

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4151

By: Hasenbeck

6 AS INTRODUCED

7 An Act relating to domestic abuse; directing law
8 enforcement officers to conduct interviews regarding
9 domestic abuse; authorizing law enforcement officers
10 to request autopsies when certain conditions are
11 present; requiring current training for law
12 enforcement officers who conduct certain
13 investigations; allowing family members access to
14 victim services; granting family members the right to
15 request certain records; emphasizing the discretion
16 of law enforcement when conducting death
investigations; providing liability provision;
defining terms; amending 63 O.S. 2021, Section 938,
as amended by Section 3, Chapter 263, O.S.L. 2024 (63
O.S. Supp. 2025, Section 938), which relates to
medicolegal investigations; expanding scope of deaths
to be investigated; authorizing coroners to conduct
certain inquiries in consultation with pathologists;
providing for codification; and providing an
effective date.

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

20 SECTION 1. NEW LAW A new section of law to be codified

21 in the Oklahoma Statutes as Section 40.8 of Title 22, unless there
22 is created a duplication in numbering, reads as follows:

23 A. Prior to making any findings as to the manner and cause of
24 death of a deceased individual with an identifiable history of being

1 victimized by domestic abuse, and in the presence of three or more
2 factors provided for in subsection B of this section, law
3 enforcement investigators shall interview family members, such as
4 parents, siblings, or other close friends or relatives of the
5 decedent with relevant information regarding the history of domestic
6 abuse.

7 B. Law enforcement investigators may request a complete autopsy
8 in a case where they have determined there is an identifiable
9 history of being victimized by domestic abuse and any of the
10 following conditions are present:

11 1. The decedent died prematurely or in an untimely manner;

12 2. The scene of the death gives the appearance of a death due
13 to suicide or an accident;

14 3. The decedent or partner of the decedent wanted to end the
15 relationship;

16 4. There is a history of being victimized by domestic abuse
17 that included coercive control;

18 5. The decedent is found dead in a home or place of residence;

19 6. The decedent is found by a current or previous partner of
20 the decedent;

21 7. There is a history of being victimized by domestic abuse
22 that includes strangulation or suffocation;

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1 8. The current or previous partner of the decedent, child of
2 the decedent, or child of the current or previous partner of the
3 decedent, is the last to see the decedent alive;

4 9. The partner of the decedent had control of the scene before
5 law enforcement arrived; or

6 10. The body of the decedent had been moved or the scene or
7 other evidence was altered in some way.

8 C. Law enforcement personnel investigating a death where it has
9 been determined that the decedent has an identifiable history of
10 being victimized by domestic abuse shall be current in his or her
11 training related to domestic abuse incidents.

12 D. During the pendency of the investigation and any review,
13 family members shall have access to all victim services and support
14 provided under the Oklahoma Victim's Rights Act.

15 E. In the event that a local law enforcement agency makes a
16 finding that the death is not a homicide and closes the case, family
17 members or legal representation of the family members shall have the
18 right to request any and all records of the investigation currently
19 available, as provided for in Section 942 of Title 63 of the
20 Oklahoma Statutes.

21 F. The provisions of this section shall not require law
22 enforcement agencies to compromise an existing or open investigation
23 and shall not preempt the discretion provided to law enforcement
24 agencies in the investigation of death cases. This section shall

1 not impose any additional liability on a law enforcement agency for
2 its investigation of existing cases or its investigative conclusions
3 in those cases.

4 G. For the purposes of this section, the following definitions
5 shall apply:

6 1. "Domestic abuse" shall have the same meaning as such term is
7 defined in Section 60.1 of Title 22 of the Oklahoma Statutes;

8 2. "Identifiable history of being victimized by domestic abuse"
9 means demonstrable past incidents of being victimized by domestic
10 abuse that may be verified by prior police reports, written or
11 photographic documentation, restraining order declarations,
12 eyewitness statements, or other evidence that corroborates a history
13 of such incidents; and

14 3. "Partner" means a spouse, former spouse, cohabitant, former
15 cohabitant, fiancé, someone with whom the decedent had a dating
16 relationship or engagement for marriage, or the parent of the child
17 of the decedent.

18 SECTION 2. AMENDATORY 63 O.S. 2021, Section 938, as
19 amended by Section 3, Chapter 263, O.S.L. 2024 (63 O.S. Supp. 2025,
20 Section 938), is amended to read as follows:

21 Section 938. A. All human deaths of the types listed herein
22 shall be investigated as provided by law:

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1 1. Violent deaths, whether apparently homicidal, suicidal,
2 including suicide where the deceased had a history of being
3 victimized by domestic abuse, or accidental;
4 2. Deaths under suspicious, unusual or unnatural circumstances;
5 3. Deaths related to disease which might constitute a threat to
6 public health;
7 4. Deaths unattended by a licensed physician for a fatal or
8 potentially fatal illness;
9 5. Deaths that are medically unexpected and that occur in the
10 course of a therapeutic procedure;
11 6. Deaths of any persons detained or occurring in custody of
12 the Department of Corrections or a county jail;
13 7. Deaths of persons whose bodies are to be cremated,
14 transported out of the state, donated to educational entities, to
15 include limited portions of the body, or otherwise made ultimately
16 unavailable for pathological study; and
17 8. Maternal deaths that occur during pregnancy or within one
18 (1) year of termination of pregnancy reported by a hospital or
19 birthing center under Section 2 1-702f of this ~~act~~ title.
20 B. The Chief Medical Examiner shall state on the certificate of
21 death of all persons whose death was caused by execution pursuant to
22 a lawful court order that the cause of death was the execution of
23 such order.
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1 C. If the circumstances surrounding a death known or suspected
2 to be suicide affords a reasonable basis to suspect that the death
3 was caused by or related to domestic abuse by another, the coroner
4 may conduct the inquiry in consultation with a board-certified
5 pathologist certified by the American Board of Pathology.

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

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8 60-2-14200 GRS 01/09/26

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