

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1803

By: Gollihare

6 AS INTRODUCED

7 An Act relating to The Governmental Tort Claims Act;
8 defining terms; requiring the Council on Law
9 Enforcement Education and Training to establish
10 certain certification standards; requiring adoption
11 of written pursuit policies; establishing
12 requirements for certain policies; requiring Council
13 to determine number of training hours for certain
14 purpose; prohibiting liability for certain actions;
providing exceptions; establishing certain rebuttable
presumption; stating evidentiary standard to rebut
certain presumption; requiring law enforcement
agencies to enforce certain policies; requiring
Council to audit certain compliance; construing
provisions; providing for codification; and providing
an effective date.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 173 of Title 51, unless there is
20 created a duplication in numbering, reads as follows:

21 A. For the purposes of this section:

22 1. "Fleeing suspect" means a person knowingly attempting to
23 evade lawful detention or arrest;

1 2. "Pursuit" means any lawful attempt to apprehend or detain a
2 fleeing person by any means; and

3 3. "Pursuit-ready agency" means a law enforcement agency
4 certified pursuant to this act.

5 B. The Council on Law Enforcement Education and Training shall
6 establish certification standards for pursuit-ready agencies.
7 Certification shall require adoption and enforcement of written
8 pursuit policies and completion of pursuit-related training
9 addressing, at a minimum:

10 1. Pursuit decision-making and risk assessment;
11 2. Supervisory oversight and authorization;
12 3. Termination criteria and disengagement procedures;
13 4. Overall public safety considerations, including traffic,
14 environment, and third-party risk;

15 5. Tactical intervention options designed to safely resolve
16 pursuits and reduce risk and liability; and

17 6. Post-pursuit review and corrective action processes.

18 The Council shall determine the minimum number of training hours
19 and may update standards as necessary.

20 C. 1. Pursuit decisions constitute discretionary acts within
21 the course and scope of employment under The Governmental Tort
22 Claims Act. No officer or agency shall be liable for injury or
23 damage arising from a lawful pursuit absent clear and convincing
24 evidence of intentional or criminal misconduct.

1 2. In any civil action arising from or related to a lawful
2 pursuit, the actions of the fleeing suspect shall be presumed to be
3 the proximate cause of any injury, death, or property damage
4 occurring during the pursuit. Such presumption may be rebutted only
5 upon proof, by clear and convincing evidence, that the officer
6 engaged in intentional or criminal misconduct. The burden of
7 rebutting this presumption rests with the claimant.

8 D. Law enforcement agencies shall enforce pursuit policies.
9 The Council may audit compliance and impose graduated administrative
10 sanctions for material noncompliance. Substantial compliance with
11 policy and training standards shall be deemed compliance. No
12 officer shall be disciplined solely for good-faith lawful
13 enforcement activity or pursuit conduct, while intentional
14 misconduct, criminal acts, dishonesty, or documented material policy
15 violations remain subject to discipline.

16 E. Nothing in this section shall be construed to create new
17 penalties or to limit the authority of courts to impose sanctions
18 otherwise authorized by law.

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