

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3203

By: Humphrey

6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2021, Sections 646 and 647, as amended by
9 Section 149, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
10 2025, Section 647), which relate to aggravated
11 assault and battery and related penalties; making
12 certain acts unlawful; defining terms; adding
13 penalties for aggravated medical assault and battery;
14 and providing an effective date.

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

16 SECTION 1. AMENDATORY 21 O.S. 2021, Section 646, is
17 amended to read as follows:

18 Section 646. A. An assault and battery becomes aggravated when
19 committed under any of the following circumstances:

20 1. When great bodily injury is inflicted upon the person
21 assaulted; ~~or~~

22 2. When committed by a person of robust health or strength upon
23 one who is aged, decrepit, or incapacitated, as defined in Section
24 641 of this title; or

1 3. When committed, in the course of providing medical or
2 therapeutic treatment by a person who knowingly engages in the
3 following acts without obtaining informed consent from the patient:

- 4 a. administering a treatment or procedure that results in
5 physical injury or emotional distress to the patient,
- 6 b. failing to provide adequate information regarding the
7 treatment or procedure, including potential risks and
8 alternatives, or
- 9 c. proceeding with treatment when the patient has
10 explicitly declined consent.

11 B. For purposes of this section "great:

12 1. "Great bodily injury" means bone fracture, protracted and
13 obvious disfigurement, protracted loss or impairment of the function
14 of a body part, organ or mental faculty, or substantial risk of
15 death; and

16 2. "Informed consent" means a process by which a patient is
17 provided with clear and comprehensive information regarding the
18 nature, risks, and benefits of a proposed treatment or intervention,
19 thereby allowing the patient to make a knowledgeable decision.

20 SECTION 2. AMENDATORY 21 O.S. 2021, Section 647, as
21 amended by Section 149, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
22 2025, Section 647), is amended to read as follows:

23 Section 647. A. Aggravated assault and battery shall be a
24 Class B5 felony offense and shall be punished by imprisonment in the

1 State Penitentiary custody of the Department of Corrections for a
2 term not exceeding five (5) years, or by imprisonment in a county
3 jail not exceeding one (1) year, or by a fine of not more than Five
4 Hundred Dollars (\$500.00), or both such fine and imprisonment.

5 B. Any person who violates the provisions of paragraph 3 of
6 subsection A of Section 646 of this title shall, upon conviction, be
7 guilty of a Class B5 felony offense and shall be punished by
8 imprisonment in the custody of the Department of Corrections for a
9 term not exceeding four (4) years, or by a fine not exceeding Five
10 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.
11 The provisions of Section 51.1 of this title shall apply to any
12 second or subsequent offense.

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

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