 of
23 subsection A of this section shall be exempt from the penalty
24 provisions provided for subsection B of this section. Persons

1 convicted of the criminal offenses provided for in paragraphs 2, 4,
2 5, and 6 of subsection A of this section shall be punished in
3 accordance with the corresponding penalties provided for in the
4 Oklahoma Statutes including Section 51.1 of Title 21 of the Oklahoma
5 Statutes. The provisions of subsection C of this section still
6 applies to the criminal offenses listed in paragraphs 2, 4, 5, and 6
7 of subsection A of this section.

8 F. All Class D2 criminal offenses shall be punishable by the
9 corresponding fines as provided for in the Oklahoma Statutes.

10 SECTION 2. REPEALER 21 O.S. 2021, Section 1289.18, as
11 amended by Section 598, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
12 2025, Section 1289.18), is hereby repealed.

13 SECTION 3. This act shall become effective November 1, 2026.
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