

<DateSubmitted>

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2104

By: Osburn of the House and Rader of the Senate

Title: Classification of felony offenses; designating classification for certain offenses; effective date.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from its amendment; and
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

SENATE CONFEREES

Rader	_____
Howard	_____
Gollihare	_____
Jech	_____
Rosino	_____
Boren	_____

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

CONFERENCE COMMITTEE
SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 2104

By: Osburn and West (Tammy) of
the House

and

Rader of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the classification of felony offenses; amending 21 O.S. 2021, Section 701.7, which relates to murder in the first degree; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1268.2, which relates to terrorism; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 644, as amended by Section 1, Chapter 38, O.S.L. 2024 (21 O.S. Supp. 2024, Section 644), which relates to penalties for domestic abuse; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 651, which relates to penalties for administering poison; providing felony classification for certain offense; amending 21 O.S. 2021, Section 701.8, which relates to murder in the second degree; providing felony classification for certain offense; amending 21 O.S. 2021, Section 701.9, which relates to penalties for murder in the first and second degrees; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 745, which relates to kidnapping; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 843.5, as amended by Section 2, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 843.5), which relates to child abuse; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1021, as amended by Section 7, Chapter

59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1021), which relates to indecent exposure and the solicitation of minors; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1312, which relates to penalties for rioting; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1441, which relates to burglary with explosives; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1767.2, which relates to the use of explosives to damage persons or property; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-401, as amended by Section 1, Chapter 77, O.S.L. 2024 (63 O.S. Supp. 2024, Section 2-401), which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 124.8, which relates to the Oklahoma Explosives and Blasting Regulation Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 175, which relates to accessory to a felony offense; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 650, which relates to aggravated assault and battery upon a peace officer; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 701.16, which relates to solicitation for first degree murder; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 711 and 712, which relate to first degree manslaughter; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 748, which relates to human trafficking; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 760, which relates to female genital mutilation; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 798, 800 and 801, which relate to robbery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 849, which relates to equipping vehicles or structures with explosives; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1040.12a, as amended by Section 3, Chapter 103, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.12a), which relates to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offense; amending 21 O.S.

2021, Section 1111.1, as amended by Section 3, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024, Section 1111.1), which relates to rape by instrumentation; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1114 and 1115, which relate to penalties for rape and rape by instrumentation; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1117, which relates to forcing a woman to marry; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1752, which relates to displacing railroad equipment; providing felony classification for certain offense; amending 22 O.S. 2021, Section 107, which relates to criminal offenses during riots or insurrections; providing felony classification for certain offense; amending 47 O.S. 2021, Section 11-902, which relates to penalties for driving under the influence; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-403, which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 652, which relates to discharging a firearm with intent to kill; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 751, which relates to maiming; providing felony classification for certain offense; amending 21 O.S. 2021, Section 843.1, which relates to abuse of the elderly by caretakers; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1123, as last amended by Section 33, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1123), which relates to lewd or indecent acts to a child; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1268.3, which relates to the Oklahoma Antiterrorism Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1327, which relates to advocating sabotage, sedition or treason on public school grounds; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1401 and 1405, which relate to first degree arson and endangering human life during commission of arson; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 521, which relates to rescuing prisoners; providing felony classification for certain offense; amending

21 O.S. 2021, Sections 813, 814 and 817, which relate to aiding suicide; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 832, which relates to willful poisoning of others; providing felony classification for certain offense; amending 21 O.S. 2021, Section 888, as amended by Section 1, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024, Section 888), which relates to forcible sodomy; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1021.2, as amended by Section 1, Chapter 103, O.S.L. 2024, 1021.3, as amended by Section 10, Chapter 59, O.S.L. 2024, 1024.2, as amended by Section 15, Chapter 59, O.S.L. 2024 and 1029, as last amended by Section 3, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Sections 1021.2, 1021.3, 1024.2 and 1029), which relate to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1087, as amended by Section 6, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1087), which relates to procuring minors for prostitution; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1088, as amended by Section 7, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1088), which relates to inducing or restraining minors for prostitution; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1266, 1266.4 and 1266.5, which relate to the Sabotage Prevention Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1268.5, which relates to the Oklahoma Antiterrorism Act; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1287, which relates to the use of firearms while committing a felony; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1289.17A, which relates to the Oklahoma Firearms Act of 1971; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1431, which relates to first degree burglary; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1903, which relates to the Bus Passenger Safety Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 2001, which relates to the use of unlawful proceeds; providing felony classification for certain offenses;

1 amending 22 O.S. 2021, Section 1404, which relates to
2 the Oklahoma Racketeer-Influenced and Corrupt
3 Organizations Act; providing felony classification
4 for certain offenses; amending 47 O.S. 2021, Section
5 11-904, which relates to personal injury accident
6 while under the influence; providing felony
7 classification for certain offenses; amending 63 O.S.
8 2021, Section 2-415, which relates to the Trafficking
9 in Illegal Drugs Act; providing felony classification
10 for certain offenses; amending 21 O.S. 2021, Section
11 446, which relates to the unlawful transportation of
12 aliens; providing felony classification for certain
13 offense; amending 21 O.S. 2021, Section 532, which
14 relates to permitting escapes; providing felony
15 classification for certain offense; amending 21 O.S.
16 2021, Section 741, which relates to kidnapping;
17 providing felony classification for certain offense;
18 amending 21 O.S. 2021, Section 856.1, which relates
19 to aiding, abetting and encouraging minors to
20 participate in drug-related crimes; providing felony
21 classification for certain offense; amending 21 O.S.
22 2021, Section 866, which relates to trafficking in
23 children; providing felony classification for certain
24 offense; amending 21 O.S. 2021, Section 1040.8, as
amended by Section 18, Chapter 59, O.S.L. 2024 (21
O.S. Supp. 2024, Section 1040.8), which relates to
the Oklahoma Law on Obscenity and Child Pornography;
providing felony classification for certain offense;
amending 21 O.S. 2021, Section 1081, which relates to
pandering; providing felony classification for
certain offense; amending 21 O.S. 2021, Section 1085,
which relates to restraining female in house of
prostitution; providing felony classification for
certain offense; amending 21 O.S. 2021, Section 1116,
which relates to second degree rape; providing felony
classification for certain offense; amending 21 O.S.
2021, Section 1402, which relates to second degree
arson; providing felony classification for certain
offense; amending 57 O.S. 2021, Section 590, which
relates to the Sex Offenders Registration Act;
providing felony classification for certain offenses;
amending 59 O.S. 2021, Section 1350.6, which relates
to the Bail Enforcement and Licensing Act; providing
felony classification for certain offense; amending
63 O.S. 2021, Section 2-332, which relates to the
Precursor Substances Act; providing felony
classification for certain offense; amending 21 O.S.

2021, Section 341, which relates to embezzlement by officers; providing felony classification for certain offense; amending 21 O.S. 2021, Section 349, which relates to injuring or burning public buildings; providing felony classification for certain offense; amending 21 O.S. 2021, Section 539, which relates to resisting execution of process; providing felony classification for certain offense; amending 21 O.S. 2021, Section 644.1, which relates to prior pattern of domestic abuse; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1289.26, which relates to unlawful use of body armor; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1403, which relates to third degree arson; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1561, which relates to forgery of wills, deeds and instruments; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1562, which relates to forgery of public securities; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1622, which relates to fraudulently uttering one's signature; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1623, which relates to fraudulently uttering one's endorsement; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1624, which relates to the unlawful obliteration of instruments or writings; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1626, which relates to signing fictitious names as officers of corporations; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1742.2, which relates to the Unlawful Use of a Recording Device Act; providing felony classification for certain offenses; amending 36 O.S. 2021, Section 4055.14, which relates to the Viatical Settlements Act of 2008; providing felony classification for certain offenses; amending 52 O.S. 2021, Section 47.6, which relates to the Hazardous Liquid Transportation System Safety Act; providing felony classification for certain offense; amending 57 O.S. 2021, Section 21, which relates to contraband in jails and prisons; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-406, as last amended by Section 7, Chapter 308, O.S.L. 2024 (63 O.S. Supp. 2024, Section

2-406), which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-419.1, which relates to the Trafficking in Illegal Drugs Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 4253, which relates to the Vessel, and Motor Chop Shop, Stolen and Altered Property Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 53, which relates to concealing the death of a child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 645, which relates to assault and battery with a dangerous weapon; providing felony classification for certain offense; amending 21 O.S. 2021, Section 799, which relates to second degree robbery; providing felony classification for certain offense; amending 21 O.S. 2021, Section 843.3, which relates to abuse of a vulnerable adult; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 850, which relates to malicious intimidation or harassment; providing felony classification for certain offense; amending 21 O.S. 2021, Section 851, which relates to desertion of children; providing felony classification for certain offense; amending 21 O.S. 2021, Section 853, which relates to desertion of wife or child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 856, which relates to contributing to the delinquency of a minor; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 885, which relates to incest; providing felony classification for certain offense; amending 21 O.S. 2021, Section 886, which relates to crimes against nature; providing felony classification for certain offense; amending 21 O.S. 2021, Section 891, which relates to the enticement or concealing of children; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1028, as amended by Section 1, Chapter 267, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1028), which relates to operating a place of prostitution; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1040.13, as amended by Section 21, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1040.13), which relates to distribution of obscene material or child sexual abuse material;

1 providing felony classification for certain offense;
2 amending 21 O.S. 2021, Section 1040.13a, which
3 relates to soliciting sexual conduct or sexual
4 communication with a child; providing felony
5 classification for certain offense; amending 21 O.S.
6 2021, Section 1073, which relates to promoting
7 pyramid schemes; providing felony classification for
8 certain offense; amending 21 O.S. 2021, Section 1086,
9 which relates to allowing pandering on certain
10 property; providing felony classification for certain
11 offense; amending 21 O.S. 2021, Section 1118, which
12 relates to compelling a woman by force to marry;
13 providing felony classification for certain offense;
14 amending 21 O.S. 2021, Section 1119, which relates to
15 abduction of a person under fifteen; providing felony
16 classification for certain offense; amending 21 O.S.
17 2021, Section 1161.1, which relates to desecration of
18 a human corpse; providing felony classification for
19 certain offense; amending 21 O.S. 2021, Section 1173,
20 as amended by Section 2, Chapter 318, O.S.L. 2022 (21
21 O.S. Supp. 2024, Section 1173), which relates to
22 stalking; providing felony classification for certain
23 offenses; amending 21 O.S. 2021, Section 1217, which
24 relates to interfering with duties of firemen;
providing felony classification for certain offense;
amending 21 O.S. 2021, Sections 1230.7 and 1230.8,
which relate to the Environmental Crimes Act;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Section 1263, which relates to
advocating criminal syndicalism or sabotage;
providing felony classification for certain offense;
amending 21 O.S. 2021, Sections 1265.2, 1265.3 and
1265.5, which relate to the Sabotage Prevention Act;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Sections 1268.4, 1268.6,
1268.7 and 1268.8, which relate to the Oklahoma
Antiterrorism Act; providing felony classification
for certain offenses; amending 21 O.S. 2021, Section
1283, as amended by Section 1, Chapter 299, O.S.L.
2022 (21 O.S. Supp. 2024, Section 1283), which
relates to possession of firearms by convicted felons
and delinquents; providing felony classification for
certain offenses; amending 21 O.S. 2021, Sections
1289.16, 1289.17, 1289.20 and 1289.21, which relate
to the Oklahoma Firearms Act of 1971; providing
felony classification for certain offenses; amending
21 O.S. 2021, Section 1290.21, which relates to the

Oklahoma Self-Defense Act; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1320.2 and 1320.4, which relate to incitement to riot and related penalties; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1321.7 and 1321.8, which relate to the Oklahoma Riot Control and Prevention Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1368, which relates to possession of explosives by convicted felons; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1378, which relates to conspiring to perform an act of violence; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 10-102.1, which relates to accidents involving death; providing felony classification for certain offense; amending 47 O.S. 2021, Section 11-905, which relates to personal injury accidents caused by unlicensed drivers; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 11-1111, which relates to throwing substances at moving vehicles; providing felony classification for certain offense; amending 63 O.S. 2021, Sections 2-328 and 2-333, which relate to the Precursor Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Section 2-509, which relates to the unlawful cultivation of certain plants; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-701, which relates to the methamphetamine registry; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 647, 649, 649.1, 649.2, 650.2, 653 and 681, which relate to assault and battery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 716, 717 and 722, which relate to second degree manslaughter; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 856.3, which relates to gang-related offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1192.1, which relates to intentionally transmitting infectious virus; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1302, which relates to trespass; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1303, which relates to assaults while

disguised; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1320.3 and 1320.5, which relate to unlawful assemblies and related penalties; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1685, which relates to cruelty to animals; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1692.2, 1692.3, 1692.4, 1692.5 and 1692.8, which relate to cockfighting offenses and penalties; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1694, 1695, 1696, 1697 and 1699.1, which relate to dogfighting offenses; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 10-102, which relates to nonfatal injury accidents; providing felony classification for certain offense; amending 57 O.S. 2021, Sections 586, 587 and 590.1, which relate to the Sex Offenders Registration Act; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 649.3, 650.4, 650.6, 650.7, 650.8, 650.9 and 650.11, which relate to assault and battery offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 852.1, which relates to child endangerment; providing felony classification for certain offense; amending 21 O.S. 2021, Section 437, which relates to assisting prisoner escapes; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 438, which relates to carrying items into prison to assist escapes; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 440, which relates to harboring criminals and fugitives; providing felony classification for certain offense; amending 21 O.S. 2021, Section 455, which relates to threatening witnesses giving testimony; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 540A, which relates to eluding police officers; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 662, which relates to dueling; providing felony classification for certain offense; amending 21 O.S. 2021, Section 843.4, which relates to exploitation of elderly or disabled adults; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1404, which relates to fourth degree arson; providing felony classification for certain

1 offenses; amending 21 O.S. Section 1435, as amended
2 by Section 1, Chapter 245, O.S.L. 2022 (21 O.S. Supp.
3 2024, Section 1435), which relates to second and
4 third degree burglary; providing felony
5 classification for certain offenses; amending 21 O.S.
6 2021, Section 1708, which relates to grand larceny at
7 night; providing felony classification for certain
8 offense; amending 47 O.S. 2021, Section 6-302, which
9 relates to making false affidavits; providing felony
10 classification for certain offense; amending 63 O.S.
11 2021, Section 2-503.1f, which relates to evading
12 money reporting requirements; providing felony
13 classification for certain offense; amending 2 O.S.
14 2021, Section 11-10, which relates to anhydrous
15 equipment theft; providing felony classification for
16 certain offenses; amending 4 O.S. 2021, Section 268,
17 which relates to fraudulent branding of domestic
18 animals; providing felony classification for certain
19 offense; amending 17 O.S. 2021, Section 6.1, which
20 relates to injuring pipeline transportation systems;
21 providing felony classification for certain offense;
22 amending 19 O.S. 2021, Section 641, which relates to
23 embezzlement by county treasurer; providing felony
24 classification for certain offense; amending 21 O.S.
2021, Section 265, which relates to bribing executive
officers; providing felony classification for certain
offense; amending 21 O.S. 2021, Section 266, which
relates to executive officers receiving bribes;
providing felony classification for certain offense;
amending 21 O.S. 2021, Section 282, which relates to
unlawful entrance to restricted areas; providing
felony classification for certain offenses; amending
21 O.S. 2021, Section 301, which relates to
preventing meetings of the State Legislature;
providing felony classification for certain offense;
amending 21 O.S. 2021, Sections 303 and 305, which
relate to compelling adjournment of the State
Legislature and passage or rejection of bills;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Sections 308 and 309, which
relate to bribing and accepting bribes by members of
the Legislature; providing felony classification for
certain offenses; amending 21 O.S. 2021, Section 350,
which relates to the seizure of military stores;
providing felony classification for certain offense;
amending 21 O.S. 2021, Section 374, which relates to
the unlawful display of certain flags and banners;

1 providing felony classification for certain offense;
2 amending 21 O.S. 2021, Sections 380 and 380.1, which
3 relate to bribing a fiduciary and commercial bribery;
4 providing felony classification for certain offenses;
5 amending 21 O.S. 2021, Section 382, which relates to
6 receiving bribes by public officers; providing felony
7 classification for certain offense; amending 21 O.S.
8 2021, Section 383, which relates to offering bribes
9 to judicial officer and jurors; providing felony
10 classification for certain offense; amending 21 O.S.
11 2021, Section 388, which relates to tampering with
12 juries; providing felony classification for certain
13 offense; amending 21 O.S. 2021, Sections 421, 422 and
14 424, which relate to conspiracy offenses; providing
15 felony classification for certain offenses; amending
16 21 O.S. 2021, Section 540B, which relates to
17 roadblocks; providing felony classification for
18 certain offense; amending 21 O.S. 2021, Section 578,
19 which relates to fraudulent production of an infant;
20 providing felony classification for certain offense;
21 amending 21 O.S. 2021, Sections 752 and 759, which
22 relate to maiming and related penalties; providing
23 felony classification for certain offenses; amending
24 21 O.S. 2021, Sections 941, 946 and 948, which relate
to gambling offenses; providing felony classification
for certain offenses; amending 21 O.S. 2021, Sections
982 and 991, which relate to commercial gambling and
betting; providing felony classification for certain
offenses; amending 21 O.S. 2021, Section 996.3, which
relates to the Consumers Disclosure of Prizes and
Gifts Act; providing felony classification for
certain offense; amending 21 O.S. 2021, Section 1416,
which relates to the unlawful delivery of goods;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Section 1451, as amended by
Section 1, Chapter 63, O.S.L. 2024 (21 O.S. Supp.
2024, Section 1451), which relates to embezzlement
offenses; providing felony classification for certain
offenses; amending 21 O.S. 2021, Sections 1531, 1532,
1533 and 1533.2, which relate to falsely
impersonation offenses; providing felony
classification for certain offenses; amending 21 O.S.
2021, Sections 1541.2 and 1541.3, which relate to
obtaining money or property by trick; providing
felony classification for certain offenses; amending
21 O.S. 2021, Sections 1577, 1578, 1579 and 1592,
which relate to forgery offenses; providing felony

1 classification for certain offenses; amending 21 O.S.
2 2021, Sections 1632 and 1635, which relate to fraud
3 relating to corporations; providing felony
4 classification for certain offenses; amending 21 O.S.
5 2021, Sections 1702, 1705, as amended by Section 1,
6 Chapter 158, O.S.L. 2024, 1707, 1713, 1713.1, 1716,
7 as amended by Section 1, Chapter 32, O.S.L. 2022,
8 1719.2, 1720, 1721, 1722, 1731, as amended by Section
9 1, Chapter 176, O.S.L. 2024, and 1732 (21 O.S. Supp.
10 2024, Sections 1705, 1716 and 1731), which relate to
11 larceny offenses; providing felony classification for
12 certain offenses; amending 21 O.S. 2021, Section
13 1778, which relates to interfering with train signal
14 lights; providing felony classification for certain
15 offense; amending 21 O.S. 2021, Section 1779, which
16 relates to injuring written instruments; providing
17 felony classification for certain offense; amending
18 21 O.S. 2021, Sections 1953 and 1955, which relate to
19 the Oklahoma Computer Crimes Act; providing felony
20 classification for certain offense; amending 22 O.S.
21 2021, Section 17, which relates to failing to forfeit
22 certain proceeds; providing felony classification for
23 certain offense; amending 27A O.S. 2021, Section 2-5-
24 116, which relates to violations of the Oklahoma
Clean Air Act; providing felony classification for
certain offense; amending 27A O.S. 2021, Section 2-6-
206, which relates to violations of the Oklahoma
Pollutant Discharge Elimination System Act; providing
felony classification for certain offenses; amending
29 O.S. 2021, Section 3-201, which relates to
violations of the Oklahoma Wildlife Conservation
Code; providing felony classification for certain
offense; amending 42 O.S. 2021, Section 153, which
relates to lienable claims; providing felony
classification for certain offense; amending 47 O.S.
2021, Section 4-108, which relates to trim tag
plates; providing felony classification for certain
offense; amending 47 O.S. 2021, Section 4-109, as
amended by Section 36, Chapter 282, O.S.L. 2022 (47
O.S. Supp. 2024, Section 4-109), which relates to
certificate of titles; providing felony
classification for certain offense; amending 47 O.S.
2021, Section 7-612, which relates to security
verification forms; providing felony classification
for certain offense; amending 47 O.S. 2021, Section
592.9, as amended by Section 17, Chapter 107, O.S.L.
2022 (47 O.S. Supp. 2024, Section 592.9), which

1 relates to the Oklahoma Crusher Act; providing felony
2 classification for certain offense; amending 47 O.S.
3 2021, Section 1503, which relates to the Motor
4 Vehicle Chop Shop, Stolen and Altered Property Act;
5 providing felony classification for certain offenses;
6 amending 51 O.S. 2021, Sections 36.5 and 36.6, which
7 relate to oaths or affirmations; providing felony
8 classification for certain offenses; amending 52 O.S.
9 2021, Sections 109 and 118, which relate to false
10 verification of documents and bribery; providing
11 felony classification for certain offenses; amending
12 63 O.S. 2021, Section 2-407, which relates to the
13 Uniform Controlled Dangerous Substances Act;
14 providing felony classification for certain offense;
15 amending 63 O.S. 2021, Sections 2-503.1, 2-503.1d, 2-
16 503.1e, and 2-503.1g, which relate to the Drug Money
17 Laundering and Wire Transmitter Act; providing felony
18 classification for certain offenses; amending 68 O.S.
19 2021, Sections 218.1, 244 and 246, which relate to
20 the Uniform Tax Procedure Code; providing felony
21 classification for certain offense; amending 68 O.S.
22 2021, Section 317, which relates to forging tax
23 stamps; providing felony classification for certain
24 offense; amending 71 O.S. 2021, Sections 1-301 and 1-
308, as amended by Sections 12 and 19, Chapter 77,
O.S.L. 2022, 1-401, 1-402, 1-403 and 1-404, as
amended by Sections 20, 21 and 22, Chapter 77, O.S.L.
2022, 1-501, 1-502, 1-505, 1-506 and 1-508, as
amended by Section 31, Chapter 77, O.S.L. 2022 (71
O.S. Supp. 2024, Sections 1-301, 1-308, 1-402, 1-403,
1-404 and 1-508), which relate to the Oklahoma
Uniform Securities Act of 2004; providing felony
classification for certain offenses; amending 71 O.S.
2021, Sections 806, 808, 809 and 811, as amended by
Sections 44 and 45, Chapter 77, O.S.L. 2022, 812,
819, 820, 821, 822 and 823 (71 O.S. Supp. 2024,
Sections 809 and 811), which relate to the Oklahoma
Business Opportunity Sales Act; providing felony
classification for certain offenses; amending 74 O.S.
2021, Section 71, which relates to the Oklahoma
Surplus Property Act; providing felony classification
for certain offense; amending 79 O.S. 2021, Sections
203, 204 and 206, which relate to the Oklahoma
Antitrust Reform Act; providing felony classification
for certain offenses; amending 82 O.S. 2021, Section
867, which relates to officer and employees of the
Grand River Dam Authority; providing felony

1 classification for certain offense; amending 2 O.S.
2 2021, Sections 9-34, 9-35 and 9-36, which relate to
3 the Public Warehouse and Commodity Indemnity Act;
4 providing felony classification for certain offenses;
5 amending 2 O.S. 2021, Sections 16-25, 16-28.1 and 16-
6 34, which relate to the Oklahoma Forestry Code;
7 providing felony classification for certain offenses;
8 amending 3 O.S. 2021, Sections 258 and 259, which
9 relate to the operation of unregistered aircraft and
10 unregistered serial numbers; providing felony
11 classification for certain offenses; amending 3 O.S.
12 2021, Section 301, which relates to the operation of
13 aircraft while under the influence; providing felony
14 classification for certain offense; amending 3 O.S.
15 2021, Section 321, which relates to the unlawful
16 possession of aircraft; providing felony
17 classification for certain offense; amending 3A O.S.
18 2021, Sections 205, 208.4, 208.6, 208.7, 208.8,
19 208.9, 208.10 and 208.11, which relate to the
20 Oklahoma Horse Racing Act; providing felony
21 classification for certain offenses; amending 3A O.S.
22 2021, Section 727, which relates to the Oklahoma
23 Education Lottery Act; providing felony
24 classification for certain offense; amending 4 O.S.
2021, Section 42.4, which relates to owners of
dangerous dogs; providing felony classification for
certain offenses; amending 6 O.S. 2021, Sections 809,
1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413,
1414 and 1417, which relate to the Oklahoma Banking
Code; providing felony classification for certain
offenses; amending 10 O.S. 2021, Section 404.1, which
relates to the Oklahoma Child Care Facilities
Licensing Act; providing felony classification for
certain offense; amending 10A O.S. 2021, Section 1-2-
101, which relates to reports of child abuse;
providing felony classification for certain offense;
amending 13 O.S. 2021, Section 176.3, which relates
to the Security of Communications Act; providing
felony classification for certain offense; amending
15 O.S. 2021, Sections 753 and 761.1, which relate to
the Consumer Protection Act; providing felony
classification for certain offenses; amending 15 O.S.
2021, Section 765.3, which relates to the Home Repair
Fraud Act; providing felony classification for
certain offense; amending 15 O.S. 2021, Section 767,
which relates to closing out sales; providing felony
classification for certain offense; amending 15 O.S.

2021, Sections 776.1 and 776.6, which relate to fraudulent electronic mail; providing felony classification for certain offenses; amending 17 O.S. 2021, Section 16, which relates to the destruction of corporate transaction business records; providing felony classification for certain offense; amending 18 O.S. 2021, Section 411, which relates to the misapplication of solicited funds; providing felony classification for certain offense; amending 18 O.S. 2021, Sections 553.1 and 553.3, which relate to the Oklahoma Solicitation of Charitable Contributions Act; providing felony classification for certain offenses; amending 19 O.S. 2021, Sections 90 and 91, which relate to failure by election officers to perform certain duties; providing felony classification for certain offense; amending 19 O.S. 2021, Section 686, which relates to the failure of county officers to perform certain duties; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 318, 320, 321 and 322, which relate to soliciting and accepting bribes by members of the State Legislature; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 334, which relates to soliciting funds to promote legislation; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 355, 357, 358 and 359, which relate to the unlawful furnishing of public supplies for consideration; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 381 and 399, which relate to bribery and corruption offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 425, which relates to conspiracy offenses; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 443 and 445, which relate to escapes from penal institutions; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 453 and 456, which relate to falsifying evidence; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 461, 462 and 463, which relate to forging, stealing and falsifying public records; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 491, 496, 500, 504 and 505, which relate to perjury offenses; providing felony classification for certain offenses; amending 21 O.S.

2021, Section 531, which relates to the destruction of records; providing felony classification for certain offense; amending 21 O.S. 2021, Section 540C, which relates to fortifying access points; providing felony classification for certain offense; amending 21 O.S. 2021, Section 543, which relates to concealing crimes in exchange for money or property; providing felony classification for certain offense; amending 21 O.S. 2021, Section 579, which relates to substituting a child; providing felony classification for certain offense; amending 21 O.S. 2021, Section 588, which relates to recording grand or petit jury proceedings; providing felony classification for certain offense; amending 21 O.S. 2021, Section 861, which relates to procuring an abortion; providing felony classification for certain offense; amending 21 O.S. 2021, Section 872, which relates to adultery; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 883 and 884, which relate to bigamy offenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 954, 984, 986, 987 and 988, which relate to offenses related to confidence games and gambling; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1031, as last amended by Section 2, Chapter 267, O.S.L. 2024, 1040.80, as amended by Section 32, Chapter 59, O.S.L. 2024 and 1040.13b, as amended by Section 1, Chapter 214, O.S.L. 2024 (21 O.S. Supp. 2024, Sections 1031, 1040.80 and 1040.13b), which relate to the Oklahoma Law on Obscenity and Child Pornography; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1125, which relates to zone of safety for sex offenders; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1161 and 1162, which relate to the unlawful removal and purchasing of dead bodies; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1171, which relates to Peeping Toms; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1172, which relates to obscene communications; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1192, which relates to the spread of infectious diseases; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1229, which relates to altering the

1 appearance of livestock; providing felony
2 classification for certain offense; amending 21 O.S.
3 Sections 1230.3, 1230.4, 1230.5 and 1230.6, which
4 relate to the Environmental Crimes Act; providing
5 felony classification for certain offenses; amending
6 21 O.S. 2021, Section 1265.4, which relates to the
7 Sabotage Prevention Act; providing felony
8 classification for certain offense; amending 21 O.S.
9 2021, Section 1278, which relates to the unlawful
10 intent to carry firearms; providing felony
11 classification for certain offense; amending 21 O.S.
12 2021, Section 1320.10, which relates to riots;
13 providing felony classification for certain offense;
14 amending 21 O.S. 2021, Sections 1411, 1412, 1414 and
15 1415, which relate to fraudulent bills of lading and
16 warehouse receipts; providing felony classification
17 for certain offenses; amending 21 O.S. 2021, Sections
18 1483, 1485, 1486 and 1488, which relate to extortion
19 and blackmail; providing felony classification for
20 certain offenses; amending 21 O.S. 2021, Section
21 1521, which relates to bogus check for motor vehicle
22 leases or rentals; providing felony classification
23 for certain offense; amending 21 O.S. 2021, Section
24 1533.1, which relates to identity theft; providing
felony classification for certain offenses; amending
21 O.S. 2021, Section 1544, which relates to false
negotiable papers; providing felony classification
for certain offense; amending 21 O.S. 2021, Sections
1550.28, 1550.31, 1550.33 and 1550.41, which relate
to the Oklahoma Credit Card Crime Act of 1970;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Section 1550, which relates to
committing a felony with a firearm that has an
altered or defaced serial number; providing felony
classification for certain offense; amending 21 O.S.
2021, Sections 1571, 1572, 1573, 1574, 1580, 1581,
1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590,
1591 and 1593, which relate to second degree forgery
offenses; providing felony classification for certain
offenses; amending 21 O.S. 2021, Section 1621, which
relates to third degree felony; providing felony
classification for certain offense; amending 21 O.S.
2021, Section 1639, which relates to fraudulent
insolvency of unlicensed insurance business;
providing felony classification for certain offense;
amending 21 O.S. 2021, Section 1663, which relates to
Workers' Compensation fraud; providing felony

1 classification for certain offense; amending 21 O.S.
2 2021, Section 1681, which relates to poisoning
3 animals; providing felony classification for certain
4 offense; amending 21 O.S. 2021, Sections 1719,
5 1719.1, 1723, 1726, 1727 and 1728, which relate to
6 larceny offenses; providing felony classification for
7 certain offenses; amending 21 O.S. 2021, Sections
8 1751 and 1752.1, which relate to offenses concerning
9 trains and railroad property; providing felony
10 classification for certain offenses; amending 21 O.S.
11 2021, Section 1767.1, which relates to the use or
12 threats to use incendiary devices; providing felony
13 classification for certain offense; amending 21 O.S.
14 2021, Section 1777, which relates to the removal or
15 injury of piles; providing felony classification for
16 certain offense; amending 21 O.S. 2021, Section 1837,
17 which relates to substances or explosives in unginned
18 cotton; providing felony classification for certain
19 offense; amending 21 O.S. 2021, Sections 1873 and
20 1874, which relate to the sale or manufacture of
21 unlawful telecommunication devices; providing felony
22 classification for certain offenses; amending 21 O.S.
23 2021, Section 1904, which relates to the Bus
24 Passenger Safety Act; providing felony classification
for certain offense; amending 21 O.S. 2021, Section
1958, which relates to the Oklahoma Computer Crimes
Act; providing felony classification for certain
offense; amending 21 O.S. 2021, Sections 1976, 1977,
1978 and 1979, which relate to the unlawful
reproduction and sale of sound recordings; providing
felony classification for certain offenses; amending
21 O.S. 2021, Section 1980, which relates to
counterfeit labels; providing felony classification
for certain offense; amending 21 O.S. 2021, Section
1990.2, which relates to the Trademark Anti-
Counterfeiting Act; providing felony classification
for certain offenses; amending 21 O.S. 2021, Section
1993, which relates to the Laser Safety Act;
providing felony classification for certain offense;
amending 21 O.S. 2021, Section 2100.1, which relates
to ice cream truck vending; providing felony
classification for certain offense; amending 22 O.S.
2021, Section 60.6, which relates to the Protection
from Domestic Abuse Act; providing felony
classification for certain offenses; amending 22 O.S.
2021, Section 1263, which relates to the sale of
seized liquor; providing felony classification for

1 certain offenses; amending 22 O.S. 2021, Section
2 1264, which relates to false affidavits by an
3 officer; providing felony classification for certain
4 offense; amending 26 O.S. 2021, Section 9-118, which
5 relates to breaking or tampering with voting devices;
6 providing felony classification for certain offense;
7 amending 26 O.S. 2021, Sections 16-101, 16-102, 16-
8 102.1, 16-102.2, 16-103, 16-103.1, 16-104, 16-105,
9 16-106, 16-107, 16-108, 16-109 and 16-120, which
10 relate to offenses in violation of the election code;
11 providing felony classification for certain offenses;
12 amending 27A O.S. 2021, Section 2-7-109, which
13 relates to the Oklahoma Hazardous Waste Management
14 Act; providing felony classification for certain
15 offense; amending 27A O.S. 2021, Sections 2-10-302
16 and 2-10-801, which relate to the Oklahoma Solid
17 Waste Management Act; providing felony classification
18 for certain offenses; amending 36 O.S. 2021, Section
19 311.1, which relates to fraudulent or false
20 statements by insurer; providing felony
21 classification for certain offenses; amending 36 O.S.
22 2021, Section 1435.26, which relates to the Oklahoma
23 Producer Licensing Act; providing felony
24 classification for certain offenses; amending 36 O.S.
2021, Section 1643, which relates to failure to file
insurance statements by insurer; providing felony
classification for certain offenses; amending 36 O.S.
2021, Section 6130, which relates to prepaid funeral
benefits; providing felony classification for certain
offense; amending 37A O.S. 2021, Sections 3-101, 6-
101 and 6-123, which relate to Oklahoma Alcoholic
Beverage Control Act; providing felony classification
for certain offenses; amending 40 O.S. 2021, Section
5-107, which relates to the Employment Security Act
of 1980; providing felony classification for certain
offense; amending 40 O.S. 2021, Section 169, which
relates to hiring armed guards without permits;
providing felony classification for certain offense;
amending 40 O.S. 2021, Section 183, which relates to
entering boilers while under pressure; providing
felony classification for certain offense; amending
42 O.S. 2021, Sections 142.4 and 142.6, which relate
to fraudulent statements on certain liens; providing
felony classification for certain offenses; amending
43 O.S. 2021, Section 14, which relates to performing
unlawful marriages; providing felony classification
for certain offense; amending 43 O.S. 2021, Section

123, which relates to remarrying and cohabitating; providing felony classification for certain offense; amending 43A O.S. 2021, Sections 2-219 and 3-601, as amended by Section 2, Chapter 250, O.S.L. 2023 (43A O.S. Supp. 2024, Section 3-601), which relate to the Mental Health Law; providing felony classification for certain offenses; amending 43A O.S. 2021, Section 11-113, which relates to the Advance Directives for Mental Health Treatment Act; providing felony classification for certain offense; amending 47 O.S. 2021, Sections 4-102, 4-103, 4-107, as amended by Section 35, Chapter 282, O.S.L. 2022, 4-107a and 4-110 (47 O.S. Supp. 2024, Section 4-107), which relate to motor vehicle anti-theft laws; providing felony classification for certain offenses; amending 47 O.S. 2021, Section 6-301, as amended by Section 76, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024, Section 6-301), which relates to the unlawful use of a driver license or identification card; providing felony classification for certain offense; amending 47 O.S. 2021, Section 11-207, which relates to interfering with traffic-control devices or railroad signs; providing felony classification for certain offense; amending 47 O.S. 2021, Section 17-102, which relates to penalties for violations of the Uniform Vehicle Code; providing felony classification for certain offense; amending 52 O.S. 2021, Sections 108, 114, 115 and 117, which relate to perjury, obstruction, conspiracy and bribery; providing felony classification for certain offenses; amending 52 O.S. Section 235, which relates to the misappropriation of gas; providing felony classification for certain offense; amending 56 O.S. 2021, Section 26.18, which relates to fraud in obtaining emergency relief or assistance; providing felony classification for certain offense; amending 56 O.S. 2021, Sections 1005 and 1005.1, which relate to the Oklahoma Medicaid Program Integrity Act; providing felony classification for certain offenses; amending 57 O.S. 2021, Section 22, receiving compensation for providing goods or services to inmates; providing felony classification for certain offense; amending 57 O.S. 2021, Section 222, which relates to the Prisoners Public Works Act; providing felony classification for certain offense; amending 57 O.S. 2021, Section 599, which relates to the Mary Rippy Violent Crime Offenders Registration Act; providing

felony classification for certain offense; amending 59 O.S. 2021, Section 328.49, which relates to the State Dental Act; providing felony classification for certain offense; amending 59 O.S. 2021, Sections 353.17A, 353.24 and 353.25, which relate to the Oklahoma Pharmacy Act; providing felony classification for certain offenses; amending 59 O.S. 2021, Section 396.33, which relates to the Funeral Services License Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 491, which relates to the Oklahoma Allopathic Medical and Surgical Licensure and Supervision Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 638, which relates to the Oklahoma Osteopathic Medicine Act; providing felony classification for certain offenses; amending 59 O.S. 2021, Section 1044, which relates to the Oklahoma Inspectors Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1322, which relates to perjury on affidavit of undertaking; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1335, which relates to noncompliance with personal recognizance; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1512, which relates to the Oklahoma Pawnshop Act; providing felony classification for certain offense; amending 59 O.S. 2021, Section 1750.11, which relates to the Oklahoma Security Guard and Private Investigator Act; providing felony classification for certain offense; amending 61 O.S. 2021, Sections 115 and 116, which relate to the Public Competitive Bidding Act of 1974; providing felony classification for certain offenses; amending 62 O.S. 2021, Section 81, which relates to false or illegal vouchers; providing felony classification for certain offense; amending 62 O.S. 2021, Section 604, which relates to the Uniform Facsimile Signature of Public Officials Act; providing felony classification for certain offense; amending 63 O.S. 2021, Section 2-404, which relates to the Uniform Controlled Dangerous Substances Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Sections 2200.16A and 2200.17A, which relate to the Oklahoma Uniform Anatomical Gift Act; providing felony classification for certain offenses; amending 63 O.S. 2021, Sections 4209, 4209.1, 4209.2, 4209.3 and 4209.4, which relate

1 to the Oklahoma Boating Safety Regulation Act;
2 providing felony classification for certain offenses;
3 amending 64 O.S. 2021, Section 1026, which relates to
4 destroying or forging records of the Commissioners of
5 the Land Office; providing felony classification for
6 certain offense; amending 64 O.S. 2021, Section 1094,
7 which relates to unauthorized prospecting of minerals
8 on certain land; providing felony classification for
9 certain offense; amending 66 O.S. 2021, Section 304,
10 which relates to the Railroad Revitalization Act;
11 providing felony classification for certain offense;
12 amending 66 O.S. 2021, Section 324, which relates to
13 the Oklahoma Tourism and Passenger Rail Act;
14 providing felony classification for certain offense;
15 amending 67 O.S. Section 83, which relates to
16 obstructing the copying of certain records; providing
17 felony classification for certain offense; amending
18 68 O.S. 2021, Sections 240.1 and 241, which relate to
19 the Uniform Tax Procedure Code; providing felony
20 classification for certain offenses; amending 68 O.S.
21 2021, Sections 450.8 and 450.9, which relate to
22 failure to affix, remove or prepare fraudulent tax
23 stamps on controlled dangerous substances; providing
24 felony classification for certain offenses; amending
68 O.S. 2021, Section 2003, which relates to false
oaths; providing felony classification for certain
offense; amending 68 O.S. 2021, Section 2376, which
relates to submitting false tax returns; providing
felony classification for certain offense; amending
68 O.S. 2021, Section 2920, which relates to the
submission of false tax receipts; providing felony
classification for certain offense; amending 68 O.S.
2021, Section 2945, as amended by Section 4, Chapter
349, O.S.L. 2022 (68 O.S. Supp. 2024, Section 2945),
which relates to fraudulent lists of taxable
information; providing felony classification for
certain offense; amending 68 O.S. 2021, Section 3609,
which relates to the Oklahoma Quality Jobs Program
Act; providing felony classification for certain
offense; amending 68 O.S. 2021, Section 3807, which
relates to the Former Military Facility Development
Act; providing felony classification for certain
offense; amending 68 O.S. 2021, Section 4109, which
relates to the Oklahoma Specialized Quality
Investment Act; providing felony classification for
certain offense; amending 68 O.S. 2021, Section 4209,
which relates to the Oklahoma Quality Investment Act;

1 providing felony classification for certain offense;
2 amending 69 O.S. 2021, Section 310, which relates to
3 conflicts of interest of the State Highway
4 Commission; providing felony classification for
5 certain offense; amending 69 O.S. 2021, Section 1705,
6 which relates to powers and duties of the Oklahoma
7 Turnpike Authority; providing felony classification
8 for certain offense; amending 69 O.S. 2021, Section
9 1802, which relates to penalties for felony
10 violations of the Oklahoma Highway Code of 1968;
11 providing felony classification for certain offense;
12 amending 70 O.S. 2021, Section 23-106, which relates
13 to powers and duties of the Oklahoma Educational
14 Television Authority; providing felony classification
15 for certain offense; amending 70 O.S. 2021, Section
16 3909, which relates to the altering or destroying of
17 audit records; providing felony classification for
18 certain offense; amending 70 O.S. 2021, Section 4306,
19 which relates to the misappropriation of gifts,
20 devises and bequests at higher educational
21 institutions; providing felony classification for
22 certain offense; amending 71 O.S. 2021, Sections 453,
23 455 and 460, which relate to the Oklahoma Take-over
24 Disclosure Act of 1985; providing felony
classification for certain offenses; amending 73 O.S.
2021, Section 162, which relates to the unlawful
transaction of business for profit by employees or
officers of the Oklahoma Capitol Improvement
Authority; providing felony classification for
certain offense; amending 74 O.S. 2021, Section
85.45h, which relates to the Oklahoma Minority
Business Enterprise Assistance Act; providing felony
classification for certain offense; amending 74 O.S.
2021, Section 85.47h, which relates to the Oklahoma
Small Business Surety Bond Guaranty Program Act;
providing felony classification for certain offense;
amending 74 O.S. 2021, Section 150.9, which relates
to false or altered criminal history records;
providing felony classification for certain offense;
amending 74 O.S. 2021, Section 3404, which relates to
the Anti-Kickback Act of 1974; providing felony
classification for certain offense; amending 79 O.S.
2021, Sections 101 and 103, which relate to
prohibited agreements regarding bridges, roads or
highways; providing felony classification for certain
offense; amending 82 O.S. 2021, Section 1086.3, which
relates to unlawful business transactions for profit

1 by members of the Water Resources Board; providing
2 felony classification for certain offense; amending
3 82 O.S. 2021, Section 1281, which relates to
4 conflicts of interest; providing felony
5 classification for certain offense; amending 84 O.S.
6 2021, Section 55, which relates to falsely executing
7 written declarations; providing felony classification
8 for certain offense; amending 85A O.S. 2021, Section
9 6, which relates to the Administrative Workers'
10 Compensation Act; providing felony classification for
11 certain offense; amending 21 O.S. 2021, Sections 434,
12 436, and 444, which relate to escapes from
13 penitentiaries and peace officers; providing felony
14 classification for certain offenses; amending 21 O.S.
15 2021, Section 650.5, as amended by Section 2, Chapter
16 140, O.S.L. 2023 (21 O.S. Supp. 2024, Section 650.5),
17 which relates to penalties for assault and battery
18 offenses; providing felony classification for certain
19 offense; amending 21 O.S. 2021, Section 852, which
20 relates to failing to provide support for a child;
21 providing felony classification for certain offenses;
22 amending 21 O.S. 2021, Section 856.2, which relates
23 to harboring a runaway child; providing felony
24 classification for certain offense; amending 21 O.S.
2021, Section 1272.3, which relates to the unlawful
discharge of stun guns, tear gas or pepper mace;
providing felony classification for certain offense;
amending 21 O.S. Section 1289.18, which relates to
the Oklahoma Firearms Act of 1971; providing felony
classification for certain offense; amending 21 O.S.
2021, Section 1304, which relates to mailing
threatening letters; providing felony classification
for certain offense; amending 63 O.S. 2021, Sections
1-731 and 1-733, which relate to abortions; providing
felony classification for certain offenses; amending
63 O.S. 2021, Section 1-737.9, which relates to the
Oklahoma Unborn Child Protection from Dismemberment
Abortion Act; providing felony classification for
certain offense; amending 63 O.S. 2021, Section 1-
738.14, which relates to the Unborn Child Pain
Awareness/Prevention Act; providing felony
classification for certain offense; amending 63 O.S.
2021, Section 1-740.4b, which relates to using false
government records to obtain abortion; providing
felony classification for certain offense; amending
63 O.S. 2021, Section 1-745.7, which relates to the
Pain-Capable Unborn Child Protection Act; providing

felony classification for certain offense; amending 63 O.S. 2021, Section 1-746.7, which relates to consent to abortion; providing felony classification for certain offense; amending 63 O.S. 2021, Section 1-749, which relates to the preservation of fetal tissue; providing felony classification for certain offense; amending 2 O.S. 2021, Section 2-18, which relates to the Oklahoma Agriculture Code; providing felony classification for certain offense; amending 2 O.S. 2021, Section 5-106, which relates to the Oklahoma Farm Animal, Crop, and Research Facilities Protection Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 6-94, which relates to permanent branding of animals; providing felony classification for certain offense; amending 2 O.S. 2021, Section 6-125, which relates to quarantined livestock; providing felony classification for certain offense; amending 2 O.S. 2021, Sections 6-151 and 6-155, which relate to penalties for transporting livestock without health certificates; providing felony classification for certain offenses; amending 2 O.S. 2021, Sections 6-190, 6-191, 6-192, 6-194, 6-197, 6-199, 6-200 and 6-207, which relate to the Oklahoma Meat Inspection Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Sections 6-258, 6-259, 6-260, 6-261, 6-262 and 6-264, which relate to the Oklahoma Poultry Products Inspection Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Section 6-611, which relates to the Feral Swine Control Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 9-37, which relates to the Public Warehouse and Commodity Indemnity Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 9-132, which relates to the Livestock Auction Market Act; providing felony classification for certain offense; amending 2 O.S. 2021, Section 11-2, which relates to ungraded agricultural products; providing felony classification for certain offense; amending 2 O.S. 2021, Section 11-94, which relates to the Oklahoma Scrap Metal Dealers Act; providing felony classification for certain offenses; amending 2 O.S. 2021, Section 16-6, which relates to the Oklahoma Forestry Code; providing felony classification for certain offense; amending 2 O.S. 2021, Section 16-59,

1 which relates to the removal of timber products from
2 state lands; providing felony classification for
3 certain offense; amending 2 O.S. 2021, Sections 16-60
4 and 16-63, which relate to wrongful injuries to and
5 fraudulent sales of timber; providing felony
6 classification for certain offenses; amending 2 O.S.
7 2021, Section 16-66, which relates to false
8 declaration of ownership; providing felony
9 classification for certain offense; amending 3 O.S.
10 2021, Section 281, which relates to the installation
11 of nonconforming fuel tanks; providing felony
12 classification for certain offenses; amending 3A O.S.
13 2021, Section 203.6, which relates to the Oklahoma
14 Horse Racing Act; providing felony classification for
15 certain offense; amending 3A O.S. 2021, Sections 504
16 and 505, which relate to the Amusement and Carnival
17 Games Act; providing felony classification for
18 certain offenses; amending 4 O.S. 2021, Section
19 85.11, which relates to unlawfully taking up or
20 concealing estrays; providing felony classification
21 for certain offense; amending 6 O.S. 2021, Section
22 808, which relates to the Oklahoma Banking Code;
23 providing felony classification for certain offense;
24 amending 11 O.S. 2021, Section 39-113, which relates
to the Improvement District Act; providing felony
classification for certain offense; amending 12 O.S.
2021, Section 65, which relates to false valuations
of real estate; providing felony classification for
certain offense; amending 12 O.S. 2021, Section 923,
which relates to falsely swearing on affidavit;
providing felony classification for certain offense;
amending 15 O.S. 2021, Section 567, which relates to
contracts for sale of future deliveries of certain
commodities; providing felony classification for
certain offense; amending 17 O.S. Section 158.59,
which relates to unlawful acts relating to rural
electric cooperatives; providing felony
classification for certain offense; amending 17 O.S.
2021, Section 191.11, which relates to the Electric
Restructuring Act of 1997; providing felony
classification for certain offense; amending 18 O.S.
2021, Section 381.73, which relates to the Oklahoma
Savings and Loan Code; providing felony
classification for certain offense; amending 19 O.S.
2021, Sections 28 and 29, which relate to election
officers who neglect official duties and bribery;
providing felony classification for certain offenses;

1 amending 19 O.S. 2021, Section 92, which relates to
2 bribery; providing felony classification for certain
3 offense; amending 19 O.S. 2021, Sections 112 and 123,
4 which relate to county depositories; providing felony
5 classification for certain offense; amending 21 O.S.
6 2021, Sections 187.1 and 187.2, which relate to
7 campaign contributions; providing felony
8 classification for certain offenses; amending 21 O.S.
9 2021, Section 275, which relates to gratuity or
10 reward for appointing another to a public office;
11 providing felony classification for certain offense;
12 amending 21 O.S. 2021, Sections 306 and 307, which
13 relate to altering bills or resolutions; providing
14 felony classification for certain offenses; amending
15 21 O.S. 2021, Section 360, which relates to coercing
16 political participation of state employees; providing
17 felony classification for certain offense; amending
18 21 O.S. 2021, Section 372, which relates to the
19 mutilation of United States flag; providing felony
20 classification for certain offense; amending 21 O.S.
21 2021, Sections 384 and 400, which relate to bribery
22 and corruption offenses; providing felony
23 classification for certain offense; amending 21 O.S.
24 2021, Section 451, which relates to falsifying
evidence; providing felony classification for certain
offense; amending 21 O.S. 2021, Section 567A, which
relates to the violation of child custody orders;
providing felony classification for certain offense;
amending 21 O.S. 2021, Section 589, which relates to
false reporting of crimes; providing felony
classification for certain offense; amending 21 O.S.
2021, Section 590, which relates to the unlawful
disposal of government records; providing felony
classification for certain offense; amending 21 O.S.
2021, Sections 815 and 818, which relate to suicide;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Section 950, which relates to
gambling offenses; providing felony classification
for certain offense; amending 21 O.S. 2021, Sections
1053, 1066 and 1068, which relate to lotteries;
providing felony classification for certain offenses;
amending 21 O.S. 2021, Section 1092, which relates to
exhibiting stolen goods; providing felony
classification for certain offense; amending 21 O.S.
2021, Section 1163, which relates to the unlawful
interference with burial places; providing felony
classification for certain offense; amending 21 O.S.

2021, Sections 1168.1, 1168.4 and 1168.6, which relate to human skeletal remains; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1174, which relates to burning crosses; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1214, which relates to the unlawful receiving of transmissions made by law enforcement; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1267.1, which relates to overthrowing the government by force or violence; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1282, which relates to slungshots; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1442, which relates to the possession of burglary tools; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1503 and 1506, which relate to defrauding owners of hotels or restaurants and mock auctions; providing felony classification for certain offenses; amending 21 O.S. 2021, Sections 1542 and 1543, which relate to obtaining property by false pretenses; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1550.32, which relates to the Oklahoma Credit Card Crime Act of 1970; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1662, which relates to fraudulent insurance claims; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1753 and 1753.8, which relate to injuries to highways and stealing road signs; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1755, which relates to injuries to toll houses or gates; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1760 and 1765, which relate to malicious injury to property and house of worship; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1785, which relates to injuring public works of art or literature; providing felony classification for certain offense; amending 21 O.S. 2021, Sections 1786 and 1791, which relate to injuries to gas or water pipes and fences; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1792, which relates to trespass on critical infrastructure facilities; providing felony classification for certain offense; amending

21 O.S. 2021, Section 1834, which relates to the willful disposal or damage of encumbered property; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1861, which relates to telephone solicitations; providing felony classification for certain offense; amending 21 O.S. 2021, Section 1871, which relates to unlawful avoidance of paying service charges; providing felony classification for certain offenses; amending 21 O.S. 2021, Section 1872, which relates to possession of unlawful telecommunication or cloning devices; providing felony classification for certain offenses; amending 22 O.S. 2021, Section 60.4, as amended by Section 7, Chapter 318, O.S.L. 2022 (22 O.S. Supp. 2024, Section 60.4), which relates to the Protection from Domestic Abuse Act; providing felony classification for certain offense; amending 22 O.S. 2021, Section 1110, which relates to bail jumping; providing felony classification for certain offense; amending 34 O.S. 2021, Section 23, which relates to falsely signing or destroying petitions for referendum; providing felony classification for certain offense; amending 36 O.S. 2021, Section 2737.1, which relates to fraudulent statements related to applications into fraternal benefit societies; providing felony classification for certain offense; amending 37A O.S. 2021, Sections 6-115, 6-116, 6-117, 6-120, 6-121 and 6-129, which relate to the Oklahoma Alcoholic Beverage Control Act; providing felony classification for certain offenses; amending 40 O.S. 2021, Sections 181 and 182, which relate to the unlawful repair of steam boilers; providing felony classification for certain offenses; amending 44 O.S. 2021, Section 210, which relates to assault on members of the National Guard; providing felony classification for certain offense; amending 47 O.S. 2021, Section 579.1, as amended by Section 17, Chapter 240, O.S.L. 2024 (47 O.S. Supp. 2024, Section 579.1), which relates to the unlawful brokering of vehicles; providing felony classification for certain offense; amending 56 O.S. 2021, Section 183, which relates to the unlawful use or publishing of certain information; providing felony classification for certain offense; amending 56 O.S. 2021, Section 185, which relates to public assistance fraud; providing felony classification for certain offense; amending 56 O.S. 2021, Section 243

1 which relates to food stamp fraud; providing felony
2 classification for certain offenses; amending 57 O.S.
3 2021, Section 13, which relates to prison escapes;
4 providing felony classification for certain offense;
5 amending 59 O.S. 2021, Section 15.26, which relates
6 to the Oklahoma Accountancy Act; providing felony
7 classification for certain offense; amending 59 O.S.
8 2021, Section 328.49, which relates to the State
9 Dental Act; providing felony classification for
10 certain offense; amending 59 O.S. 2021, Sections
11 1350.2, 1350.4, 1350.12 and 1350.16, which relate to
12 the Bail Enforcement and Licensing Act; providing
13 felony classification for certain offenses; amending
14 59 O.S. 2021, Section 1529, which relates to the
15 Precious Metal and Gem Dealer Licensing Act;
16 providing felony classification for certain offense;
17 amending 61 O.S. 2021, Section 114, which relates to
18 the Public Competitive Bidding Act of 1974; providing
19 felony classification for certain offense; amending
20 62 O.S. 2021, Section 89.11, which relates to willful
21 interference with inspections or destruction of
22 transaction records; providing felony classification
23 for certain offense; amending 63 O.S. 2021, Section
24 1-324.1, which relates to unlawfully issuing birth,
death and stillbirth certificates; providing felony
classification for certain offense; amending 63 O.S.
2021, Section 1-757.10, which relates to the Oklahoma
Abortion-Inducing Drug Certification Program Act;
providing felony classification for certain offense;
amending 63 O.S. 2021, Section 2-307, which relates
to the Uniform Controlled Dangerous Substances Act;
providing felony classification for certain offense;
amending 63 O.S. 2021, Sections 2-312.1 and 2-314,
which relate to the Anti-Drug Diversion Act;
providing felony classification for certain offenses;
amending 63 O.S. 2021, Section 2-405, which relates
to offenses and penalties of the Uniform Controlled
Dangerous Substances Act; providing felony
classification for certain offense; amending 63 O.S.
2021, Section 3101.11, which relates to the Oklahoma
Advance Directive Act; providing felony
classification for certain offenses; amending 63 O.S.
2021, Section 4009.1, as amended by Section 206,
Chapter 282, O.S.L. 2022 (63 O.S. Supp. 2024, Section
4009.1), which relates to the Oklahoma Vessel and
Motor Registration Act; providing felony
classification for certain offense; amending 64 O.S.

2021, Sections 1017, 1018 and 1029, which relate to offenses concerning property transaction and property of the Commissioners of the Land Office; providing felony classification for certain offenses; amending 68 O.S. 2021, Section 317.1, which relates to delivery or sale of cigarettes to minors; providing felony classification for certain offense; amending 68 O.S. 2021, Section 349.1, which relates to the sale of contraband cigarettes; providing felony classification for certain offense; amending 68 O.S. 2021, Section 426, which relates to shipping, selling or purchasing contraband tobacco products; providing felony classification for certain offense; amending 68 O.S. 2021, Section 1364, as last amended by Section 1, Chapter 203, O.S.L. 2021 (68 O.S. Supp. 2024, Section 1364), which relates to the Oklahoma Sales Tax Code; providing felony classification for certain offense; amending 68 O.S. 2021, Section 1625, which relates to perjury on fireworks affidavit; providing felony classification for certain offense; amending 68 O.S. 2021, Section 2861, which relates to the Ad Valorem Tax Code; providing felony classification for certain offense; amending 68 O.S. 2021, Section 3908, which relates to the Small Employer Quality Jobs Incentive Act; providing felony classification for certain offense; amending 69 O.S. 2021, Section 1213, which relates to obstructing or damaging roads or traffic-control devices; providing felony classification for certain offense; amending 70 O.S. 2021, Section 17-110, which relates to falsifying teacher retirement system records; providing felony classification for certain offense; amending 71 O.S. 2021, Sections 621, 626 and 631, as amended by Sections 3 and 6, Chapter 78, O.S.L. 2022, 641, 653, 654 and 658 (71 O.S. Supp. 2024, Sections 626 and 631), which relate to the Oklahoma Subdivision Land Sales Code; providing felony classification for certain offenses; amending 72 O.S. 2021, Section 6-1, which relates to impersonating members or veterans of the United States Armed Forces; providing felony classification for certain offenses; amending 74 O.S. 2021, Section 217, which relates to false reports made by the State Auditor and Inspector; providing felony classification for certain offense; amending 82 O.S. 2021, Section 674, which relates to the Conservancy Act of Oklahoma; providing felony classification for certain offense;

1 amending 85A O.S. 2021, Section 38, which relates to
2 the Administrative Workers' Compensation Act;
3 providing felony classification for certain offense;
4 and providing an effective date.

5
6 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

7 SECTION 1. AMENDATORY 21 O.S. 2021, Section 701.7, is
8 amended to read as follows:

9 Section 701.7. A. A person commits murder in the first degree
10 when that person unlawfully and with malice aforethought causes the
11 death of another human being. Malice is that deliberate intention
12 unlawfully to take away the life of a human being, which is
13 manifested by external circumstances capable of proof.

14 B. A person also commits the crime of murder in the first
15 degree, regardless of malice, when that person or any other person
16 takes the life of a human being during, or if the death of a human
17 being results from, the commission or attempted commission of murder
18 of another person, shooting or discharge of a firearm or crossbow
19 with intent to kill, intentional discharge of a firearm or other
20 deadly weapon into any dwelling or building as provided in Section
21 1289.17A of this title, forcible rape, robbery with a dangerous
22 weapon, kidnapping, escape from lawful custody, eluding an officer,
23 first degree burglary, first degree arson, unlawful distributing or
24 dispensing of controlled dangerous substances or synthetic

1 controlled substances, trafficking in illegal drugs, or
2 manufacturing or attempting to manufacture a controlled dangerous
3 substance.

4 1. Except as provided in paragraph 3 of this subsection, the
5 term "synthetic controlled substance" means a substance:

- 6 a. the chemical structure of which is substantially
7 similar to the chemical structure of a controlled
8 substance in Schedule I or II,
- 9 b. which has a stimulant, depressant, or hallucinogenic
10 effect on the central nervous system that is
11 substantially similar to or greater than the
12 stimulant, depressant, or hallucinogenic effect on the
13 central nervous system of a controlled substance in
14 Schedule I or II, or
- 15 c. with respect to a particular person, which such person
16 represents or intends to have a stimulant, depressant,
17 or hallucinogenic effect on the central nervous system
18 that is substantially similar to or greater than the
19 stimulant, depressant, or hallucinogenic effect on the
20 central nervous system of a controlled substance in
21 Schedule I or II.

22 2. The designation of gamma butyrolactone does not preclude a
23 finding pursuant to paragraph 1 of this subsection that the chemical
24 is a synthetic controlled substance.

1 3. Such term does not include:

2 a. a controlled substance,

3 b. any substance for which there is an approved new drug
4 application,

5 c. with respect to a particular person any substance, if
6 an exemption is in effect for investigational use, for
7 that person, under Section 505 of the Federal Food,
8 Drug, and Cosmetic Act (21 U.S.C. 355) to the extent
9 conduct with respect to such substance is pursuant to
10 such exemption, or

11 d. any substance to the extent not intended for human
12 consumption before such an exemption takes effect with
13 respect to that substance.

14 C. A person commits murder in the first degree when the death
15 of a child results from the willful or malicious injuring,
16 torturing, maiming or using of unreasonable force by said person or
17 who shall willfully cause, procure or permit any of said acts to be
18 done upon the child pursuant to Section 843.5 of this title. It is
19 sufficient for the crime of murder in the first degree that the
20 person either willfully tortured or used unreasonable force upon the
21 child or maliciously injured or maimed the child.

22 D. A person commits murder in the first degree when that person
23 unlawfully and with malice aforethought solicits another person or
24 persons to cause the death of a human being in furtherance of

1 unlawfully manufacturing, distributing or dispensing controlled
2 dangerous substances, as defined in the Uniform Controlled Dangerous
3 Substances Act, unlawfully possessing with intent to distribute or
4 dispense controlled dangerous substances, or trafficking in illegal
5 drugs.

6 E. A person commits murder in the first degree when that person
7 intentionally causes the death of a law enforcement officer,
8 correctional officer, or corrections employee while the officer or
9 employee is in the performance of official duties.

10 F. A person who violates any of the provisions provided for in
11 this section shall, upon conviction, be guilty of a Class Y felony
12 offense.

13 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1268.2, is
14 amended to read as follows:

15 Section 1268.2. A. Every act of terrorism is a felony.

16 B. A person convicted of terrorism shall be guilty of a Class
17 A3 felony offense and shall be punished by imprisonment in the
18 custody of the Department of Corrections for a term not exceeding
19 life.

20 C. A person who kills another person or who causes the death of
21 another person in the commission of an act of terrorism shall be
22 guilty of murder in the first degree, a Class Y felony offense.

23 D. A person convicted of biochemical terrorism shall be guilty
24 of a Class B1 felony offense and shall be ordered, in addition to

1 the punishment imposed for the act of terrorism, to reimburse the
2 cost of any emergency personnel, equipment, supplies, and other
3 expenses incurred by the state and any political subdivision as a
4 result of responding to such act of terrorism.

5 E. The punishment for terrorism shall be in addition to any
6 penalty imposed for any individual offense or offenses involved in
7 the act or acts of terrorism.

8 SECTION 3. AMENDATORY 21 O.S. 2021, Section 644, as
9 amended by Section 1, Chapter 38, O.S.L. 2024 (21 O.S. Supp. 2024,
10 Section 644), is amended to read as follows:

11 Section 644. A. Assault shall be punishable by imprisonment in
12 a county jail not exceeding thirty (30) days, or by a fine not more
13 than Five Hundred Dollars (\$500.00), or by both such fine and
14 imprisonment.

15 B. Assault and battery shall be punishable by imprisonment in a
16 county jail not exceeding ninety (90) days, or by a fine not more
17 than One Thousand Dollars (\$1,000.00), or by both such fine and
18 imprisonment.

19 C. Any person who commits any assault and battery against a
20 current or former intimate partner or a family or household member
21 as defined by Section 60.1 of Title 22 of the Oklahoma Statutes
22 shall be guilty of domestic abuse. Upon conviction, the defendant
23 shall be punished by imprisonment in the county jail for not more
24 than one (1) year, or by a fine not exceeding Five Thousand Dollars

1 (\$5,000.00), or by both such fine and imprisonment. Upon conviction
2 for a second or subsequent offense, the person shall be guilty of a
3 Class B5 felony offense and shall be punished by imprisonment in the
4 custody of the Department of Corrections for not more than four (4)
5 years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
6 or by both such fine and imprisonment. The provisions of Section
7 51.1 of this title shall apply to any second or subsequent offense.

8 D. 1. Any person who, with intent to do bodily harm and
9 without justifiable or excusable cause, commits any assault,
10 battery, or assault and battery upon an intimate partner or a family
11 or household member as defined by Section 60.1 of Title 22 of the
12 Oklahoma Statutes with any sharp or dangerous weapon, upon
13 conviction, is guilty of domestic assault or domestic assault and
14 battery with a dangerous weapon which shall be a Class B3 felony ~~and~~
15 offense punishable by imprisonment in the custody of the Department
16 of Corrections not exceeding ten (10) years, or by imprisonment in a
17 county jail not exceeding one (1) year. The provisions of Section
18 51.1 of this title shall apply to any second or subsequent
19 conviction for a violation of this paragraph.

20 2. Any person who, without such cause, shoots an intimate
21 partner or a family or household member as defined by Section 60.1
22 of Title 22 of the Oklahoma Statutes by means of any deadly weapon
23 that is likely to produce death shall, upon conviction, be guilty of
24 domestic assault and battery with a deadly weapon which shall be a

1 Class A3 felony offense punishable by imprisonment in the custody of
2 the Department of Corrections not exceeding life. The provisions of
3 Section 51.1 of this title shall apply to any second or subsequent
4 conviction for a violation of this paragraph.

5 E. Any person convicted of domestic abuse committed against a
6 pregnant woman with knowledge of the pregnancy shall be guilty of a
7 misdemeanor, punishable by imprisonment in the county jail for not
8 more than one (1) year.

9 Any person convicted of a second or subsequent offense of
10 domestic abuse against a pregnant woman with knowledge of the
11 pregnancy shall be guilty of a Class A3 felony~~7~~ offense punishable
12 by imprisonment in the custody of the Department of Corrections for
13 not less than ten (10) years.

14 Any person convicted of domestic abuse committed against a
15 pregnant woman with knowledge of the pregnancy and a miscarriage
16 occurs or injury to the unborn child occurs shall be guilty of a
17 Class A1 felony~~7~~ offense punishable by imprisonment in the custody
18 of the Department of Corrections for not less than twenty (20)
19 years.

20 F. Any person convicted of domestic abuse as defined in
21 subsection C of this section that results in great bodily injury to
22 the victim shall be guilty of a Class B3 felony offense and punished
23 by imprisonment in the custody of the Department of Corrections for
24 not more than ten (10) years, or by imprisonment in the county jail

1 for not more than one (1) year. The provisions of Section 51.1 of
2 this title shall apply to any second or subsequent conviction of a
3 violation of this subsection.

4 G. Any person convicted of domestic abuse as defined in
5 subsection C of this section that was committed in the presence of a
6 child shall be punished by imprisonment in the county jail for not
7 less than six (6) months nor more than one (1) year, or by a fine
8 not exceeding Five Thousand Dollars (\$5,000.00), or by both such
9 fine and imprisonment. Any person convicted of a second or
10 subsequent domestic abuse as defined in subsection C of this section
11 that was committed in the presence of a child shall be guilty of a
12 Class B5 felony offense and shall be punished by imprisonment in the
13 custody of the Department of Corrections for not less than one (1)
14 year nor more than five (5) years, or by a fine not exceeding Seven
15 Thousand Dollars (\$7,000.00), or by both such fine and imprisonment.
16 The provisions of Section 51.1 of this title shall apply to any
17 second or subsequent offense. For every conviction of a domestic
18 abuse crime in violation of any provision of this section committed
19 against an intimate partner or a family or household member as
20 defined by Section 60.1 of Title 22 of the Oklahoma Statutes, the
21 court shall:

22 1. Specifically order as a condition of a suspended or deferred
23 sentence that a defendant participate in counseling or undergo
24

1 treatment to bring about the cessation of domestic abuse as
2 specified in paragraph 2 of this subsection;

3 2. a. The court shall require the defendant to complete an
4 assessment and follow the recommendations of a batterers'
5 intervention program certified by the Attorney General. If the
6 defendant is ordered to participate in a batterers' intervention
7 program, the order shall require the defendant to attend the program
8 for a minimum of fifty-two (52) weeks, complete the program, and be
9 evaluated before and after attendance of the program by program
10 staff. Three unexcused absences in succession or seven unexcused
11 absences in a period of fifty-two (52) weeks from any court-ordered
12 batterers' intervention program shall be prima facie evidence of the
13 violation of the conditions of probation for the district attorney
14 to seek acceleration or revocation of any probation entered by the
15 court.

16 b. A program for anger management, couples counseling, or
17 family and marital counseling shall not solely qualify for the
18 counseling or treatment requirement for domestic abuse pursuant to
19 this subsection. The counseling may be ordered in addition to
20 counseling specifically for the treatment of domestic abuse or per
21 evaluation as set forth below. If, after sufficient evaluation and
22 attendance at required counseling sessions, the domestic violence
23 treatment program or licensed professional determines that the
24 defendant does not evaluate as a perpetrator of domestic violence or

1 does evaluate as a perpetrator of domestic violence and should
2 complete other programs of treatment simultaneously or prior to
3 domestic violence treatment, including but not limited to programs
4 related to the mental health, apparent substance or alcohol abuse or
5 inability or refusal to manage anger, the defendant shall be ordered
6 to complete the counseling as per the recommendations of the
7 domestic violence treatment program or licensed professional;

8 3. a. The court shall set a review hearing no more than one
9 hundred twenty (120) days after the defendant is ordered to
10 participate in a domestic abuse counseling program or undergo
11 treatment for domestic abuse to assure the attendance and compliance
12 of the defendant with the provisions of this subsection and the
13 domestic abuse counseling or treatment requirements. The court may
14 suspend sentencing of the defendant until the defendant has
15 presented proof to the court of enrollment in a program of treatment
16 for domestic abuse by an individual licensed practitioner or a
17 domestic abuse treatment program certified by the Attorney General
18 and attendance at weekly sessions of such program. Such proof shall
19 be presented to the court by the defendant no later than one hundred
20 twenty (120) days after the defendant is ordered to such counseling
21 or treatment. At such time, the court may complete sentencing,
22 beginning the period of the sentence from the date that proof of
23 enrollment is presented to the court, and schedule reviews as
24 required by subparagraphs a and b of this paragraph and paragraphs 4

1 and 5 of this subsection. Three unexcused absences in succession or
2 seven unexcused absences in a period of fifty-two (52) weeks from
3 any court-ordered domestic abuse counseling or treatment program
4 shall be prima facie evidence of the violation of the conditions of
5 probation for the district attorney to seek acceleration or
6 revocation of any probation entered by the court.

7 b. The court shall set a second review hearing after the
8 completion of the counseling or treatment to assure the attendance
9 and compliance of the defendant with the provisions of this
10 subsection and the domestic abuse counseling or treatment
11 requirements. The court shall retain continuing jurisdiction over
12 the defendant during the course of ordered counseling through the
13 final review hearing;

14 4. The court may set subsequent or other review hearings as the
15 court determines necessary to assure the defendant attends and fully
16 complies with the provisions of this subsection and the domestic
17 abuse counseling or treatment requirements;

18 5. At any review hearing, if the defendant is not
19 satisfactorily attending individual counseling or a domestic abuse
20 counseling or treatment program or is not in compliance with any
21 domestic abuse counseling or treatment requirements, the court may
22 order the defendant to further or continue counseling, treatment, or
23 other necessary services. The court may revoke all or any part of a
24 suspended sentence, deferred sentence, or probation pursuant to

1 Section 991b of Title 22 of the Oklahoma Statutes and subject the
2 defendant to any or all remaining portions of the original sentence;

3 6. At the first review hearing, the court shall require the
4 defendant to appear in court. Thereafter, for any subsequent review
5 hearings, the court may accept a report on the progress of the
6 defendant from individual counseling, domestic abuse counseling, or
7 the treatment program. There shall be no requirement for the victim
8 to attend review hearings; and

9 7. If funding is available, a referee may be appointed and
10 assigned by the presiding judge of the district court to hear
11 designated cases set for review under this subsection. Reasonable
12 compensation for the referees shall be fixed by the presiding judge.
13 The referee shall meet the requirements and perform all duties in
14 the same manner and procedure as set forth in Sections 1-8-103 and
15 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees
16 appointed in juvenile proceedings.

17 The defendant may be required to pay all or part of the cost of
18 the counseling or treatment, in the discretion of the court.

19 H. As used in subsection G of this section, "in the presence of
20 a child" means in the physical presence of a child; or having
21 knowledge that a child is present and may see or hear an act of
22 domestic violence. For the purposes of subsections C and G of this
23 section, "child" may be any child whether or not related to the
24 victim or the defendant.

1 I. For the purposes of subsections C and G of this section, any
2 conviction for assault and battery against an intimate partner or a
3 family or household member as defined by Section 60.1 of Title 22 of
4 the Oklahoma Statutes shall constitute a sufficient basis for a
5 felony charge:

6 1. If that conviction is rendered in any state, county or
7 parish court of record of this or any other state; or

8 2. If that conviction is rendered in any municipal court of
9 record of this or any other state for which any jail time was
10 served; provided, no conviction in a municipal court of record
11 entered prior to November 1, 1997, shall constitute a prior
12 conviction for purposes of a felony charge.

13 J. Any person who commits any assault and battery by
14 strangulation or attempted strangulation against an intimate partner
15 or a family or household member as defined by Section 60.1 of Title
16 22 of the Oklahoma Statutes shall, upon conviction, be guilty of a
17 Class B5 felony offense of domestic abuse by strangulation and shall
18 be punished by imprisonment in the custody of the Department of
19 Corrections for a period not less than one (1) year nor more than
20 ten (10) years, or by a fine not more than Twenty Thousand Dollars
21 (\$20,000.00), or by both such fine and imprisonment. The provisions
22 of Section 51.1 of this title shall apply to any second or
23 subsequent conviction of a violation of this subsection. As used in
24 this subsection, "strangulation" means any form of asphyxia;

1 including, but not limited to, asphyxia characterized by closure of
2 the blood vessels or air passages of the neck as a result of
3 external pressure on the neck or the closure of the nostrils or
4 mouth as a result of external pressure on the head.

5 K. Any district court of this state and any judge thereof shall
6 be immune from any liability or prosecution for issuing an order
7 that requires a defendant to:

8 1. Attend a treatment program for domestic abusers certified by
9 the Attorney General;

10 2. Attend counseling or treatment services ordered as part of
11 any suspended or deferred sentence or probation; and

12 3. Attend, complete, and be evaluated before and after
13 attendance by a treatment program for domestic abusers, certified by
14 the Attorney General.

15 L. There shall be no charge of fees or costs to any victim of
16 domestic violence, stalking, or sexual assault in connection with
17 the prosecution of a domestic violence, stalking, or sexual assault
18 offense in this state.

19 M. In the course of prosecuting any charge of domestic abuse,
20 stalking, harassment, rape, or violation of a protective order, the
21 prosecutor shall provide the court, prior to sentencing or any plea
22 agreement, a local history and any other available history of past
23 convictions of the defendant within the last ten (10) years relating
24 to domestic abuse, stalking, harassment, rape, violation of a

1 protective order, or any other violent misdemeanor or felony
2 convictions.

3 N. Any plea of guilty or finding of guilt for a violation of
4 subsection C, F, G, I or J of this section shall constitute a
5 conviction of the offense for the purpose of this act or any other
6 criminal statute under which the existence of a prior conviction is
7 relevant for a period of ten (10) years following the completion of
8 any court imposed probationary term; provided, the person has not,
9 in the meantime, been convicted of a misdemeanor involving moral
10 turpitude or a felony.

11 O. For purposes of subsection F of this section, "great bodily
12 injury" means bone fracture, protracted and obvious disfigurement,
13 protracted loss or impairment of the function of a body part, organ
14 or mental faculty, or substantial risk of death.

15 P. Any pleas of guilty or nolo contendere or finding of guilt
16 to a violation of any provision of this section shall constitute a
17 conviction of the offense for the purpose of any subsection of this
18 section under which the existence of a prior conviction is relevant
19 for a period of ten (10) years following the completion of any
20 sentence or court imposed probationary term.

21 SECTION 4. AMENDATORY 21 O.S. 2021, Section 651, is
22 amended to read as follows:

23 Section 651. Any person who, with intent to kill, administers
24 or causes or procures to be administered to another any poison which

1 is actually taken by such other person but by which death is not
2 caused shall be guilty of a Class A1 felony offense, punishable by
3 imprisonment in the State Penitentiary for not less than ten (10)
4 years.

5 SECTION 5. AMENDATORY 21 O.S. 2021, Section 701.8, is
6 amended to read as follows:

7 Section 701.8. Homicide, a Class A1 felony offense, is murder
8 in the second degree in the following cases:

9 1. When perpetrated by an act imminently dangerous to another
10 person and evincing a depraved mind, regardless of human life,
11 although without any premeditated design to effect the death of any
12 particular individual; or

13 2. When perpetrated by a person engaged in the commission of
14 any felony other than the unlawful acts set out in Section 1,
15 subsection B, of this act.

16 SECTION 6. AMENDATORY 21 O.S. 2021, Section 701.9, is
17 amended to read as follows:

18 Section 701.9. A. A person who is convicted of or pleads
19 guilty or nolo contendere to murder in the first degree shall be
20 guilty of a Class Y felony offense and shall be punished by death,
21 by imprisonment for life without parole, or by imprisonment for
22 life. A person who is convicted of or pleads guilty or nolo
23 contendere to murder in the first degree, as described in subsection
24 E of Section 701.7 of this title, shall be guilty of a Class Y

1 felony offense and shall be punished by death or by life without
2 parole and absent an overwhelming amount of mitigating evidence
3 shall not be entitled to or afforded the benefit of receiving
4 imprisonment for life or deferment of the sentence.

5 B. A person who is convicted of or pleads guilty or nolo
6 contendere to murder in the second degree shall be guilty of a Class
7 A1 felony offense punishable by imprisonment in the custody of the
8 Department of Corrections for not less than ten (10) years nor more
9 than life.

10 SECTION 7. AMENDATORY 21 O.S. 2021, Section 745, is
11 amended to read as follows:

12 Section 745. A. Every person who, without lawful authority,
13 forcibly seizes and confines another, or inveigles or kidnaps
14 another, for the purpose of extorting any money, property or thing
15 of value or advantage from the person so seized, confined, inveigled
16 or kidnapped, or from any other person, or in any manner threatens
17 either by written instrument, word of mouth, message, telegraph,
18 telephone, by placing an ad in a newspaper, or by messenger, demands
19 money or other thing of value, shall be guilty of a Class A1 felony
20 offense, and upon conviction shall suffer death or imprisonment in
21 the State Penitentiary, for not less than ten (10) years.

22 B. Every person, not a principal in the kidnapping and not a
23 relative or agent authorized by a relative of a kidnapped person,
24 but who knowingly aids, assists, or participates in the disposing,

1 receiving, possession or exchanging of any moneys, property or thing
2 of value or advantage from the person so seized, confined, inveigled
3 or kidnapped, shall be guilty of a Class A2 felony offense, and upon
4 conviction thereof shall be punished by imprisonment in the State
5 Penitentiary ~~7~~ for not less than five (5) years.

6 SECTION 8. AMENDATORY 21 O.S. 2021, Section 843.5, as
7 amended by Section 2, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024,
8 Section 843.5), is amended to read as follows:

9 Section 843.5. A. Any person who shall willfully or
10 maliciously engage in child abuse, as defined in this section,
11 shall, upon conviction, be guilty of a Class A3 felony offense
12 punishable by imprisonment in the custody of the Department of
13 Corrections not exceeding life imprisonment, or by imprisonment in a
14 county jail not exceeding one (1) year, or by a fine of not less
15 than Five Hundred Dollars (\$500.00) nor more than Five Thousand
16 Dollars (\$5,000.00), or both such fine and imprisonment.

17 B. Any person responsible for the health, safety or welfare of
18 a child who shall willfully or maliciously engage in enabling child
19 abuse, as defined in this section, shall, upon conviction, be guilty
20 of a Class A3 felony offense and shall be punished by imprisonment
21 in the custody of the Department of Corrections not exceeding life
22 imprisonment, or by imprisonment in a county jail not exceeding one
23 (1) year, or by a fine of not less than Five Hundred Dollars
24

1 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both
2 such fine and imprisonment.

3 C. Any person responsible for the health, safety or welfare of
4 a child who shall willfully or maliciously engage in child neglect,
5 as defined in this section, shall, upon conviction, be guilty of a
6 Class B1 felony offense and shall be punished by imprisonment in the
7 custody of the Department of Corrections not exceeding life
8 imprisonment, or by imprisonment in a county jail not exceeding one
9 (1) year, or by a fine of not less than Five Hundred Dollars
10 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both
11 such fine and imprisonment.

12 D. Any parent or other person who shall willfully or
13 maliciously engage in enabling child neglect shall, upon conviction,
14 be guilty of a Class B1 felony offense and shall be punished by
15 imprisonment in the custody of the Department of Corrections not
16 exceeding life imprisonment, or by imprisonment in a county jail not
17 exceeding one (1) year, or by a fine of not less than Five Hundred
18 Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00),
19 or both such fine and imprisonment.

20 E. Any person responsible for the health, safety or welfare of
21 a child who shall willfully or maliciously engage in child sexual
22 abuse, as defined in this section, shall, upon conviction, be guilty
23 of a Class A3 felony offense and shall be punished by imprisonment
24 in the custody of the Department of Corrections not exceeding life

1 imprisonment, or by imprisonment in a county jail not exceeding one
2 (1) year, or by a fine of not less than Five Hundred Dollars
3 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both
4 such fine and imprisonment, except as provided in Section 51.1a of
5 this title or as otherwise provided in subsection F of this section
6 for a child victim under twelve (12) years of age. Except for
7 persons sentenced to life or life without parole, any person
8 sentenced to imprisonment for two (2) years or more for a violation
9 of this subsection shall be required to serve a term of post-
10 imprisonment supervision pursuant to subparagraph f of paragraph 1
11 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
12 under conditions determined by the Department of Corrections. The
13 jury shall be advised that the mandatory post-imprisonment
14 supervision shall be in addition to the actual imprisonment.

15 F. Any person responsible for the health, safety or welfare of
16 a child who shall willfully or maliciously engage in child sexual
17 abuse, as defined in this section, to a child under twelve (12)
18 years of age shall, upon conviction, be guilty of a Class A1 felony
19 offense and shall be punished by imprisonment in the custody of the
20 Department of Corrections for not less than twenty-five (25) years
21 nor more than life imprisonment, and by a fine of not less than Five
22 Hundred Dollars (\$500.00) nor more than Five Thousand Dollars
23 (\$5,000.00).
24

1 G. Any parent or other person who shall willfully or
2 maliciously engage in enabling child sexual abuse shall, upon
3 conviction, be guilty of a Class A3 felony offense and shall be
4 punished by imprisonment in the custody of the Department of
5 Corrections not exceeding life imprisonment, or by imprisonment in a
6 county jail not exceeding one (1) year, or by a fine of not less
7 than Five Hundred Dollars (\$500.00) nor more than Five Thousand
8 Dollars (\$5,000.00), or both such fine and imprisonment.

9 H. Any person who shall willfully or maliciously engage in
10 child sexual exploitation, as defined in this section, shall, upon
11 conviction, be guilty of a Class A3 felony offense and shall be
12 punished by imprisonment in the custody of the Department of
13 Corrections not exceeding life imprisonment, or by imprisonment in a
14 county jail not exceeding one (1) year, or by a fine of not less
15 than Five Hundred Dollars (\$500.00) nor more than Five Thousand
16 Dollars (\$5,000.00), or both such fine and imprisonment, except as
17 provided in subsection I of this section for a child victim under
18 twelve (12) years of age. Except for persons sentenced to life or
19 life without parole, any person sentenced to imprisonment for two
20 (2) years or more for a violation of this subsection shall be
21 required to serve a term of post-imprisonment supervision pursuant
22 to subparagraph f of paragraph 1 of subsection A of Section 991a of
23 Title 22 of the Oklahoma Statutes under conditions determined by the
24 Department of Corrections. The jury shall be advised that the

1 mandatory post-imprisonment supervision shall be in addition to the
2 actual imprisonment.

3 I. Any person who shall willfully or maliciously engage in
4 child sexual exploitation, as defined in this section, of a child
5 under twelve (12) years of age shall, upon conviction, be guilty of
6 a Class A1 felony offense and shall be punished by imprisonment in
7 the custody of the Department of Corrections for not less than
8 twenty-five (25) years nor more than life imprisonment, and by a
9 fine of not less than Five Hundred Dollars (\$500.00) nor more than
10 Five Thousand Dollars (\$5,000.00).

11 J. Any person responsible for the health, safety or welfare of
12 a child who shall willfully or maliciously engage in enabling child
13 sexual exploitation, as defined in this section, shall, upon
14 conviction, be guilty of a Class A3 felony offense and shall be
15 punished by imprisonment in the custody of the Department of
16 Corrections not exceeding life imprisonment, or by imprisonment in a
17 county jail not exceeding one (1) year, or by a fine of not less
18 than Five Hundred Dollars (\$500.00) nor more than Five Thousand
19 Dollars (\$5,000.00), or both such fine and imprisonment.

20 K. Notwithstanding any other provision of law, any person
21 convicted of forcible anal or oral sodomy, rape, rape by
22 instrumentation, or lewd molestation of a child under fourteen (14)
23 years of age subsequent to a previous conviction for any offense of
24 forcible anal or oral sodomy, rape, rape by instrumentation, or lewd

1 molestation of a child under fourteen (14) years of age shall be
2 guilty of a Class A1 felony offense and shall be punished by death
3 or by imprisonment for life without parole.

4 L. Provided, however, that nothing contained in this section
5 shall prohibit any parent or guardian from using reasonable and
6 ordinary force pursuant to Section 844 of this title.

7 M. Consent shall not be a defense for any violation provided
8 for in this section.

9 N. Notwithstanding the age requirements of other statutes
10 referenced within this section, this section shall apply to any
11 child under eighteen (18) years of age.

12 O. As used in this section:

13 1. "Child abuse" means:

- 14 a. the willful or malicious harm or threatened harm or
15 failure to protect from harm or threatened harm to the
16 health, safety or welfare of a child under eighteen
17 (18) years of age by a person responsible for a
18 child's health, safety or welfare, or
19 b. the act of willfully or maliciously injuring,
20 torturing or maiming a child under eighteen (18) years
21 of age by any person;

22 2. "Child neglect" means the willful or malicious neglect, as
23 defined by Section 1-1-105 of Title 10A of the Oklahoma Statutes, of
24

1 a child under eighteen (18) years of age by a person responsible for
2 a child's health, safety or welfare;

3 3. "Child sexual abuse" means the willful or malicious sexual
4 abuse of a child under eighteen (18) years of age by a person
5 responsible for a child's health, safety or welfare and includes,
6 but is not limited to:

- 7 a. sexual intercourse,
- 8 b. penetration of the vagina or anus, however slight, by
9 an inanimate object or any part of the human body not
10 amounting to sexual intercourse,
- 11 c. sodomy,
- 12 d. incest, or
- 13 e. a lewd act or proposal, as defined in this section;

14 4. "Child sexual exploitation" means the willful or malicious
15 sexual exploitation of a child under eighteen (18) years of age by
16 another and includes, but is not limited to:

- 17 a. human trafficking, as provided for in Section 748 of
18 this title, if the offense involved child trafficking
19 for commercial sex,
- 20 b. trafficking in children, as provided for in Section
21 866 of this title, if the offense was committed for
22 the sexual gratification of any person,

23

24

- c. procuring or causing the participation of a minor in child pornography, as provided for in Section 1021.2 of this title,
- d. purchase, procurement or possession of child pornography, as provided for in Section 1024.2 of this title,
- e. engaging in or soliciting prostitution, as provided for in Section 1029 of this title, if the offense involved child sex trafficking,
- f. publication, distribution or participation in the preparation of obscene material, as provided for in Section 1040.8 of this title, if the offense involved child pornography,
- g. aggravated possession of child pornography, as provided for in Section 1040.12a of this title,
- h. sale or distribution of obscene material, as provided for in Section 1040.13 of this title,
- i. soliciting sexual conduct or communication with a minor by use of technology, as provided for in Section 1040.13a of this title,
- j. offering or transporting a child for purposes of child sex trafficking, as provided for in Section 1087 of this title, and

1 k. child sex trafficking, as provided for in Section 1088
2 of this title;

3 5. "Enabling child abuse" means the causing, procuring or
4 permitting of child abuse by a person responsible for a child's
5 health, safety or welfare;

6 6. "Enabling child neglect" means the causing, procuring or
7 permitting of child neglect by a person responsible for a child's
8 health, safety or welfare;

9 7. "Enabling child sexual abuse" means the causing, procuring
10 or permitting of child sexual abuse by a person responsible for a
11 child's health, safety or welfare;

12 8. "Enabling child sexual exploitation" means the causing,
13 procuring or permitting of child sexual exploitation by a person
14 responsible for a child's health, safety or welfare;

15 9. "Incest" means marrying, committing adultery or fornicating
16 with a child by a person responsible for the health, safety or
17 welfare of a child;

18 10. "Lewd act or proposal" means:

19 a. making any oral, written or electronic or computer-
20 generated lewd or indecent proposal to a child for the
21 child to have unlawful sexual relations or sexual
22 intercourse with any person,
23
24

- b. looking upon, touching, mauling or feeling the body or private parts of a child in a lewd or lascivious manner or for the purpose of sexual gratification,
- c. asking, inviting, enticing or persuading any child to go alone with any person to a secluded, remote or secret place for a lewd or lascivious purpose,
- d. urinating or defecating upon a child or causing, forcing or requiring a child to defecate or urinate upon the body or private parts of another person for the purpose of sexual gratification,
- e. ejaculating upon or in the presence of a child,
- f. causing, exposing, forcing or requiring a child to look upon the body or private parts of another person for the purpose of sexual gratification,
- g. causing, forcing or requiring any child to view any obscene materials, child pornography or materials deemed harmful to minors as such terms are defined in Sections 1024.1 and 1040.75 of this title,
- h. causing, exposing, forcing or requiring a child to look upon sexual acts performed in the presence of the child for the purpose of sexual gratification, or
- i. causing, forcing or requiring a child to touch or feel the body or private parts of the child or another person for the purpose of sexual gratification;

1 11. "Permit" means to authorize or allow for the care of a
2 child by an individual when the person authorizing or allowing such
3 care knows or reasonably should know that the child will be placed
4 at risk of the conduct or harm proscribed by this section;

5 12. "Person responsible for a child's health, safety or
6 welfare" for purposes of this section shall include, but not be
7 limited to:

- 8 a. the parent of the child,
- 9 b. the legal guardian of the child,
- 10 c. the custodian of the child,
- 11 d. the foster parent of the child,
- 12 e. a person eighteen (18) years of age or older with whom
13 the parent of the child cohabitates, who is at least
14 three (3) years older than the child,
- 15 f. any other person eighteen (18) years of age or older
16 residing in the home of the child, who is at least
17 three (3) years older than the child,
- 18 g. an owner, operator, agent, employee or volunteer of a
19 public or private residential home, institution,
20 facility or day treatment program, as defined in
21 Section 175.20 of Title 10 of the Oklahoma Statutes,
22 that the child attended,
- 23 h. an owner, operator, agent, employee or volunteer of a
24 child care facility, as defined in Section 402 of

1 Title 10 of the Oklahoma Statutes, that the child
2 attended,

3 i. an intimate partner of the parent of the child, as
4 defined in Section 60.1 of Title 22 of the Oklahoma
5 Statutes, or

6 j. a person who has voluntarily accepted responsibility
7 for the care or supervision of a child;

8 13. "Sexual intercourse" means the actual penetration, however
9 slight, of the vagina or anus by the penis; and

10 14. "Sodomy" means:

11 a. penetration, however slight, of the mouth of the child
12 by a penis,

13 b. penetration, however slight, of the vagina of a person
14 responsible for a child's health, safety or welfare,
15 by the mouth of a child,

16 c. penetration, however slight, of the mouth of the
17 person responsible for a child's health, safety or
18 welfare by the penis of the child, or

19 d. penetration, however slight, of the vagina of the
20 child by the mouth of the person responsible for a
21 child's health, safety or welfare.

22 SECTION 9. AMENDATORY 21 O.S. 2021, Section 1021, as
23 amended by Section 7, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024,
24 Section 1021), is amended to read as follows:

1 Section 1021. A. Every person who willfully and knowingly
2 either:

3 1. Lewdly exposes his or her person or genitals in any public
4 place, or in any place where there are present other persons to be
5 offended or annoyed thereby; provided, however, for purposes of this
6 section, a person alleged to have committed an act of public
7 urination shall be prosecuted pursuant to Section 22 of this title
8 unless such act was accompanied with another act that violates
9 paragraphs 2 through 4 of this subsection and shall not be subject
10 to registration under the Sex Offenders Registration Act;

11 2. Procures, counsels, or assists any person to expose such
12 person, or to make any other exhibition of such person to public
13 view or to the view of any number of persons, for the purpose of
14 sexual stimulation of the viewer;

15 3. Writes, composes, stereotypes, prints, photographs, designs,
16 copies, draws, engraves, paints, molds, cuts, or otherwise prepares,
17 publishes, sells, distributes, keeps for sale, knowingly downloads
18 on a computer, or exhibits any obscene material or child sexual
19 abuse material; or

20 4. Makes, prepares, cuts, sells, gives, loans, distributes,
21 keeps for sale, or exhibits any disc record, metal, plastic, or wax,
22 wire or tape recording, or any type of obscene material or child
23 sexual abuse material,
24

1 shall be guilty, upon conviction, of a Class B4 felony offense and
2 shall be punished by the imposition of a fine of not less than Five
3 Hundred Dollars (\$500.00) nor more than Twenty Thousand Dollars
4 (\$20,000.00) or by imprisonment for not less than thirty (30) days
5 nor more than ten (10) years, or by both such fine and imprisonment.

6 B. Every person who:

7 1. Willfully solicits or aids a minor child to perform; or

8 2. Shows, exhibits, loans, or distributes to a minor child any
9 obscene material or child sexual abuse material for the purpose of
10 inducing said minor to participate in,

11 any act specified in paragraphs 1, 2, 3 or 4 of subsection A of this
12 section, shall be guilty of a Class A1 felony offense, upon
13 conviction, and shall be punished by imprisonment in the custody of
14 the Department of Corrections for not less than ten (10) years nor
15 more than thirty (30) years, except when the minor child is under
16 twelve (12) years of age at the time the offense is committed, and
17 in such case the person shall, upon conviction, be punished by
18 imprisonment in the custody of the Department of Corrections for not
19 less than twenty-five (25) years.

20 C. Persons convicted under this section shall not be eligible
21 for a deferred sentence.

22 D. Except for persons sentenced to life or life without parole,
23 any person sentenced to imprisonment for two (2) years or more for a
24 violation of this section shall be required to serve a term of post-

1 imprisonment supervision pursuant to subparagraph f of paragraph 1
2 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
3 under conditions determined by the Department of Corrections. The
4 jury shall be advised that the mandatory post-imprisonment
5 supervision shall be in addition to the actual imprisonment.

6 E. For purposes of this section, "downloading on a computer"
7 means electronically transferring an electronic file from one
8 computer or electronic media to another computer or electronic
9 media.

10 SECTION 10. AMENDATORY 21 O.S. 2021, Section 1312, is
11 amended to read as follows:

12 Section 1312. Every person guilty of participating in any riot
13 is punishable as follows:

14 1. If any murder, maiming, robbery, rape or arson was committed
15 in the course of such riot, such person is guilty of a Class A1
16 felony offense punishable in the same manner as a principal in such
17 crime;

18 2. If the purpose of the riotous assembly was to resist the
19 execution of any statute of this state or of the United States, or
20 to obstruct any public officer of this state or of the United
21 States, in the performance of any legal duty, or in serving or
22 executing any legal process, such person shall, upon conviction, be
23 guilty of a Class B3 felony offense punishable by imprisonment in
24

1 the custody of the Department of Corrections for a term not
2 exceeding ten (10) years and not less than two (2) years;

3 3. If such person carried at the time of such riot any species
4 of firearms, or other deadly or dangerous weapon, or was disguised,
5 such person shall, upon conviction, be guilty of a Class B3 felony
6 offense punishable by imprisonment in the custody of the Department
7 of Corrections for a term not exceeding ten (10) years and not less
8 than two (2) years;

9 4. If such person directed, advised, encouraged or solicited
10 other persons, who participated in the riot to acts of force or
11 violence, such person shall, upon conviction, be guilty of a Class
12 B1 felony offense punishable by imprisonment in the custody of the
13 Department of Corrections for a term not exceeding twenty (20) years
14 and not less than two (2) years; or

15 5. Every person who shall unlawfully obstruct the normal use of
16 any public street, highway or road within this state by impeding,
17 hindering or restraining motor vehicle traffic or passage thereon,
18 by standing or approaching motor vehicles thereon, or by endangering
19 the safe movement of motor vehicles or pedestrians traveling thereon
20 shall, upon conviction, be guilty of a misdemeanor punishable by
21 imprisonment in the county jail for a term not exceeding one (1)
22 year, or by a fine of not less than One Hundred Dollars (\$100.00)
23 and not exceeding Five Thousand Dollars (\$5,000.00), or by both such
24 fine and imprisonment. In addition, the person shall be liable for

1 all damages to person or property by reason of the same. As used in
2 this paragraph, "obstruct" means to render impassable or to render
3 passage unreasonably inconvenient or hazardous.

4 In all other cases such person is punishable as for a
5 misdemeanor.

6 SECTION 11. AMENDATORY 21 O.S. 2021, Section 1441, is
7 amended to read as follows:

8 Section 1441. Any person who enters any building, railway car,
9 vehicle, or structure and there opens or attempts to open any vault,
10 safe, or receptacle used or kept for the secure keeping of money,
11 securities, books of accounts, or other valuable property, papers or
12 documents, without the consent of the owner, by the use of or aid of
13 dynamite, nitroglycerine, gunpowder, or other explosives, or who
14 enters any such building, railway car, vehicle, or structure in
15 which is kept any vault, safe or other receptacle for the safe
16 keeping of money or other valuable property, papers, books or
17 documents, with intent and without the consent of the owner, to open
18 or crack such vault, safe or receptacle by the aid or use of any
19 explosive, upon conviction, shall be deemed guilty of a Class A1
20 felony offense, and upon conviction shall be punished by
21 imprisonment in the State Penitentiary for a term of not less than
22 twenty (20) years nor more than fifty (50) years.

23 SECTION 12. AMENDATORY 21 O.S. 2021, Section 1767.2, is
24 amended to read as follows:

1 Section 1767.2. Any person violating any of the provisions of
2 Section 1767.1 of this title shall be deemed guilty of a Class D1
3 felony offense, and upon conviction shall be punished by
4 ~~imprisonment in the State Penitentiary for not less than three (3)~~
5 ~~years nor more than ten (10) years~~ as provided for in subsections B
6 through F of Section 20N of this title, or by a fine not to exceed
7 Ten Thousand Dollars (\$10,000.00), or by both. If personal injury
8 results, such person shall be guilty of a Class A1 felony offense
9 and shall be punished by imprisonment in the State Penitentiary for
10 not less than seven (7) years or life imprisonment.

11 SECTION 13. AMENDATORY 63 O.S. 2021, Section 2-401, as
12 amended by Section 1, Chapter 77, O.S.L. 2024 (63 O.S. Supp. 2024,
13 Section 2-401), is amended to read as follows:

14 Section 2-401. A. Except as authorized by the Uniform
15 Controlled Dangerous Substances Act, it shall be unlawful for any
16 person:

17 1. To distribute, dispense, transport with intent to distribute
18 or dispense, possess with intent to manufacture, distribute, or
19 dispense, a controlled dangerous substance or to solicit the use of
20 or use the services of a person less than eighteen (18) years of age
21 to cultivate, distribute or dispense a controlled dangerous
22 substance;

23

24

1 2. To create, distribute, transport with intent to distribute
2 or dispense, or possess with intent to distribute, a counterfeit
3 controlled dangerous substance; or

4 3. To distribute any imitation controlled substance as defined
5 by Section 2-101 of this title, except when authorized by the Food
6 and Drug Administration of the United States Department of Health
7 and Human Services.

8 B. Any person who violates the provisions of this section with
9 respect to:

10 1. A substance classified in Schedule I or II, except for
11 marijuana, upon conviction, shall be guilty of transporting or
12 possessing with an intent to distribute a controlled dangerous
13 substance, a Class C2 felony offense, and shall be sentenced to a
14 term of imprisonment ~~in the custody of the Department of Corrections~~
15 ~~for not more than seven (7) years~~ as provided for in subsections B
16 through F of Section 20M of Title 21 of the Oklahoma Statutes, and a
17 fine not more than One Hundred Thousand Dollars (\$100,000.00), which
18 shall be in addition to other punishment provided by law and shall
19 not be imposed in lieu of other punishment. A second conviction for
20 the violation of provisions of this paragraph is a Class C2 felony
21 offense punishable by a term of imprisonment ~~in the custody of the~~
22 ~~Department of Corrections for not more than fourteen (14) years~~ as
23 provided for in subsections B through F of Section 20M of Title 21
24 of the Oklahoma Statutes. A third or subsequent conviction for the

1 violation of the provisions of this paragraph is a Class C2 felony
2 offense punishable by a term of imprisonment ~~in the custody of the~~
3 ~~Department of Corrections for not more than twenty (20) years~~ as
4 provided for in subsections B through F of Section 20M of Title 21
5 of the Oklahoma Statutes;

6 2. Any other controlled dangerous substance classified in
7 Schedule III, IV, V or marijuana, upon conviction, shall be guilty
8 of a Class D1 felony offense and shall be sentenced to a term of
9 imprisonment ~~in the custody of the Department of Corrections for not~~
10 ~~more than five (5) years~~ as provided for in subsections B through F
11 of Section 20N of Title 21 of the Oklahoma Statutes and a fine not
12 more than Twenty Thousand Dollars (\$20,000.00), which shall be in
13 addition to other punishment provided by law and shall not be
14 imposed in lieu of other punishment. A second conviction for the
15 violation of the provisions of this paragraph is a Class D1 felony
16 offense punishable by a term of imprisonment ~~in the custody of the~~
17 ~~Department of Corrections for not more than ten (10) years~~ as
18 provided for in subsections B through F of Section 20N of Title 21
19 of the Oklahoma Statutes. A third or subsequent conviction for the
20 violation of the provisions of this paragraph is a Class D1 felony
21 offense punishable by a term of imprisonment ~~in the custody of the~~
22 ~~Department of Corrections for not more than fifteen (15) years~~ as
23 provided for in subsections B through F of Section 20M of Title 21
24 of the Oklahoma Statutes; or

1 3. An imitation controlled substance as defined by Section 2-
2 101 of this title, upon conviction, shall be guilty of a misdemeanor
3 and shall be sentenced to a term of imprisonment in the county jail
4 for a period not more than one (1) year and a fine not more than One
5 Thousand Dollars (\$1,000.00). A person convicted of a second
6 violation of the provisions of this paragraph shall be guilty of a
7 Class D2 felony offense and shall be sentenced to a term of
8 ~~imprisonment in the custody of the Department of Corrections for not~~
9 ~~more than two (2) years~~ as provided for in subsections B through F
10 of Section 200 of Title 21 of the Oklahoma Statutes, and a fine not
11 more than Five Thousand Dollars (\$5,000.00), which shall be in
12 addition to other punishment provided by law and shall not be
13 imposed in lieu of other punishment.

14 C. 1. Except when authorized by the Food and Drug
15 Administration of the United States Department of Health and Human
16 Services, it shall be unlawful for any person to manufacture or
17 distribute a controlled substance or synthetic controlled substance.

18 2. Any person convicted of violating the provisions of
19 paragraph 1 of this subsection with respect to distributing a
20 controlled substance is guilty of a Class C2 felony offense and
21 shall be punished by imprisonment ~~in the custody of the Department~~
22 ~~of Corrections for a term not to exceed ten (10) years~~ as provided
23 for in subsections B through F of Section 20M of Title 21 of the
24 Oklahoma Statutes, and a fine not more than Twenty-five Thousand

1 Dollars (\$25,000.00), which shall be in addition to other punishment
2 provided by law and shall not be imposed in lieu of other
3 punishment.

4 3. A second conviction for the violation of the provisions of
5 paragraph 1 of this subsection with respect to distributing a
6 controlled substance is a Class C2 felony offense punishable by
7 imprisonment ~~in the custody of the Department of Corrections for a~~
8 ~~term not less than two (2) years nor more than twenty (20) years~~ as
9 provided for in subsections B through F of Section 20M of Title 21
10 of the Oklahoma Statutes. A third or subsequent conviction for the
11 violation of the provisions of this paragraph is a Class C2 felony
12 offense punishable by imprisonment ~~in the custody of the Department~~
13 ~~of Corrections for a term not less than ten (10) years nor more than~~
14 ~~life~~ as provided for in subsections B through F of Section 20M of
15 Title 21 of the Oklahoma Statutes.

16 4. Any person convicted of violating the provisions of
17 paragraph 1 of this subsection with respect to manufacturing a
18 controlled substance is guilty of a Class C2 felony offense and
19 shall be punished by imprisonment ~~in the custody of the Department~~
20 ~~of Corrections for a term not to exceed ten (10) years~~ as provided
21 for in subsections B through F of Section 20M of Title 21 of the
22 Oklahoma Statutes, and a fine not more than Twenty-five Thousand
23 Dollars (\$25,000.00), which shall be in addition to other punishment
24

1 provided by law and shall not be imposed in lieu of other
2 punishment.

3 5. A second conviction for the violation of the provisions of
4 paragraph 1 of this subsection with respect to manufacturing a
5 controlled substance is a Class C2 felony offense punishable by
6 ~~imprisonment in the custody of the Department of Corrections for a~~
7 ~~term not less than two (2) years nor more than twenty (20) years as~~
8 provided for in subsections B through F of Section 20M of Title 21
9 of the Oklahoma Statutes. A third or subsequent conviction for the
10 violation of the provisions of this paragraph is a Class C2 felony
11 offense punishable by imprisonment ~~in the custody of the Department~~
12 ~~of Corrections for a term not less than ten (10) years nor more than~~
13 ~~life as provided for in subsections B through F of Section 20M of~~
14 Title 21 of the Oklahoma Statutes.

15 D. Convictions for violations of the provisions of this section
16 shall be subject to the statutory provisions for suspended or
17 deferred sentences, or probation as provided in Section 991a of
18 Title 22 of the Oklahoma Statutes.

19 E. Any person who is at least eighteen (18) years of age and
20 who violates the provisions of this section by using or soliciting
21 the use of services of a person less than eighteen (18) years of age
22 to distribute, dispense, transport with intent to distribute or
23 dispense or cultivate a controlled dangerous substance or by
24 distributing a controlled dangerous substance to a person under

1 eight (18) years of age, or in the presence of a person under
2 twelve (12) years of age, is guilty of a Class C1 felony offense
3 punishable by:

4 1. For a first violation of this ~~section~~ subsection, a term of
5 imprisonment in the custody of the Department of Corrections not
6 less than two (2) years nor more than ten (10) years;

7 2. For a second violation of this ~~section~~ subsection, a term of
8 imprisonment in the custody of the Department of Corrections for not
9 less than four (4) years nor more than twenty (20) years; or

10 3. For a third or subsequent violation of this ~~section~~
11 subsection, a term of imprisonment in the custody of the Department
12 of Corrections for not less than ten (10) years nor more than life.

13 F. Any person who violates any provision of this section by
14 transporting with intent to distribute or dispense, distributing or
15 possessing with intent to distribute a controlled dangerous
16 substance to a person, or violation of subsection G of this section,
17 in or on, or within two thousand (2,000) feet of the real property
18 comprising a public or private elementary or secondary school,
19 public vocational school, public or private college or university,
20 or other institution of higher education, recreation center or
21 public park, including a state park or recreation area, public
22 housing project, or child care facility as defined by Section 402 of
23 Title 10 of the Oklahoma Statutes, shall be guilty of a Class C1
24 felony offense and shall be punished by:

1 1. For a first offense, a term of imprisonment ~~in the custody~~
2 ~~of the Department of Corrections, or by the imposition of a fine or~~
3 ~~by both, not exceeding twice that authorized by the appropriate~~
4 ~~provision of this section~~ as provided for in subsections B through E
5 of Section 20L of Title 21 of the Oklahoma Statutes; or

6 2. For a second or subsequent violation of this section, a term
7 of imprisonment ~~in the custody of the Department of Corrections~~ as
8 provided for in subsections B through E of Section 20L of Title 21
9 of the Oklahoma Statutes, or by the imposition of a fine, or by
10 both, not exceeding thrice that authorized by the appropriate
11 provision of this section. Convictions for second and subsequent
12 violations of the provisions of this section shall not be subject to
13 statutory provisions of suspended sentences, deferred sentences or
14 probation.

15 G. 1. Except as authorized by the Uniform Controlled Dangerous
16 Substances Act, it shall be unlawful for any person to manufacture
17 or attempt to manufacture any controlled dangerous substance or
18 possess any substance listed in Section 2-322 of this title or any
19 substance containing any detectable amount of pseudoephedrine or its
20 salts, optical isomers or salts of optical isomers, iodine or its
21 salts, optical isomers or salts of optical isomers, hydriodic acid,
22 sodium metal, lithium metal, anhydrous ammonia, phosphorus, or
23 organic solvents with the intent to use that substance to
24 manufacture a controlled dangerous substance.

1 2. Any person violating the provisions of this subsection with
2 respect to the unlawful manufacturing or attempting to unlawfully
3 manufacture any controlled dangerous substance, possessing any
4 substance listed in this subsection or Section 2-322 of this title,
5 or combining fentanyl with any other controlled dangerous substance,
6 upon conviction, is guilty of a Class A2 felony offense and shall be
7 punished by imprisonment in the custody of the Department of
8 Corrections for not less than seven (7) years nor more than life and
9 by a fine not less than Fifty Thousand Dollars (\$50,000.00), which
10 shall be in addition to other punishment provided by law and shall
11 not be imposed in lieu of other punishment. The possession of any
12 amount of anhydrous ammonia in an unauthorized container shall be
13 prima facie evidence of intent to use such substance to manufacture
14 a controlled dangerous substance.

15 3. Any person violating the provisions of this subsection with
16 respect to the unlawful manufacturing or attempting to unlawfully
17 manufacture any controlled dangerous substance in the following
18 amounts:

19 a. one (1) kilogram or more of a mixture or substance
20 containing a detectable amount of heroin,

21 b. five (5) kilograms or more of a mixture or substance
22 containing a detectable amount of:

23 (1) coca leaves, except coca leaves and extracts of
24 coca leaves from which cocaine, ecgonine, and

1 derivatives of ecgonine or their salts have been
2 removed,

3 (2) cocaine, its salts, optical and geometric
4 isomers, and salts of isomers,

5 (3) ecgonine, its derivatives, their salts, isomers,
6 and salts of isomers, or

7 (4) any compound, mixture, or preparation which
8 contains any quantity of any of the substances
9 referred to in divisions (1) through (3) of this
10 subparagraph,

11 c. fifty (50) grams or more of a mixture or substance
12 described in division (2) of subparagraph b of this
13 paragraph which contains cocaine base,

14 d. one hundred (100) grams or more of phencyclidine (PCP)
15 or one (1) kilogram or more of a mixture or substance
16 containing a detectable amount of phencyclidine (PCP),

17 e. ten (10) grams or more of a mixture or substance
18 containing a detectable amount of lysergic acid
19 diethylamide (LSD),

20 f. four hundred (400) grams or more of a mixture or
21 substance containing a detectable amount of N-phenyl-
22 N-[1-(2-pheylethy)-4-piperidinyl] propanamide or 100
23 grams or more of a mixture or substance containing a
24

1 detectable amount of any analogue of N-phenyl-N-[1-(2-
2 phenylethyl)-4-piperidinyl] propanamide,

3 g. one thousand (1,000) kilograms or more of a mixture or
4 substance containing a detectable amount of marijuana
5 or one thousand (1,000) or more marijuana plants
6 regardless of weight,

7 h. fifty (50) grams or more of methamphetamine, its
8 salts, isomers, and salts of its isomers or five
9 hundred (500) grams or more of a mixture or substance
10 containing a detectable amount of methamphetamine, its
11 salts, isomers, or salts of its isomers, or

12 i. ten (10) grams or more of a mixture or substance
13 containing a detectable amount of fentanyl, its
14 analogs, or derivatives,

15 upon conviction, is guilty of aggravated manufacturing of a
16 controlled dangerous substance, a Class A1 felony offense,
17 punishable by imprisonment in the custody of the Department of
18 Corrections for not less than twenty (20) years nor more than life
19 and by a fine not less than Fifty Thousand Dollars (\$50,000.00),
20 which shall be in addition to other punishment provided by law and
21 shall not be imposed in lieu of other punishment. Any person
22 convicted of a violation of the provisions of this paragraph shall
23 be required to serve a minimum of eighty-five percent (85%) of the
24 sentence received prior to becoming eligible for state correctional

1 earned credits towards the completion of the sentence or eligible
2 for parole.

3 4. Any sentence to the custody of the Department of Corrections
4 for any violation of paragraph 3 of this subsection shall not be
5 subject to statutory provisions for suspended sentences, deferred
6 sentences, or probation. A person convicted of a second or
7 subsequent violation of the provisions of paragraph 3 of this
8 subsection shall be punished as a habitual offender pursuant to
9 Section 51.1 of Title 21 of the Oklahoma Statutes and shall be
10 required to serve a minimum of eighty-five percent (85%) of the
11 sentence received prior to becoming eligible for state correctional
12 earned credits or eligibility for parole.

13 5. Any person who has been convicted of manufacturing or
14 attempting to manufacture methamphetamine pursuant to the provisions
15 of this subsection and who, after such conviction, purchases or
16 attempts to purchase, receive or otherwise acquire any product,
17 mixture, or preparation containing any detectable quantity of base
18 pseudoephedrine or ephedrine shall, upon conviction, be guilty of a
19 Class B3 felony offense punishable by imprisonment in the custody of
20 the Department of Corrections for a term in the range of twice the
21 minimum term provided for in paragraph 2 of this subsection.

22 H. Any person convicted of any offense described in the Uniform
23 Controlled Dangerous Substances Act may, in addition to the fine
24 imposed, be assessed an amount not to exceed ten percent (10%) of

1 the fine imposed. Such assessment shall be paid into a revolving
2 fund for enforcement of controlled dangerous substances created
3 pursuant to Section 2-506 of this title.

4 I. Any person convicted of any offense described in this
5 section shall, in addition to any fine imposed, pay a special
6 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
7 deposited into the Trauma Care Assistance Revolving Fund created in
8 Section 1-2530.9 of this title.

9 J. For purposes of this section, "public housing project" means
10 any dwelling or accommodations operated as a state or federally
11 subsidized multifamily housing project by any housing authority,
12 nonprofit corporation or municipal developer or housing projects
13 created pursuant to the Oklahoma Housing Authorities Act.

14 K. When a person is found guilty of a violation of the
15 provisions of this section, the court shall order, in addition to
16 any other penalty, the defendant to pay a one-hundred-dollar
17 assessment to be deposited in the Drug Abuse Education and Treatment
18 Revolving Fund created in Section 2-503.2 of this title, upon
19 collection.

20 L. Any person convicted of a second or subsequent felony
21 violation of the provisions of this section, except for paragraphs 1
22 and 2 of subsection B of this section, paragraphs 2, 3, 4 and 5 of
23 subsection C of this section, paragraphs 1, 2, and 3 of subsection E
24 of this section and paragraphs 1 and 2 of subsection F of this

1 section, shall be punished as a habitual offender pursuant to
2 Section 51.1 of Title 21 of the Oklahoma Statutes.

3 SECTION 14. AMENDATORY 63 O.S. 2021, Section 124.8, is
4 amended to read as follows:

5 Section 124.8. A. Any firm, corporation, company or
6 partnership shall ensure that all personnel, field crews, magazine
7 attendants, truck drivers, supervisors and superintendents are fully
8 conversant with all provisions of this ~~division~~ section and the
9 rules promulgated hereunder. The permit holder shall be responsible
10 for violations committed by employees working under the company or
11 corporation permit.

12 B. Any person violating any of the provisions of this ~~division~~
13 section or any rules or regulations made thereunder shall be guilty
14 of a Class C2 felony offense and shall be punished by a fine of not
15 more than Five Thousand Dollars (\$5,000.00), or by imprisonment for
16 ~~not more than five (5) years~~ as provided for in subsections B
17 through F of Section 20M of Title 21 of the Oklahoma Statutes, or by
18 both such fine and imprisonment. If such violation was committed
19 with the knowledge or intent that any explosive or blasting agent
20 involved was to be used to kill, injure or intimidate any person or
21 unlawfully to damage any real or personal property, the person or
22 persons committing such violations, upon conviction, shall be guilty
23 of a Class B4 felony offense and shall be punished by a fine of not
24 more than Ten Thousand Dollars (\$10,000.00), or imprisoned for not

1 more than ten (10) years, or both. If in a case involving such
2 knowledge or intent personal injury results, such person shall be
3 guilty of a Class A1 felony offense and shall be imprisoned for not
4 more than twenty (20) years, or fined not more than Twenty Thousand
5 Dollars (\$20,000.00), or both; and if death results such person
6 shall be subject to imprisonment for any term of years or for life.

7 SECTION 15. AMENDATORY 21 O.S. 2021, Section 175, is
8 amended to read as follows:

9 Section 175. Except in cases where a different punishment is
10 prescribed by law, an accessory to a felony is punishable as
11 follows:

12 1. If the underlying offense is a felony punishable by
13 imprisonment in the penitentiary for four (4) years or more, the
14 person guilty of being an accessory shall be subject to imprisonment
15 in the penitentiary for a term not exceeding one-half (1/2) of the
16 longest term prescribed upon a conviction for the underlying
17 offense;

18 2. If the underlying offense is a felony punishable by
19 imprisonment in the penitentiary for any time less than four (4)
20 years, the person guilty of being an accessory shall be subject to
21 imprisonment in a county jail for not more than one (1) year;

22 3. If the underlying offense be punishable by a fine only, the
23 person guilty of being an accessory shall be subject to a fine not
24

1 exceeding one-half (1/2) of the largest amount of money which may be
2 imposed as a fine upon a conviction of the underlying offense;

3 4. If the underlying offense be punishable by both imprisonment
4 and a fine, the offender convicted of being an accessory shall be
5 subject to both imprisonment and fine, not exceeding one-half (1/2)
6 of the longest term of imprisonment and one-half (1/2) of the
7 largest fine which may be imposed upon a conviction of the
8 underlying offense; and

9 5. If the underlying offense be murder in the first degree, the
10 accessory thereto shall be guilty of a Class A2 felony offense and
11 shall be punished by imprisonment for not less than five (5) years
12 nor more than forty-five (45) years. If the underlying offense be
13 murder in the second degree, the accessory thereto shall be guilty
14 of a Class B1 felony offense and shall be punished by imprisonment
15 for not less than five (5) years nor more than twenty-five (25)
16 years.

17 SECTION 16. AMENDATORY 21 O.S. 2021, Section 650, is
18 amended to read as follows:

19 Section 650. A. Every person who, without justifiable or
20 excusable cause, knowingly commits any aggravated assault and
21 battery upon the person of a police officer, sheriff, deputy sheriff
22 or highway patrolman, corrections personnel as defined in Section
23 649 of this title, or any state peace officer employed by any state
24 or federal governmental agency to enforce state laws, while the

1 officer is in the performance of his or her duties shall upon
2 conviction thereof be guilty of a Class A3 felony offense, which
3 shall be punishable by imprisonment in the custody of the Department
4 of Corrections for not more than life or by a fine not exceeding One
5 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

6 B. Every person who, without justifiable or excusable cause,
7 commits any aggravated assault and battery upon a person that the
8 violator knows or should reasonably know is a police officer,
9 sheriff, deputy sheriff or highway patrolman, corrections personnel
10 as defined in Section 649 of this title, or any state peace officer
11 employed by any state or federal governmental agency to enforce
12 state laws, that results in maiming as defined in Section 751 of
13 this title, while the officer is in the performance of his or her
14 duties shall, upon conviction, be guilty of a Class A2 felony
15 offense punishable by imprisonment in the custody of the Department
16 of Corrections of not less than five (5) years nor more than life or
17 by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by
18 both such fine and imprisonment.

19 C. For purposes of this section, aggravated assault and battery
20 upon law officers, includes the physical contact with and in attempt
21 to gain control of the firearm of any police officer, sheriff,
22 deputy sheriff, highway patrolman, corrections personnel as defined
23 in Section 649 of this title, or any peace officer employed by any
24 state or federal governmental agency to enforce state laws.

D. This section shall not supersede any other act or acts, but shall be cumulative thereto.

SECTION 17. AMENDATORY 21 O.S. 2021, Section 701.16, is amended to read as follows:

Section 701.16. It shall be unlawful for any person or agent of that person to solicit another person or persons to cause the death of a human being by the act of murder in the first degree as is defined by Section 701.7 of this title. A person who is convicted, pleads guilty or pleads nolo contendere to the act of solicitation for murder in the first degree, except as provided in Section 701.7 of this title, shall be guilty of a Class A2 felony offense punishable by imprisonment in a state penal institution for not less than five (5) years nor more than life imprisonment in the State Penitentiary.

SECTION 18. AMENDATORY 21 O.S. 2021, Section 711, is amended to read as follows:

Section 711. Homicide, a Class A2 felony offense, is manslaughter in the first degree in the following cases:

1. When perpetrated without a design to effect death by a person while engaged in the commission of a misdemeanor~~;~~;

2. When perpetrated without a design to effect death, and in a heat of passion, but in a cruel and unusual manner, or by means of a dangerous weapon; unless it is committed under such circumstances as constitute excusable or justifiable homicide~~;~~;

1 3. When perpetrated unnecessarily either while resisting an
2 attempt by the person killed to commit a crime, or after such
3 attempt shall have failed.

4 SECTION 19. AMENDATORY 21 O.S. 2021, Section 712, is
5 amended to read as follows:

6 Section 712. Every physician who, being in a state of
7 intoxication without a design to effect death, administers any
8 poison, drug or medicine, or does any other act as such physician to
9 another person, which produces the death of such other person, is
10 guilty of manslaughter in the first degree, a Class A2 felony
11 offense.

12 SECTION 20. AMENDATORY 21 O.S. 2021, Section 748, as
13 amended by Section 1, Chapter 20, O.S.L. 2022 (21 O.S. Supp. 2024,
14 Section 748), is amended to read as follows:

15 Section 748. A. As used in Sections 748 and 748.2 of this
16 title:

17 1. "Coercion" means compelling, forcing or intimidating a
18 person to act by:

19 a. threats of harm or physical restraint against any
20 person,

21 b. any act, scheme, plan, or pattern intended to cause a
22 person to believe that performing, or failing to
23 perform, an act would result in serious physical,
24

- 1 financial, or emotional harm or distress to or
2 physical restraint against any person,
- 3 c. the abuse or threatened abuse of the law or legal
4 process,
- 5 d. knowingly destroying, concealing, removing,
6 confiscating or possessing any actual or purported
7 passport, labor or immigration document, or other
8 government identification document, including but not
9 limited to a driver license or birth certificate, of
10 another person,
- 11 e. facilitating or controlling a person's access to any
12 addictive or controlled substance other than for legal
13 medical purposes,
- 14 f. blackmail,
- 15 g. demanding or claiming money, goods, or any other thing
16 of value from or on behalf of a prostituted person
17 where such demand or claim arises from or is directly
18 related to the act of prostitution,
- 19 h. determining, dictating or setting the times at which
20 another person will be available to engage in an act
21 of prostitution with a third party,
- 22 i. determining, dictating or setting the places at which
23 another person will be available for solicitation of,
24

1 or to engage in, an act of prostitution with a third
2 party, or

3 j. determining, dictating or setting the places at which
4 another person will reside for purposes of making such
5 person available to engage in an act of prostitution
6 with a third party;

7 2. "Commercial sex" means any form of commercial sexual
8 activity such as sexually explicit performances, prostitution,
9 participation in the production of pornography, performance in a
10 strip club, or exotic dancing or display;

11 3. "Debt bondage" means the status or condition of a debtor
12 arising from a pledge by the debtor of his or her personal services
13 or of those of a person under his or her control as a security for
14 debt if the value of those services as reasonably assessed is not
15 applied toward the liquidation of the debt or the length and nature
16 of those services are not respectively limited and defined;

17 4. "Human trafficking" means modern-day slavery that includes,
18 but is not limited to, extreme exploitation and the denial of
19 freedom or liberty of an individual for purposes of deriving benefit
20 from that individual's commercial sex act or labor;

21 5. "Human trafficking for labor" means:

22 a. recruiting, enticing, harboring, maintaining,
23 transporting, providing or obtaining, by any means,
24 another person through deception, force, fraud, threat

1 or coercion or for purposes of engaging the person in
2 labor, or

3 b. benefiting, financially or by receiving anything of
4 value, from participation in a venture that has
5 engaged in an act of trafficking for labor;

6 6. "Human trafficking for commercial sex" means:

7 a. recruiting, enticing, harboring, maintaining,
8 transporting, providing or obtaining, by any means,
9 another person through deception, force, fraud, threat
10 or coercion for purposes of engaging the person in a
11 commercial sex act,

12 b. recruiting, enticing, harboring, maintaining,
13 transporting, providing, purchasing or obtaining, by
14 any means, a minor for purposes of engaging the minor
15 in a commercial sex act, or

16 c. benefiting, financially or by receiving anything of
17 value, from participating in a venture that has
18 engaged in an act of trafficking for commercial sex;

19 7. "Legal process" means the criminal law, the civil law, or
20 the regulatory system of the federal government, any state,
21 territory, district, commonwealth, or trust territory therein, and
22 any foreign government or subdivision thereof and includes legal
23 civil actions, criminal actions, and regulatory petitions or
24 applications;

1 8. "Minor" means an individual under eighteen (18) years of
2 age; and

3 9. "Victim" means a person against whom a violation of any
4 provision of this section has been committed.

5 B. It shall be unlawful to knowingly engage in human
6 trafficking.

7 C. Any person violating the provisions of this section shall,
8 upon conviction, be guilty of a Class A2 felony offense punishable
9 by imprisonment in the custody of the Department of Corrections for
10 a term of not less than five (5) years or for life, or by a fine of
11 not more than One Hundred Thousand Dollars (\$100,000.00), or by both
12 such fine and imprisonment. Any person violating the provisions of
13 this section where the victim of the offense is under eighteen (18)
14 years of age at the time of the offense shall, upon conviction, be
15 guilty of a Class A2 felony offense punishable by imprisonment in
16 the custody of the Department of Corrections for a term of not less
17 than fifteen (15) years or for life, or by a fine of not more than
18 Two Hundred Fifty Thousand Dollars (\$250,000.00), or by both such
19 fine and imprisonment. The court shall also order the defendant to
20 pay restitution to the victim as provided in Section 991f of Title
21 22 of the Oklahoma Statutes. If the person is convicted of human
22 trafficking, the person shall serve eighty-five percent (85%) of the
23 sentence before being eligible for parole consideration or any
24 earned credits. The terms of imprisonment specified in this

subsection shall not be subject to statutory provisions for suspension, deferral or probation, or state correctional institution earned credits accruing from and after November 1, 1989, except for the achievement earned credits authorized by subsection H of Section 138 of Title 57 of the Oklahoma Statutes. To qualify for such achievement earned credits, such inmates must also be in compliance with the standards for Class level 2 behavior, as defined in subsection D of Section 138 of Title 57 of the Oklahoma Statutes.

D. It is an affirmative defense to prosecution for a criminal, youthful offender, or delinquent offense that, during the time of the alleged commission of the offense, the defendant or alleged youthful offender or delinquent was a victim of human trafficking.

E. The consent of a victim to the activity prohibited by this section shall not constitute a defense.

F. Lack of knowledge of the age of the victim shall not constitute a defense to the activity prohibited by this section with respect to human trafficking of a minor.

SECTION 21. AMENDATORY 21 O.S. 2021, Section 760, is amended to read as follows:

Section 760. A. Female genital mutilation shall be unlawful in the State of Oklahoma. Whoever knowingly circumcises, excises, or infibulates, in whole or in part, the labia majora, labia minora, or clitoris of another shall, upon conviction, be guilty of a Class A2 felony offense punishable by incarceration in the custody of the

1 Department of Corrections for a term of not less than three (3)
2 years nor more than life and a fine of not more than Twenty Thousand
3 Dollars (\$20,000.00). Consent to the procedure by a minor on whom
4 it is performed or by the parent or parents of the minor is not a
5 defense to a violation of this subsection.

6 B. A surgical procedure is not a violation of subsection A of
7 this section if the procedure:

8 1. Is necessary as a recognized treatment for a known disease
9 or for purposes of cosmetic surgery to repair a defect or injury for
10 the person on whom it is performed and is performed by:

11 a. a licensed physician, or

12 b. a physician in training under the supervision of a
13 licensed physician; or

14 2. Is necessary in the assistance of childbirth or for medical
15 purposes connected with that labor or birth and is performed by:

16 a. a licensed physician,

17 b. a physician in training under the supervision of a
18 licensed physician, or

19 c. a certified nurse-midwife.

20 C. Any physician, physician in training, certified nurse-
21 midwife or any other medical professional who performs or
22 participates in a female genital mutilation procedure shall, in
23 addition to the penalties in subsection A of this section, have the
24

1 professional license or certification of the person permanently
2 revoked.

3 SECTION 22. AMENDATORY 21 O.S. 2021, Section 798, is
4 amended to read as follows:

5 Section 798. Any person guilty of robbery in the first degree
6 shall be guilty of a Class A2 felony offense punishable by
7 imprisonment in the State Penitentiary not less than ten (10) years.

8 SECTION 23. AMENDATORY 21 O.S. 2021, Section 800, is
9 amended to read as follows:

10 Section 800. Whenever two or more persons conjointly commit a
11 robbery or where the whole number of persons conjointly commits a
12 robbery and persons present and aiding such robbery amount to two or
13 more, each and either of such persons shall be guilty of a Class A2
14 felony offense punishable by imprisonment in the State Penitentiary
15 for not less than five (5) years nor more than fifty (50) years.

16 SECTION 24. AMENDATORY 21 O.S. 2021, Section 801, is
17 amended to read as follows:

18 Section 801. Any person or persons who, with the use of any
19 firearms or any other dangerous weapons, whether the firearm is
20 loaded or not, or who uses a blank or imitation firearm capable of
21 raising in the mind of the one threatened with such device a fear
22 that it is a real firearm, attempts to rob or robs any person or
23 persons, or who robs or attempts to rob any place of business,
24 residence or banking institution or any other place inhabited or

1 attended by any person or persons at any time, either day or night,
2 shall be guilty of a Class A2 felony offense and, upon conviction
3 therefor, shall suffer punishment by imprisonment for life in the
4 State Penitentiary, or for a period of time of not less than five
5 (5) years, at the discretion of the court, or the jury trying the
6 same.

7 Upon conviction therefor, any person guilty of three separate
8 and distinct felonies, in violation of this section shall suffer
9 punishment by imprisonment for life in the State Penitentiary, or
10 for a period of time of not less than ten (10) years, and it is
11 mandatory upon the court to impose no less than the minimum sentence
12 of ten (10) years. The sentence imposed upon such person shall not
13 be reduced to less than ten (10) calendar years, nor suspended, nor
14 shall any person be eligible for probation or parole or receive any
15 deduction from his sentence for good conduct until he shall have
16 served ten (10) calendar years of such sentence.

17 SECTION 25. AMENDATORY 21 O.S. 2021, Section 849, is
18 amended to read as follows:

19 Section 849. Every person who shall attach to, or place in or
20 upon any motor vehicle or any vehicle designed or customarily used
21 to transport a person or persons or any structure designed or
22 customarily used for the occupancy of a person or persons, any
23 explosive material, thing or device with the intent of causing
24 bodily injury or death to any person shall be guilty of a Class A2

1 felony offense, and, upon conviction therefor, shall suffer
2 punishment by imprisonment for a period of time of not less than
3 five (5) years, or imprisonment in the State Penitentiary for life,
4 at the discretion of the court or the jury trying the same.

5 SECTION 26. AMENDATORY 21 O.S. 2021, Section 1040.12a,
6 as amended by Section 3, Chapter 103, O.S.L. 2024 (21 O.S. Supp.
7 2024, Section 1040.12a), is amended to read as follows:

8 Section 1040.12a. A. Any person who, with knowledge of its
9 contents, possesses one hundred (100) or more separate visual
10 depictions of child pornography shall, upon conviction, be guilty of
11 aggravated possession of child pornography, a Class A2 felony
12 offense. The violator shall be punished by imprisonment in the
13 custody of the Department of Corrections for a term not exceeding
14 life imprisonment and by a fine in an amount of not more than Ten
15 Thousand Dollars (\$10,000.00). The violator, upon conviction, shall
16 be required to register as a sex offender under the Sex Offenders
17 Registration Act.

18 B. For purposes of this section:

19 1. Multiple copies of the same identical material shall each be
20 counted as a separate item; and

21 2. The terms "child pornography" and "visual depictions" mean
22 the same definitions provided by Section 1024.1 of this title.
23
24

1 SECTION 27. AMENDATORY 21 O.S. 2021, Section 1111.1, as
2 amended by Section 3, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024,
3 Section 1111.1), is amended to read as follows:

4 Section 1111.1. A. Rape by instrumentation, a Class A2 felony
5 offense, is an act within or without the bonds of matrimony in which
6 any inanimate object or any part of the human body, not amounting to
7 sexual intercourse is used in the carnal knowledge of another person
8 without his or her consent and penetration of the anus or vagina
9 occurs to that person.

10 B. Provided, further, that at least one of the circumstances
11 specified in Section 1111 of this title has been met; further, where
12 the victim is:

13 1. At least sixteen (16) years of age and is less than twenty
14 (20) years of age and is a student, or under the legal custody or
15 supervision of any public or private elementary or secondary school,
16 junior high or high school, or public vocational school, and engages
17 in conduct prohibited by this section of law with a person who is
18 eighteen (18) years of age or older and is an employee of a school
19 system;

20 2. Under the legal custody or supervision of a state or federal
21 agency, county, municipal or a political subdivision and engages in
22 conduct prohibited by this section of law with a federal, state,
23 county, municipal or political subdivision employee or an employee
24 of a contractor of the state, the federal government, a county, a

1 municipality or a political subdivision that exercises authority
2 over the victim, consent shall not be an element of the crime;

3 3. Nineteen (19) years of age or younger and in the legal
4 custody of a state agency, federal agency or tribal court and
5 engages in conduct prohibited by this section of law with a foster
6 parent or foster parent applicant; or

7 4. A student at a secondary school, is concurrently enrolled at
8 an institution of higher education, and engages in acts pursuant to
9 this section with a perpetrator who is an employee of the
10 institution of higher education of which the student is enrolled.

11 C. "Employee of an institution of higher education", for
12 purposes of this section, means faculty, adjunct faculty,
13 instructors, volunteers, or an employee of a business contracting
14 with an institution of higher education who may exercise, at any
15 time, institutional authority over the victim. Employee of an
16 institution of higher education shall not include an enrolled
17 student who is not more than three (3) years of age or older than
18 the concurrently enrolled student and who is employed or
19 volunteering, in any capacity, for the institution of higher
20 education.

21 D. Except for persons sentenced to life or life without parole,
22 any person sentenced to imprisonment for two (2) years or more for a
23 violation of this section shall be required to serve a term of post-
24 imprisonment supervision pursuant to subparagraph f of paragraph 1

1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
2 under conditions determined by the Department of Corrections. The
3 jury shall be advised that the mandatory post-imprisonment
4 supervision shall be in addition to the actual imprisonment.

5 SECTION 28. AMENDATORY 21 O.S. 2021, Section 1114, is
6 amended to read as follows:

7 Section 1114. A. Rape or rape by instrumentation in the first
8 degree, a Class A2 felony offense, shall include:

9 1. Rape committed by a person over eighteen (18) years of age
10 upon a person under fourteen (14) years of age;

11 2. Rape committed upon a person incapable through mental
12 illness or any unsoundness of mind of giving legal consent
13 regardless of the age of the person committing the crime;

14 3. Rape accomplished where the victim is intoxicated by a
15 narcotic or anesthetic agent, administered by or with the privity of
16 the accused as a means of forcing the victim to submit;

17 4. Rape accomplished where the victim is at the time
18 unconscious of the nature of the act and this fact is known to the
19 accused;

20 5. Rape accomplished with any person by means of force,
21 violence, or threats of force or violence accompanied by apparent
22 power of execution regardless of the age of the person committing
23 the crime; or
24

1 6. Rape by instrumentation regardless of the age of the victim
2 or the age of the person committing the crime.

3 B. In all other cases, rape is rape in the second degree, a
4 Class B2 felony offense.

5 SECTION 29. AMENDATORY 21 O.S. 2021, Section 1115, is
6 amended to read as follows:

7 Section 1115. Rape in the first degree is a Class A2 felony
8 offense punishable by death or imprisonment in the custody of the
9 Department of Corrections, for a term of not less than five (5)
10 years, life or life without parole. Except for persons sentenced to
11 life or life without parole, any person sentenced to imprisonment
12 for two (2) years or more for a violation of this section shall be
13 required to serve a term of post-imprisonment supervision pursuant
14 to subparagraph f of paragraph 1 of subsection A of Section 991a of
15 Title 22 of the Oklahoma Statutes under conditions determined by the
16 Department of Corrections. The jury shall be advised that the
17 mandatory post-imprisonment supervision shall be in addition to the
18 actual imprisonment. Any person convicted of a second or subsequent
19 violation of subsection A of Section 1114 of this title shall not be
20 eligible for any form of probation. Any person convicted of a third
21 or subsequent violation of subsection A of Section 1114 of this
22 title or of an offense under Section 888 of this title or an offense
23 under Section 1123 of this title or sexual abuse of a child pursuant
24 to Section 843.5 of this title, or any attempt to commit any of

1 these offenses or any combination of these offenses shall be
2 punished by imprisonment in the custody of the Department of
3 Corrections for life or life without parole.

4 SECTION 30. AMENDATORY 21 O.S. 2021, Section 1117, is
5 amended to read as follows:

6 Section 1117. Any person who takes any woman against her will,
7 and, by force, menace or duress, compels her to marry him or to
8 marry any other person, shall be guilty of a Class A2 felony offense
9 punishable by imprisonment in the State Penitentiary not less than
10 ten (10) years.

11 SECTION 31. AMENDATORY 21 O.S. 2021, Section 1752, is
12 amended to read as follows:

13 Section 1752. Whenever any offense specified in Section 1751 of
14 this title results in the death of any human being, the offender
15 shall be guilty of a Class A2 felony offense punishable by
16 imprisonment in the State Penitentiary for not less than four (4)
17 years.

18 SECTION 32. AMENDATORY 22 O.S. 2021, Section 107, is
19 amended to read as follows:

20 Section 107. A person who, after the publication of a
21 proclamation by the Governor or acting Governor, or who, after
22 lawful notice as aforesaid to disperse and retire, resists or aids
23 in resisting the execution of process in a county declared to be in
24 a state of riot or insurrection, or who aids or attempts the rescue

1 or escape of another from lawful custody or confinement, or who
2 resists or aids in resisting a force ordered out by the Governor or
3 any civil officer as aforesaid, to quell or suppress an insurrection
4 or riot, is guilty of a Class A2 felony offense, and is punishable
5 by imprisonment in the state prison for not less than two (2) years.

6 SECTION 33. AMENDATORY 47 O.S. 2021, Section 11-902, is
7 amended to read as follows:

8 Section 11-902. A. It is unlawful and punishable as provided
9 in this section for any person to drive, operate, or be in actual
10 physical control of a motor vehicle within this state, whether upon
11 public roads, highways, streets, turnpikes, other public places or
12 upon any private road, street, alley or lane which provides access
13 to one or more single or multi-family dwellings, who:

14 1. Has a blood or breath alcohol concentration, as defined in
15 Section 756 of this title, of eight-hundredths (0.08) or more at the
16 time of a test of such person's blood or breath administered within
17 two (2) hours after the arrest of such person;

18 2. Is under the influence of alcohol;

19 3. Has any amount of a Schedule I chemical or controlled
20 substance, as defined in Section 2-204 of Title 63 of the Oklahoma
21 Statutes, or one of its metabolites or analogs in the person's
22 blood, saliva, urine or any other bodily fluid at the time of a test
23 of such person's blood, saliva, urine or any other bodily fluid
24 administered within two (2) hours after the arrest of such person;

1 4. Is under the influence of any intoxicating substance other
2 than alcohol which may render such person incapable of safely
3 driving or operating a motor vehicle; or

4 5. Is under the combined influence of alcohol and any other
5 intoxicating substance which may render such person incapable of
6 safely driving or operating a motor vehicle.

7 B. The fact that any person charged with a violation of this
8 section is or has been lawfully entitled to use alcohol or a
9 controlled dangerous substance or any other intoxicating substance
10 shall not constitute a defense against any charge of violating this
11 section.

12 C. 1. Any person who is convicted of a violation of the
13 provisions of this section shall be guilty of a misdemeanor for the
14 first offense and shall:

- 15 a. participate in an assessment and evaluation pursuant
16 to subsection G of this section and shall follow all
17 recommendations made in the assessment and evaluation,
- 18 b. be punished by imprisonment in jail for not less than
19 ten (10) days nor more than one (1) year, and
- 20 c. be fined not more than One Thousand Dollars
21 (\$1,000.00).

22 2. Any person who, having been convicted of or having received
23 deferred judgment for a violation of this section or a violation
24 pursuant to the provisions of any law of this state or another state

1 prohibiting the offenses provided in this section, Section 11-904 of
2 this title or paragraph 4 of subsection A of Section 852.1 of Title
3 21 of the Oklahoma Statutes, or having a prior conviction in a
4 municipal criminal court of record for the violation of a municipal
5 ordinance prohibiting the offense provided for in this section
6 commits a subsequent violation of this section within ten (10) years
7 of the date following the completion of the execution of said
8 sentence or deferred judgment shall, upon conviction, be guilty of a
9 Class C2 felony offense and shall participate in an assessment and
10 evaluation pursuant to subsection G of this section and shall be
11 sentenced to:

- 12 a. follow all recommendations made in the assessment and
13 evaluation for treatment at the defendant's expense,
14 or
15 b. ~~placement in the custody of the Department of~~
16 ~~Corrections for not less than one (1) year and not to~~
17 ~~exceed five (5) years~~ imprisonment as provided for in
18 subsections B through F of Section 20M of Title 21 of
19 the Oklahoma Statutes, and a fine of not more than Two
20 Thousand Five Hundred Dollars (\$2,500.00), or
21 c. treatment, imprisonment as provided for in subsections
22 B through F of Section 20M of Title 21 of the Oklahoma
23 Statutes, and a fine within the limitations prescribed
24 in subparagraphs a and b of this paragraph.

1 However, if the treatment in subsection G of this section does
2 not include residential or inpatient treatment for a period of not
3 less than five (5) days, the person shall serve a term of
4 imprisonment of at least five (5) days.

5 3. Any person who commits a violation of this section after
6 having been convicted of a felony offense pursuant to the provisions
7 of this section or a violation pursuant to the provisions of any law
8 of this state or another state prohibiting the offenses provided for
9 in this section, Section 11-904 of this title or paragraph 4 of
10 subsection A of Section 852.1 of Title 21 of the Oklahoma Statutes
11 shall be guilty of a Class B4 felony offense and participate in an
12 assessment and evaluation pursuant to subsection G of this section
13 and shall be sentenced to:

- 14 a. follow all recommendations made in the assessment and
15 evaluation for treatment at the defendant's expense,
16 two hundred forty (240) hours of community service and
17 use of an ignition interlock device, as provided by
18 subparagraph n of paragraph 1 of subsection A of
19 Section 991a of Title 22 of the Oklahoma Statutes, or
20 b. placement in the custody of the Department of
21 Corrections for not less than one (1) year and not to
22 exceed ten (10) years and a fine of not more than Five
23 Thousand Dollars (\$5,000.00), or
24

1 c. treatment, imprisonment and a fine within the
2 limitations prescribed in subparagraphs a and b of
3 this paragraph.

4 However, if the treatment in subsection G of this section does
5 not include residential or inpatient treatment for a period of not
6 less than ten (10) days, the person shall serve a term of
7 imprisonment of at least ten (10) days.

8 4. Any person who commits a violation of this section after
9 having been twice convicted of a felony offense pursuant to the
10 provisions of this section or a violation pursuant to the provisions
11 of any law of this state or another state prohibiting the offenses
12 provided for in this section, Section 11-904 of this title or
13 paragraph 4 of subsection A of Section 852.1 of Title 21 of the
14 Oklahoma Statutes shall be guilty of a Class B3 felony offense and
15 participate in an assessment and evaluation pursuant to subsection G
16 of this section and shall be sentenced to:

17 a. follow all recommendations made in the assessment and
18 evaluation for treatment at the defendant's expense,
19 followed by not less than one (1) year of supervision
20 and periodic testing at the defendant's expense, four
21 hundred eighty (480) hours of community service, and
22 use of an ignition interlock device, as provided by
23 subparagraph n of paragraph 1 of subsection A of
24

1 Section 991a of Title 22 of the Oklahoma Statutes, for
2 a minimum of thirty (30) days, or

- 3 b. placement in the custody of the Department of
4 Corrections for not less than one (1) year and not to
5 exceed twenty (20) years and a fine of not more than
6 Five Thousand Dollars (\$5,000.00), or
7 c. treatment, imprisonment and a fine within the
8 limitations prescribed in subparagraphs a and b of
9 this paragraph.

10 However, if the person does not undergo residential or inpatient
11 treatment pursuant to subsection G of this section the person shall
12 serve a term of imprisonment of at least ten (10) days.

13 5. Any person who, after a previous conviction of a violation
14 of murder in the second degree or manslaughter in the first degree
15 in which the death was caused as a result of driving under the
16 influence of alcohol or other intoxicating substance, is convicted
17 of a violation of this section shall be guilty of a Class A2 felony
18 offense and shall be punished by imprisonment in the custody of the
19 Department of Corrections for not less than five (5) years and not
20 to exceed twenty (20) years, and a fine of not more than Ten
21 Thousand Dollars (\$10,000.00).

22 6. Provided, however, a conviction from another state shall not
23 be used to enhance punishment pursuant to the provisions of this
24

1 subsection if that conviction is based on a blood or breath alcohol
2 concentration of less than eight-hundredths (0.08).

3 7. In any case in which a defendant is charged with driving
4 under the influence of alcohol or other intoxicating substance
5 offense within any municipality with a municipal court other than a
6 court of record, the charge shall be presented to the county's
7 district attorney and filed with the district court of the county
8 within which the municipality is located.

9 D. Any person who is convicted of a violation of driving under
10 the influence with a blood or breath alcohol concentration of
11 fifteen-hundredths (0.15) or more pursuant to this section shall be
12 deemed guilty of aggravated driving under the influence, a Class B3
13 felony offense. A person convicted of aggravated driving under the
14 influence shall participate in an assessment and evaluation pursuant
15 to subsection G of this section and shall comply with all
16 recommendations for treatment. Such person shall be sentenced as
17 provided in paragraph 1, 2, 3, 4 or 5 of subsection C of this
18 section and to:

19 1. Not less than one (1) year of supervision and periodic
20 testing at the defendant's expense; and

21 2. An ignition interlock device or devices, as provided by
22 subparagraph n of paragraph 1 of subsection A of Section 991a of
23 Title 22 of the Oklahoma Statutes, for a minimum of ninety (90)
24 days.

1 E. When a person is sentenced to imprisonment in the custody of
2 the Department of Corrections, the person shall be processed through
3 the Lexington Assessment and Reception Center or at a place
4 determined by the Director of the Department of Corrections. The
5 Department of Corrections shall classify and assign the person to
6 one or more of the following:

7 1. The Department of Mental Health and Substance Abuse Services
8 pursuant to paragraph 1 of subsection A of Section 612 of Title 57
9 of the Oklahoma Statutes; or

10 2. A correctional facility operated by the Department of
11 Corrections with assignment to substance abuse treatment.
12 Successful completion of a Department-of-Corrections-approved
13 substance abuse treatment program shall satisfy the recommendation
14 for a ten-hour or twenty-four-hour alcohol and drug substance abuse
15 course or treatment program or both. Successful completion of an
16 approved Department of Corrections substance abuse treatment program
17 may precede or follow the required assessment.

18 F. The Department of Public Safety is hereby authorized to
19 reinstate any suspended or revoked driving privilege when the person
20 meets the statutory requirements which affect the existing driving
21 privilege.

22 G. Any person who is found guilty of a violation of the
23 provisions of this section shall be ordered to participate in an
24 alcohol and drug substance abuse evaluation and assessment program

1 offered by a certified assessment agency or certified assessor for
2 the purpose of evaluating and assessing the receptivity to treatment
3 and prognosis of the person and shall follow all recommendations
4 made in the assessment and evaluation for treatment. The court
5 shall order the person to reimburse the agency or assessor for the
6 evaluation and assessment. Payment shall be remitted by the
7 defendant or on behalf of the defendant by any third party;
8 provided, no state-appropriated funds are utilized. The fee for an
9 evaluation and assessment shall be the amount provided in subsection
10 C of Section 3-460 of Title 43A of the Oklahoma Statutes. The
11 evaluation and assessment shall be conducted at a certified
12 assessment agency, the office of a certified assessor or at another
13 location as ordered by the court. The agency or assessor shall,
14 within seventy-two (72) hours from the time the person is evaluated
15 and assessed, submit a written report to the court for the purpose
16 of assisting the court in its sentencing determination. The court
17 shall, as a condition of any sentence imposed, including deferred
18 and suspended sentences, require the person to participate in and
19 successfully complete all recommendations from the evaluation, such
20 as an alcohol and substance abuse treatment program pursuant to
21 Section 3-452 of Title 43A of the Oklahoma Statutes. If such report
22 indicates that the evaluation and assessment shows that the
23 defendant would benefit from a ten-hour or twenty-four-hour alcohol
24 and drug substance abuse course or a treatment program or both, the

1 court shall, as a condition of any sentence imposed, including
2 deferred and suspended sentences, require the person to follow all
3 recommendations identified by the evaluation and assessment and
4 ordered by the court. No person, agency or facility operating an
5 evaluation and assessment program certified by the Department of
6 Mental Health and Substance Abuse Services shall solicit or refer
7 any person evaluated and assessed pursuant to this section for any
8 treatment program or substance abuse service in which such person,
9 agency or facility has a vested interest; however, this provision
10 shall not be construed to prohibit the court from ordering
11 participation in or any person from voluntarily utilizing a
12 treatment program or substance abuse service offered by such person,
13 agency or facility. If a person is sentenced to imprisonment in the
14 custody of the Department of Corrections and the court has received
15 a written evaluation report pursuant to the provisions of this
16 subsection, the report shall be furnished to the Department of
17 Corrections with the judgment and sentence. Any evaluation and
18 assessment report submitted to the court pursuant to the provisions
19 of this subsection shall be handled in a manner which will keep such
20 report confidential from the general public's review. Nothing
21 contained in this subsection shall be construed to prohibit the
22 court from ordering judgment and sentence in the event the defendant
23 fails or refuses to comply with an order of the court to obtain the
24 evaluation and assessment required by this subsection. If the

1 defendant fails or refuses to comply with an order of the court to
2 obtain the evaluation and assessment, the Department of Public
3 Safety shall not reinstate driving privileges until the defendant
4 has complied in full with such order. Nothing contained in this
5 subsection shall be construed to prohibit the court from ordering
6 judgment and sentence and any other sanction authorized by law for
7 failure or refusal to comply with an order of the court.

8 H. Any person who is found guilty of a violation of the
9 provisions of this section shall be required by the court to attend
10 a victims impact panel program, as defined in subsection H of
11 Section 991a of Title 22 of the Oklahoma Statutes, if such a program
12 is offered in the county where the judgment is rendered, and to pay
13 a fee of Seventy-five Dollars (\$75.00), as set by the governing
14 authority of the program and approved by the court, to the program
15 to offset the cost of participation by the defendant, if in the
16 opinion of the court the defendant has the ability to pay such fee.

17 I. Any person who is found guilty of a felony violation of the
18 provisions of this section shall be required to submit to electronic
19 monitoring as authorized and defined by Section 991a of Title 22 of
20 the Oklahoma Statutes.

21 J. Any person who is found guilty of a violation of the
22 provisions of this section who has been sentenced by the court to
23 perform any type of community service shall not be permitted to pay
24 a fine in lieu of performing the community service.

1 K. When a person is found guilty of a violation of the
2 provisions of this section, the court shall order, in addition to
3 any other penalty, the defendant to pay a one-hundred-dollar
4 assessment to be deposited in the Drug Abuse Education and Treatment
5 Revolving Fund created in Section 2-503.2 of Title 63 of the
6 Oklahoma Statutes, upon collection.

7 L. 1. When a person is eighteen (18) years of age or older,
8 and is the driver, operator, or person in physical control of a
9 vehicle, and is convicted of violating any provision of this section
10 while transporting or having in the motor vehicle any child less
11 than eighteen (18) years of age, the fine shall be enhanced to
12 double the amount of the fine imposed for the underlying driving
13 under the influence (DUI) violation which shall be in addition to
14 any other penalties allowed by this section.

15 2. Nothing in this subsection shall prohibit the prosecution of
16 a person pursuant to Section 852.1 of Title 21 of the Oklahoma
17 Statutes who is in violation of any provision of this section or
18 Section 11-904 of this title.

19 M. Any plea of guilty, nolo contendere or finding of guilt for
20 a violation of this section or a violation pursuant to the
21 provisions of any law of this state or another state prohibiting the
22 offenses provided for in this section, Section 11-904 of this title,
23 or paragraph 4 of subsection A of Section 852.1 of Title 21 of the
24 Oklahoma Statutes, shall constitute a conviction of the offense for

1 the purpose of this section; provided, any deferred judgment shall
2 only be considered to constitute a conviction for a period of ten
3 (10) years following the completion of any court-imposed
4 probationary term.

5 N. If qualified by knowledge, skill, experience, training or
6 education, a witness shall be allowed to testify in the form of an
7 opinion or otherwise solely on the issue of impairment, but not on
8 the issue of specific alcohol concentration level, relating to the
9 following:

10 1. The results of any standardized field sobriety test
11 including, but not limited to, the horizontal gaze nystagmus (HGN)
12 test administered by a person who has completed training in
13 standardized field sobriety testing; or

14 2. Whether a person was under the influence of one or more
15 impairing substances and the category of such impairing substance or
16 substances. A witness who has received training and holds a current
17 certification as a drug recognition expert shall be qualified to
18 give the testimony in any case in which such testimony may be
19 relevant.

20 SECTION 34. AMENDATORY 63 O.S. 2021, Section 2-403, is
21 amended to read as follows:

22 Section 2-403. A. Any person found guilty of larceny, burglary
23 or theft of controlled dangerous substances is guilty of a Class C2
24 felony offense punishable by imprisonment ~~for a period not to exceed~~

1 ~~ten (10) years~~ as provided for in subsections B through F of Section
2 20M of Title 21 of the Oklahoma Statutes. A second or subsequent
3 offense under this subsection is a Class C2 felony offense
4 punishable by imprisonment ~~for not less than ten (10) years~~ as
5 provided for in subsections B through F of Section 20M of Title 21
6 of the Oklahoma Statutes. Convictions for second or subsequent
7 violations of this subsection shall not be subject to statutory
8 provisions for suspended sentences, deferred sentences or probation.

9 B. Any person found guilty of robbery or attempted robbery of
10 controlled dangerous substances from a practitioner, manufacturer,
11 distributor or agent thereof as defined in Section 2-101 of this
12 title is guilty of a Class A2 felony offense punishable by
13 imprisonment for a period of not less than five (5) years, and such
14 sentence shall not be subject to statutory provisions for suspended
15 sentences, deferred sentences or probation. A second or subsequent
16 offense under this subsection is a Class A2 felony offense
17 punishable by life imprisonment. Convictions for second or
18 subsequent offenses of this subsection shall not be subject to
19 statutory provisions for suspended sentences, deferred sentences or
20 probation.

21 SECTION 35. AMENDATORY 21 O.S. 2021, Section 652, is
22 amended to read as follows:

23 Section 652. A. Every person who intentionally and wrongfully
24 shoots another with or discharges any kind of firearm, with intent

1 to kill any person, including an unborn child as defined in Section
2 1-730 of Title 63 of the Oklahoma Statutes, shall upon conviction be
3 guilty of a Class A3 felony offense punishable by imprisonment in
4 the State Penitentiary not exceeding life.

5 B. Every person who uses any vehicle to facilitate the
6 intentional discharge of any kind of firearm, crossbow or other
7 weapon in conscious disregard for the safety of any other person or
8 persons, including an unborn child as defined in Section 1-730 of
9 Title 63 of the Oklahoma Statutes, shall upon conviction be guilty
10 of a Class A3 felony offense punishable by imprisonment in the
11 custody of the Department of Corrections for a term not less than
12 two (2) years nor exceeding life.

13 C. Any person who commits any assault and battery upon another,
14 including an unborn child as defined in Section 1-730 of Title 63 of
15 the Oklahoma Statutes, by means of any deadly weapon, or by such
16 other means or force as is likely to produce death, or in any manner
17 attempts to kill another, including an unborn child as defined in
18 Section 1-730 of Title 63 of the Oklahoma Statutes, or in resisting
19 the execution of any legal process, shall upon conviction be guilty
20 of a Class A3 felony offense punishable by imprisonment in the State
21 Penitentiary not exceeding life.

22 D. The provisions of this section shall not apply to:
23
24

1 1. Acts which cause the death of an unborn child if those acts
2 were committed during a legal abortion to which the pregnant woman
3 consented; or

4 2. Acts which are committed pursuant to usual and customary
5 standards of medical practice during diagnostic testing or
6 therapeutic treatment.

7 E. Under no circumstances shall the mother of the unborn child
8 be prosecuted for causing the death of the unborn child unless the
9 mother has committed a crime that caused the death of the unborn
10 child.

11 SECTION 36. AMENDATORY 21 O.S. 2021, Section 751, is
12 amended to read as follows:

13 Section 751. Every person who, with premeditated design to
14 injure another, inflicts upon his person any injury which disfigures
15 his personal appearance or disables any member or organ of his body
16 or seriously diminishes his physical vigor, is guilty of maiming, a
17 Class A3 felony offense.

18 SECTION 37. AMENDATORY 21 O.S. 2021, Section 843.1, is
19 amended to read as follows:

20 Section 843.1. A. 1. No caretaker or other person shall
21 abuse, commit financial neglect, neglect, commit sexual abuse, or
22 exploit any person entrusted to the care of such caretaker or other
23 person in a nursing facility or other setting, or knowingly cause,
24 secure, or permit any of these acts to be done.

1 2. For purposes of this section, the terms, "abuse", "financial
2 neglect", "neglect", "sexual abuse", and "exploit" shall have the
3 same meaning as such terms are defined and clarified in Section 10-
4 103 of Title 43A of the Oklahoma Statutes.

5 B. 1. Any person convicted of a violation of this section,
6 except as provided in paragraph 2 of this subsection, shall be
7 guilty of a Class B1 felony offense. The violator, upon conviction,
8 shall be punished by imprisonment in the custody of the Department
9 of Corrections for a term not to exceed ten (10) years, and by a
10 fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both
11 such fine and imprisonment, and in addition, the person shall be
12 subject to the Elderly and Incapacitated Victim's Protection Act.
13 Such person's term shall further be subject to the provisions of
14 Section 13.1 of this title for mandatory minimum sentencing.

15 2. Any person convicted of violating the provisions of this
16 section by committing sexual abuse shall be guilty of a Class A3
17 felony offense. The person convicted of sexual abuse shall be
18 punished by imprisonment in the custody of the Department of
19 Corrections for a term not to exceed fifteen (15) years, and by a
20 fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both
21 such fine and imprisonment, and in addition, the person shall be
22 subject to the Elderly and Incapacitated Victim's Protection Act.
23 Such person's imprisonment term imposed pursuant to this section
24

1 shall further be subject to the provisions of Section 13.1 of this
2 title for mandatory minimum sentencing.

3 C. Consent shall not be a defense for any violation of this
4 section.

5 D. Except for persons sentenced to life or life without parole,
6 any person sentenced to imprisonment for two (2) years or more for a
7 violation of paragraph 2 of subsection B of this section shall be
8 required to serve a term of post-imprisonment supervision pursuant
9 to subparagraph f of paragraph 1 of subsection A of Section 991a of
10 Title 22 of the Oklahoma Statutes under conditions determined by the
11 Department of Corrections. The jury shall be advised that the
12 mandatory post-imprisonment supervision shall be in addition to the
13 actual imprisonment.

14 SECTION 38. AMENDATORY 21 O.S. 2021, Section 1123, as
15 last amended by Section 33, Chapter 59, O.S.L. 2024 (21 O.S. Supp.
16 2024, Section 1123), is amended to read as follows:

17 Section 1123. A. It is a Class A3 felony offense for any
18 person to knowingly and intentionally:

19 1. Make any oral, written or electronically or computer-
20 generated lewd or indecent proposal to any child under sixteen (16)
21 years of age, or other individual the person believes to be a child
22 under sixteen (16) years of age, for the child to have unlawful
23 sexual relations or sexual intercourse with any person;
24

1 2. Look upon, touch, maul, or feel the body or private parts of
2 any child under sixteen (16) years of age in any lewd or lascivious
3 manner by any acts against public decency and morality, as defined
4 by law;

5 3. Ask, invite, entice, or persuade any child under sixteen
6 (16) years of age, or other individual the person believes to be a
7 child under sixteen (16) years of age, to go alone with any person
8 to a secluded, remote, or secret place, with the unlawful and
9 willful intent and purpose then and there to commit any crime
10 against public decency and morality, as defined by law, with the
11 child;

12 4. In any manner lewdly or lasciviously look upon, touch, maul,
13 or feel the body or private parts of any child under sixteen (16)
14 years of age in any indecent manner or in any manner relating to
15 sexual matters or sexual interest; or

16 5. In a lewd and lascivious manner and for the purpose of
17 sexual gratification:

- 18 a. urinate or defecate upon a child under sixteen (16)
19 years of age, or force or require a child to defecate
20 or urinate upon the body or private parts of another,
21 or for the purpose of sexual gratification,
22 b. ejaculate upon or in the presence of a child,
23 c. cause, expose, force or require a child to look upon
24 the body or private parts of another person,

- 1 d. force or require any child under sixteen (16) years of
2 age or other individual the person believes to be a
3 child under sixteen (16) years of age, to view any
4 obscene materials, child sexual abuse material or
5 materials deemed harmful to minors as such terms are
6 defined by Sections 1024.1 and 1040.75 of this title,
7 e. cause, expose, force or require a child to look upon
8 sexual acts performed in the presence of the child, or
9 f. force or require a child to touch or feel the body or
10 private parts of the child or another person.

11 Any person convicted of any violation of this subsection shall
12 be punished by imprisonment in the custody of the Department of
13 Corrections for not less than three (3) years nor more than twenty
14 (20) years, except when the child is under twelve (12) years of age
15 at the time the offense is committed, and in such case the person
16 shall, upon conviction, be punished by imprisonment in the custody
17 of the Department of Corrections for not less than twenty-five (25)
18 years. The provisions of this subsection shall not apply unless the
19 accused is at least three (3) years older than the victim, except
20 when accomplished by the use of force or fear. Except as provided
21 in Section 51.1a of this title, any person convicted of a second or
22 subsequent violation of this subsection shall be guilty of a felony
23 punishable as provided in this subsection and shall not be eligible
24 for probation, suspended or deferred sentence. Except as provided

1 in Section 51.1a of this title, any person convicted of a third or
2 subsequent violation of this subsection shall be guilty of a felony
3 punishable by imprisonment in the custody of the Department of
4 Corrections for a term of life or life without parole, in the
5 discretion of the jury, or in case the jury fails or refuses to fix
6 punishment then the same shall be pronounced by the court. Any
7 person convicted of a violation of this subsection after having been
8 twice convicted of a violation of subsection A of Section 1114 of
9 this title, Section 888 of this title, sexual abuse of a child
10 pursuant to Section 843.5 of this title, or of any attempt to commit
11 any of these offenses or any combination of convictions pursuant to
12 these sections shall be punished by imprisonment in the custody of
13 the Department of Corrections for a term of life or life without
14 parole.

15 B. No person shall commit sexual battery on any other person.

16 "Sexual battery" shall mean the intentional touching, mauling or
17 feeling of the body or private parts of any person sixteen (16)
18 years of age or older, in a lewd and lascivious manner:

19 1. Without the consent of that person;

20 2. When committed by a state, county, municipal or political
21 subdivision employee or a contractor or an employee of a contractor
22 of the state, a county, a municipality or political subdivision of
23 this state upon a person who is under the legal custody, supervision
24 or authority of a state agency, a county, a municipality or a

1 political subdivision of this state, or the subcontractor or
2 employee of a subcontractor of the contractor of the state or
3 federal government, a county, a municipality or a political
4 subdivision of this state;

5 3. When committed upon a person who is at least sixteen (16)
6 years of age and is less than twenty (20) years of age and is a
7 student, or in the legal custody or supervision of any public or
8 private elementary or secondary school, or technology center school,
9 by a person who is eighteen (18) years of age or older and is an
10 employee of a school system;

11 4. When committed upon a person who is nineteen (19) years of
12 age or younger and is in the legal custody of a state agency,
13 federal agency or a tribal court, by a foster parent or foster
14 parent applicant; or

15 5. When the victim is a student at a secondary school, is
16 concurrently enrolled at an institution of higher education, and
17 engages in acts pursuant to this subsection with a perpetrator who
18 is an employee of the institution of higher education of which the
19 student is enrolled.

20 As used in this subsection, "employee of an institution of
21 higher education" means faculty, adjunct faculty, instructors,
22 volunteers, or an employee of a business contracting with an
23 institution of higher education who may exercise, at any time,
24 institutional authority over the victim. Employee of an institution

1 of higher education shall not include an enrolled student who is not
2 more than three (3) years of age or older than the concurrently
3 enrolled student and who is employed or volunteering, in any
4 capacity, for the institution of higher education.

5 As used in this subsection, "employee of a school system" means
6 a teacher, principal or other duly appointed person employed by a
7 school system or an employee of a firm contracting with a school
8 system.

9 C. No person shall in any manner lewdly or lasciviously:

10 1. Look upon, touch, maul, or feel the body or private parts of
11 any human corpse in any indecent manner relating to sexual matters
12 or sexual interest; or

13 2. Urinate, defecate or ejaculate upon any human corpse.

14 D. Any person convicted of a violation of subsection B or C of
15 this section shall be deemed guilty of a Class B4 felony offense and
16 shall be punished by imprisonment in the custody of the Department
17 of Corrections for not more than ten (10) years.

18 E. The fact that an undercover operative or law enforcement
19 officer was involved in the detection and investigation of an
20 offense pursuant to this section shall not constitute a defense to a
21 prosecution under this section.

22 F. Except for persons sentenced to life or life without parole,
23 any person sentenced to imprisonment for two (2) years or more for a
24 violation of this section shall be required to serve a term of post-

1 imprisonment supervision pursuant to subparagraph f of paragraph 1
2 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
3 under conditions determined by the Department of Corrections. The
4 jury shall be advised that the mandatory post-imprisonment
5 supervision shall be in addition to the actual imprisonment.

6 SECTION 39. AMENDATORY 21 O.S. 2021, Section 1268.3, is
7 amended to read as follows:

8 Section 1268.3. A. Conspiracy to commit terrorism is a Class
9 A3 felony offense.

10 B. A person convicted of conspiracy to commit terrorism shall
11 be punished by imprisonment in the State Penitentiary for a term not
12 exceeding life.

13 SECTION 40. AMENDATORY 21 O.S. 2021, Section 1327, is
14 amended to read as follows:

15 Section 1327. A. The Legislature recognizes that special
16 circumstances exist as regards college campuses and public school
17 facilities, including the fact that a large number of people are
18 confined to a small area, and certain acts committed in such places
19 would have a more detrimental effect as regards the health and
20 safety of those involved than if the same act were committed at some
21 other place, and, in keeping with these facts, any person on the
22 campuses or school grounds of any public state-supported
23 institutions of higher learning or public school facilities who, by
24 word of mouth or writings, advocates, affirmatively suggests or

1 teaches the duty, necessity, propriety or expediency of crime,
2 criminal syndicalism, or sabotage, or who shall advocate,
3 affirmatively suggest or teach the duty, necessity, propriety or
4 expediency of doing any act of violence, the destruction of or
5 damage to any property, the bodily injury to any person or persons,
6 or the commission of any crime or unlawful act as a means of
7 accomplishing or effecting any industrial or political ends, change,
8 or revolution, or for profit; or who prints, publishes, edits,
9 issues, or knowingly circulates, sells, distributes, or publicly
10 displays any books, pamphlets, paper, handbill, poster, document, or
11 written or printed matter in any form whatsoever, containing matter
12 advocating, advising, affirmatively suggesting, or teaching crime,
13 criminal syndicalism, sabotage, the doing of any act of physical
14 violence, the destruction of or damage to any property, the injury
15 to any person, or the commission of any crime or unlawful act as a
16 means of accomplishing, effecting or bringing about any industrial
17 or political ends, or change, or as a means of accomplishing,
18 effecting or bringing about any industrial or political revolution,
19 or for profit; or who shall openly or at all attempt to justify by
20 word of mouth or writing the commission or the attempt to commit
21 sabotage, any act of physical violence, the destruction of or damage
22 to any property, the injury to any person or the commission of any
23 crime or unlawful act, with the intent to exemplify, spread or teach
24 or affirmatively suggest criminal syndicalism, or who organizes, or

1 helps to organize or becomes a member of or voluntarily assembles
2 with any society or assemblage of persons which teaches, advocates,
3 or affirmatively suggests the doctrine of criminal syndicalism,
4 sabotage, or the necessity, propriety or expediency of doing any act
5 of physical violence or the commission of any crime or unlawful act
6 as a means of accomplishing or effecting any industrial or political
7 ends, change or revolution, or for profit; shall be guilty of a
8 Class C2 felony offense, and upon conviction thereof shall be
9 punished by imprisonment ~~in the State Penitentiary for a term not~~
10 ~~less than two (2) years, nor more than ten (10) years~~ as provided
11 for in subsections B through F of Section 20M of Title 21 of the
12 Oklahoma Statutes, or by a fine of not less than Five Thousand
13 Dollars (\$5,000.00), nor more than Ten Thousand Dollars
14 (\$10,000.00), or by both such fine and imprisonment. Provided, that
15 none of the provisions of this section shall be construed to modify
16 or affect Section 166 of Title 40 of the Oklahoma Statutes.

17 B. Any person on the campuses or school grounds of any public
18 state-supported institutions of higher learning or public school
19 facilities above the age of eighteen (18) years who advocates
20 revolution, teaches or justifies a program of sabotage, force and
21 violation, sedition or treason against the government of the United
22 States or of this state, or who directly or indirectly advocates or
23 teaches by any means the overthrow of the government of the United
24 States or of this state by force or any unlawful means shall be

1 guilty of a Class A3 felony offense, and upon conviction shall be
2 punished by imprisonment in the State Penitentiary from ten (10)
3 years to life.

4 SECTION 41. AMENDATORY 21 O.S. 2021, Section 1401, is
5 amended to read as follows:

6 Section 1401. A. Any person who willfully and maliciously sets
7 fire to or burns, or by the use of any explosive device, accelerant,
8 ignition device, heat-producing device or substance, destroys in
9 whole or in part, or causes to be burned or destroyed, or aids,
10 counsels or procures the burning or destruction of any building or
11 structure or contents thereof, inhabited or occupied by one or more
12 persons, whether the property of that person or another, or who
13 willfully and maliciously sets fire to or burns, or by the use of
14 any explosive device, accelerant, ignition device, heat-producing
15 device or substance causes a person to be burned, or aids, counsels
16 or procures the burning of a person shall, upon conviction, be
17 guilty of arson in the first degree, which is a Class A3 felony
18 offense, and shall be punished by a fine not to exceed Twenty-five
19 Thousand Dollars (\$25,000.00), or by imprisonment in the custody of
20 the Department of Corrections for not more than thirty-five (35)
21 years, or by both such fine and imprisonment.

22 B. Any person who, while manufacturing, attempting to
23 manufacture or endeavoring to manufacture a controlled dangerous
24 substance in violation of subsection G of Section 2-401 of Title 63

1 of the Oklahoma Statutes, destroys in whole or in part, or causes to
2 be burned or destroyed, or aids, counsels or procures the burning or
3 destruction of any building or contents thereof, inhabited or
4 occupied by one or more persons whether the property of that person
5 or another, or who while manufacturing or attempting to manufacture
6 a controlled dangerous substance in violation of subsection G of
7 Section 2-401 of Title 63 of the Oklahoma Statutes causes a person
8 to be burned, or aids, counsels or procures the burning of a person
9 shall, upon conviction, be guilty of arson in the first degree,
10 which is a Class A3 felony offense, and shall be punished by a fine
11 not to exceed Twenty-five Thousand Dollars (\$25,000.00) and by
12 imprisonment in the custody of the Department of Corrections for not
13 more than thirty-five (35) years.

14 SECTION 42. AMENDATORY 21 O.S. 2021, Section 1405, is
15 amended to read as follows:

16 Section 1405. Any person violating any of the provisions of
17 Sections 1401, 1402, 1403 or 1404 of this title who during such
18 violation endangers any human life, including all emergency service
19 personnel, shall be guilty of a Class B4 felony offense and upon
20 conviction shall be punished by imprisonment in the State
21 Penitentiary for not less than three (3) years nor more than ten
22 (10) years, or by a fine not to exceed Ten Thousand Dollars
23 (\$10,000.00), or both. If personal injury results, the person shall
24 be guilty of a Class A3 felony offense and shall be punished by

1 imprisonment in the State Penitentiary for not less than seven (7)
2 years.

3 SECTION 43. AMENDATORY 21 O.S. 2021, Section 521, is
4 amended to read as follows:

5 Section 521. Any person who by force or fraud rescues or
6 attempts to rescue, or aids another person in rescuing or in
7 attempting to rescue, any prisoner from any officer or other person
8 having him in lawful custody, is punishable as follows:

9 1. If such prisoner was in custody upon a charge or conviction
10 of a felony, such person shall be guilty of a Class B1 felony
11 offense and shall be punished by imprisonment in the State
12 Penitentiary for not less than ten (10) years; or

13 2. If such prisoner was in custody otherwise than upon a charge
14 or conviction of a felony, by imprisonment in a county jail not
15 exceeding one (1) year, or by fine not exceeding Five Hundred
16 Dollars (\$500.00), or by both such fine and imprisonment.

17 SECTION 44. AMENDATORY 21 O.S. 2021, Section 813, is
18 amended to read as follows:

19 Section 813. Every person who willfully, in any manner,
20 advises, encourages, abets, or assists another person in taking his
21 own life, is guilty of aiding suicide, a Class B1 felony offense.

22 SECTION 45. AMENDATORY 21 O.S. 2021, Section 814, is
23 amended to read as follows:

24

1 Section 814. Every person who willfully furnishes another
2 person with any deadly weapon or poisonous drug, knowing that such
3 person intends to use such weapon or drug in taking his own life, is
4 guilty of aiding suicide, a Class B1 felony offense, if such person
5 thereafter employs such instrument or drug in taking his own life.

6 SECTION 46. AMENDATORY 21 O.S. 2021, Section 817, is
7 amended to read as follows:

8 Section 817. Any person guilty of aiding suicide shall be
9 guilty of a Class B1 felony offense punishable by imprisonment in
10 the State Penitentiary for not less than seven (7) years.

11 SECTION 47. AMENDATORY 21 O.S. 2021, Section 832, is
12 amended to read as follows:

13 Section 832. A. 1. No person shall willfully mingle any
14 poison, Schedule I through V drug pursuant to the provisions of
15 Sections 2-203 through 2-212 of Title 63 of the Oklahoma Statutes,
16 or sharp object, or any other object or substance which if used in a
17 manner which is not customary or usual is harmful to human life,
18 with any food, drink, medicine, or patent or proprietary medicine
19 with intent that the same shall be taken, consumed, applied, or used
20 in any manner by any human being to his injury; and

21 2. Unless authorized by law, no person shall willfully poison
22 or place any Schedule I through V drug pursuant to the provisions of
23 Sections 2-203 through 2-212 of Title 63 of the Oklahoma Statutes or
24 any other object or substance which if used in a manner which is not

1 customary or usual is harmful to human life in any spring, well, or
2 reservoir of water.

3 B. Any person convicted of violating any of the provisions of
4 this section shall be guilty of a Class B1 felony offense,
5 punishable by imprisonment in the State Penitentiary for not less
6 than five (5) years, or by a fine of not less than One Thousand
7 Dollars (\$1,000.00), or by both such fine and imprisonment.

8 SECTION 48. AMENDATORY 21 O.S. 2021, Section 888, as
9 amended by Section 1, Chapter 260, O.S.L. 2022 (21 O.S. Supp. 2024,
10 Section 888), is amended to read as follows:

11 Section 888. A. Any person who forces another person to engage
12 in the detestable and abominable crime against nature, pursuant to
13 Section 886 of this title, upon conviction, is guilty of a Class B1
14 felony offense punishable by imprisonment in the custody of the
15 Department of Corrections for a period of not more than twenty (20)
16 years. Except for persons sentenced to life or life without parole,
17 any person sentenced to imprisonment for two (2) years or more for a
18 violation of this subsection shall be required to serve a term of
19 post-imprisonment supervision pursuant to subparagraph f of
20 paragraph 1 of subsection A of Section 991a of Title 22 of the
21 Oklahoma Statutes under conditions determined by the Department of
22 Corrections. The jury shall be advised that the mandatory post-
23 imprisonment supervision shall be in addition to the actual
24 imprisonment. Any person convicted of a second violation of this

1 section, where the victim of the second offense is a person under
2 sixteen (16) years of age, shall not be eligible for probation,
3 suspended or deferred sentence. Any person convicted of a third or
4 subsequent violation of this section, where the victim of the third
5 or subsequent offense is a person under sixteen (16) years of age,
6 shall be punished by imprisonment in the custody of the Department
7 of Corrections for a term of life or life without parole, in the
8 discretion of the jury, or in case the jury fails or refuses to fix
9 punishment then the same shall be pronounced by the court. Any
10 person convicted of a violation of this subsection after having been
11 twice convicted of a violation of subsection A of Section 1114 of
12 this title, a violation of Section 1123 of this title or sexual
13 abuse of a child pursuant to Section 843.5 of this title, or of any
14 attempt to commit any of these offenses or any combination of the
15 offenses, shall be punished by imprisonment in the custody of the
16 Department of Corrections for a term of life or life without parole.

17 B. The crime of forcible sodomy, a Class B1 felony offense,
18 shall include:

19 1. Sodomy committed by a person over eighteen (18) years of age
20 upon a person under sixteen (16) years of age;

21 2. Sodomy committed upon a person incapable through mental
22 illness or any unsoundness of mind of giving legal consent
23 regardless of the age of the person committing the crime;
24

1 3. Sodomy accomplished with any person by means of force,
2 violence, or threats of force or violence accompanied by apparent
3 power of execution regardless of the age of the victim or the person
4 committing the crime;

5 4. Sodomy committed by a state, county, municipal or political
6 subdivision employee or a contractor or an employee of a contractor
7 of the state, a county, a municipality or political subdivision of
8 this state upon a person who is under the legal custody, supervision
9 or authority of a state agency, a county, a municipality or a
10 political subdivision of this state, or the subcontractor or
11 employee of a subcontractor of the contractor of the state or
12 federal government, a county, a municipality or a political
13 subdivision of this state;

14 5. Sodomy committed upon a person who is at least sixteen (16)
15 years of age but less than twenty (20) years of age and is a student
16 of any public or private secondary school, junior high or high
17 school, or public vocational school, with a person who is eighteen
18 (18) years of age or older and is employed by a school system;

19 6. Sodomy committed upon a student at a secondary school who is
20 concurrently enrolled at an institution of higher education by an
21 employee of the institution of higher education of which the student
22 is enrolled;

1 7. Sodomy committed upon a person who is at the time
2 unconscious of the nature of the act, and this fact should be known
3 to the accused; or

4 8. Sodomy committed upon a person where the person is
5 intoxicated by a narcotic or anesthetic agent administered by or
6 with the privity of the accused as a means of forcing the person to
7 submit.

8 C. "Employee of an institution of higher education", for
9 purposes of this section, means faculty, adjunct faculty,
10 instructors, volunteers, or an employee of a business contracting
11 with an institution of higher education who may exercise, at any
12 time, institutional authority over the victim. Employee of an
13 institution of higher education shall not include an enrolled
14 student who is not more than three (3) years of age or older than
15 the concurrently enrolled student and who is employed or
16 volunteering, in any capacity, for the institution of higher
17 education.

18 SECTION 49. AMENDATORY 21 O.S. 2021, Section 1021.2, as
19 amended by Section 1, Chapter 103, O.S.L. 2024 (21 O.S. Supp. 2024,
20 Section 1021.2), is amended to read as follows:

21 Section 1021.2. A. Any person who shall procure or cause the
22 participation of any minor under the age of eighteen (18) years in
23 any child pornography or obscene material or who knowingly
24 possesses, views, accesses, shares, streams, downloads, procures,

1 sells, distributes, or manufactures, or causes to be possessed,
2 viewed, accessed, shared, streamed, downloaded, procured, sold,
3 distributed, or manufactured any child pornography shall, upon
4 conviction, be guilty of a Class B1 felony offense and shall be
5 punished by imprisonment in the custody of the Department of
6 Corrections for not more than twenty (20) years and by the
7 imposition of a fine of not more than Twenty-five Thousand Dollars
8 (\$25,000.00). Persons convicted under this section shall not be
9 eligible for a deferred sentence. Except for persons sentenced to
10 life or life without parole, any person sentenced to imprisonment
11 for two (2) years or more for a violation of this subsection shall
12 be required to serve a term of post-imprisonment supervision
13 pursuant to subparagraph f of paragraph 1 of subsection A of Section
14 991a of Title 22 of the Oklahoma Statutes under conditions
15 determined by the Department of Corrections. The jury shall be
16 advised that the mandatory post-imprisonment supervision shall be in
17 addition to the actual imprisonment.

18 B. The consent of the minor, or of the mother, father, legal
19 guardian, or custodian of the minor to the activity prohibited by
20 this section shall not constitute a defense.

21 SECTION 50. AMENDATORY 21 O.S. 2021, Section 1021.3, as
22 amended by Section 10, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024,
23 Section 1021.3), is amended to read as follows:

24

1 Section 1021.3. A. Any parent, guardian or individual having
2 custody of a minor under the age of eighteen (18) years who
3 knowingly permits or consents to the participation of a minor in any
4 child sexual abuse material shall be guilty of a Class B1 felony
5 offense and, upon conviction, shall be ~~imprisoned~~ punished by
6 imprisonment in the custody of the Department of Corrections for a
7 period of not more than twenty (20) years or a fine of not more than
8 Twenty-five Thousand Dollars (\$25,000.00) or by both such fine and
9 imprisonment. Persons convicted under this section shall not be
10 eligible for a deferred sentence. Except for persons sentenced to
11 life or life without parole, any person sentenced to imprisonment
12 for two (2) years or more for a violation of this subsection shall
13 be required to serve a term of post-imprisonment supervision
14 pursuant to subparagraph f of paragraph 1 of subsection A of Section
15 991a of Title 22 of the Oklahoma Statutes under conditions
16 determined by the Department of Corrections. The jury shall be
17 advised that the mandatory post-imprisonment supervision shall be in
18 addition to the actual imprisonment.

19 B. The consent of the minor to the activity prohibited by this
20 section shall not constitute a defense.

21 SECTION 51. AMENDATORY 21 O.S. 2021, Section 1024.2, as
22 amended by Section 15, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024,
23 Section 1024.2), is amended to read as follows:

24

1 Section 1024.2. It shall be unlawful for any person to buy,
2 procure or possess child sexual abuse material in violation of
3 Sections 1024.1 through 1024.4 of this title. Such person shall,
4 upon conviction, be guilty of a Class B1 felony offense and shall be
5 ~~imprisoned~~ punished by imprisonment for a period of not more than
6 twenty (20) years or a fine up to, but not exceeding, Twenty-five
7 Thousand Dollars (\$25,000.00) or by both such fine and imprisonment.

8 SECTION 52. AMENDATORY 21 O.S. 2021, Section 1029, as
9 last amended by Section 3, Chapter 151, O.S.L. 2024 (21 O.S. Supp.
10 2024, Section 1029), is amended to read as follows:

11 Section 1029. A. It shall further be unlawful:

12 1. To engage in prostitution, lewdness, or assignation;

13 2. To solicit, induce, or entice another person to pay or
14 provide money or any other item or service of value to engage in an
15 act of lewdness, assignation, or prostitution, with himself or
16 herself;

17 3. To reside in, enter, or remain in any house, place,
18 building, or other structure, or to enter or remain in any vehicle,
19 trailer, or other conveyance with the intent of committing an act of
20 prostitution, lewdness, or assignation;

21 4. To knowingly offer money or any other item or service of
22 value, or agree to provide or pay money or any other item or service
23 of value to, or on behalf of, another person, for the purpose of
24

1 engaging in sexual conduct, as defined in subsection B of Section
2 1024.1 of this title, with that person or another; or

3 5. To aid, abet, or participate in the doing of any of the acts
4 prohibited in paragraph 1, 2, 3, or 4 of this subsection.

5 B. Any prohibited act described in paragraph 1, 2, 3, 4, or 5
6 of subsection A of this section is a Class B4 felony offense. Any
7 prohibited act described in paragraph 1, 2, 3, 4, or 5 of subsection
8 A of this section committed with a person under eighteen (18) years
9 of age is a Class B1 felony offense and shall be deemed child sex
10 trafficking, as defined in Section 1030 of this title, and shall be
11 punishable as provided in Section 1031 of this title.

12 C. No child who is a victim of human trafficking shall be
13 subject to juvenile delinquency or criminal proceedings for the
14 offenses described in subsection A of this section which occurred as
15 a result of the child being a victim of human trafficking.

16 SECTION 53. AMENDATORY 21 O.S. 2021, Section 1087, as
17 amended by Section 6, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024,
18 Section 1087), is amended to read as follows:

19 Section 1087. A. No person shall:

20 1. Offer, or offer to secure, a child under eighteen (18) years
21 of age for the purpose of child sex trafficking, or for any other
22 lewd or indecent act, or procure or offer to procure a child for, or
23 a place for a child as an inmate in, a house of prostitution or
24 other place where prostitution is practiced;

1 2. Receive or to offer or agree to receive any child under
2 eighteen (18) years of age into any house, place, building, other
3 structure, vehicle, trailer, or other conveyance for the purpose of
4 child sex trafficking, lewdness, or assignation, or to permit any
5 person to remain there for such purpose; or

6 3. Direct, take, or transport, or to offer or agree to take or
7 transport, or aid or assist in transporting, any child under
8 eighteen (18) years of age to any house, place, building, other
9 structure, vehicle, trailer, or other conveyance, or to any other
10 person with knowledge or having reasonable cause to believe that the
11 purpose of such directing, taking, or transporting is child sex
12 trafficking, lewdness, or assignation.

13 B. 1. Any person violating the provisions of paragraph 1 of
14 subsection A of this section shall, upon conviction, be guilty of a
15 Class B4 felony offense punishable by imprisonment of not less than
16 one (1) year nor more than ten (10) years. Any person violating the
17 provisions of paragraph 2 or 3 of subsection A of this section
18 shall, upon conviction, be guilty of a Class B1 felony offense
19 punishable by imprisonment of not less than one (1) year nor more
20 than ten (10) years.

21 2. Any owner, proprietor, keeper, manager, conductor, or other
22 person who knowingly permits any violation of this section in any
23 house, building, room, or other premises or any conveyances under
24 his or her control or of which he or she has possession shall, upon

1 conviction for the first offense, be guilty of a misdemeanor and
2 punishable by imprisonment in the county jail for a period of not
3 less than six (6) months nor more than one (1) year, and by a fine
4 of not less than Five Hundred Dollars (\$500.00) nor more than Five
5 Thousand Dollars (\$5,000.00). Upon conviction for a subsequent
6 offense pursuant to this subsection, such person shall be guilty of
7 a Class B1 felony offense and shall be punished by imprisonment in
8 the custody of the Department of Corrections for a period of not
9 less than one (1) year nor more than ten (10) years, or by a fine of
10 not less than Five Thousand Dollars (\$5,000.00) nor more than
11 Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and
12 imprisonment.

13 C. Except for persons sentenced to life or life without parole,
14 any person sentenced to imprisonment for two (2) years or more for a
15 violation of this section shall be required to serve a term of post-
16 imprisonment supervision pursuant to subparagraph f of paragraph 1
17 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
18 under conditions determined by the Department of Corrections. The
19 jury shall be advised that the mandatory post-imprisonment
20 supervision shall be in addition to the actual imprisonment.

21 SECTION 54. AMENDATORY 21 O.S. 2021, Section 1088, as
22 amended by Section 7, Chapter 151, O.S.L. 2024 (21 O.S. Supp. 2024,
23 Section 1088), is amended to read as follows:

24 Section 1088. A. No person shall:

1 1. By promise, threats, violence, or by any device or scheme,
2 including but not limited to the use of any controlled dangerous
3 substance prohibited pursuant to the provisions of the Uniform
4 Controlled Dangerous Substances Act, cause, induce, persuade, or
5 encourage a child under eighteen (18) years of age to engage or
6 continue to engage in child sex trafficking or to become or remain
7 an inmate of a house of prostitution or other place where
8 prostitution is practiced;

9 2. Keep, hold, detain, restrain, or compel against his or her
10 will any child under eighteen (18) years of age to engage in the
11 practice of child sex trafficking or in a house of prostitution or
12 other place where child sex trafficking is practiced or allowed; or

13 3. Directly or indirectly keep, hold, detain, restrain, or
14 compel or attempt to keep, hold, detain, restrain, or compel a child
15 under eighteen (18) years of age to engage in the practice of child
16 sex trafficking or in a house of prostitution or any place where
17 prostitution is practiced or allowed for the purpose of compelling
18 such child to directly or indirectly pay, liquidate, or cancel any
19 debt, dues, or obligations incurred, or said to have been incurred,
20 by such child.

21 B. 1. Any person violating the provisions of this section
22 other than paragraph 2 of this subsection, upon conviction, shall be
23 guilty of a Class B1 felony offense punishable by imprisonment in
24 the custody of the Department of Corrections for not less than one

1 (1) year nor more than twenty-five (25) years, and by a fine of not
2 less than Five Thousand Dollars (\$5,000.00) nor more than Twenty-
3 five Thousand Dollars (\$25,000.00).

4 2. Any owner, proprietor, keeper, manager, conductor, or other
5 person who knowingly permits a violation of this section in any
6 house, building, room, tent, lot or premises under his or her
7 control or of which he or she has possession, upon conviction for
8 the first offense, shall be guilty of a misdemeanor punishable by
9 imprisonment in the county jail for a period of not less than six
10 (6) months nor more than one (1) year, and by a fine of not more
11 than Five Thousand Dollars (\$5,000.00). Upon conviction for a
12 subsequent offense pursuant to the provisions of this paragraph,
13 such person shall be guilty of a Class B1 felony offense punishable
14 by imprisonment in the custody of the Department of Corrections for
15 a period of not less than one (1) year nor more than ten (10) years,
16 and by a fine of not less than Five Thousand Dollars (\$5,000.00) nor
17 more than Twenty-five Thousand Dollars (\$25,000.00).

18 C. Except for persons sentenced to life or life without parole,
19 any person sentenced to imprisonment for two (2) years or more for a
20 violation of this section shall be required to serve a term of post-
21 imprisonment supervision pursuant to subparagraph f of paragraph 1
22 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
23 under conditions determined by the Department of Corrections. The
24

1 jury shall be advised that the mandatory post-imprisonment
2 supervision shall be in addition to the actual imprisonment.

3 SECTION 55. AMENDATORY 21 O.S. 2021, Section 1266, is
4 amended to read as follows:

5 Section 1266. Any person above the age of eighteen (18) years
6 who advocates revolution, teaches or justifies a program of
7 sabotage, force and violation, sedition or treason against the
8 government of the United States or of this state, or who directly or
9 indirectly advocates or teaches by any means the overthrow of the
10 government of the United States or of this state by force or any
11 unlawful means shall be guilty of a Class B1 felony offense, and
12 upon conviction shall be punished by imprisonment in the State
13 Penitentiary from five (5) years to life.

14 SECTION 56. AMENDATORY 21 O.S. 2021, Section 1266.4, is
15 amended to read as follows:

16 Section 1266.4. A. It shall be unlawful for any person
17 knowingly or willfully to:

18 ~~(1)~~ 1. Commit, attempt to commit, or aid in the commission of
19 any act intended to overthrow, destroy, or alter, or to assist in
20 the overthrow, destruction, or alteration of, the constitutional
21 form of the government of the United States, or of the State of
22 Oklahoma, or of any political subdivision of either of them, by
23 force or violence; or
24

1 ~~(2)~~ 2. Advocate, abet, advise, or teach by any means any person
2 to commit, attempt to commit, or aid in the commission of any such
3 act, under such circumstances as to constitute a clear and present
4 danger to the security of the United States, or of the State of
5 Oklahoma, or of any political subdivision of either of them; or

6 ~~(3)~~ 3. Conspire with one or more persons to commit any of the
7 above acts; or

8 ~~(4)~~ 4. Assist in the formation of, or participate in the
9 management of, or contribute to the support of, or become or remain
10 a member of, or destroy any books or records or files of, or secrete
11 any funds in this state of the Communist Party of the United States
12 or any component or related part or organization thereof, or any
13 organization which engages in or advocates, abets, advises, or
14 teaches, or a purpose of which is to engage in or advocate, abet,
15 advise or teach, any activities intended to overthrow, destroy, or
16 alter, or to assist in the overthrow, destruction, or alteration of,
17 the constitutional form of the government of the United States, or
18 of the State of Oklahoma, or of any political subdivision of either
19 of them, by force or violence, knowing the nature of such
20 organization.

21 B. Any person who violates the provisions of this section
22 shall, upon conviction, be guilty of a Class B1 felony offense.

23 SECTION 57. AMENDATORY 21 O.S. 2021, Section 1266.5, is
24 amended to read as follows:

1 Section 1266.5. Any person who shall violate any of the
2 provisions of Section 1266.4 of this title shall be guilty of a
3 Class B1 felony offense, and upon conviction thereof shall be fined
4 not more than Twenty Thousand Dollars (\$20,000.00), or imprisoned
5 not less than one (1) year nor more than twenty (20) years in the
6 State Penitentiary, or may be both so fined and imprisoned. No
7 person convicted of any violation of this act shall ever be entitled
8 to suspension or probation of sentence by the trial court.

9 SECTION 58. AMENDATORY 21 O.S. 2021, Section 1268.5, is
10 amended to read as follows:

11 Section 1268.5. A. Every person who, without justifiable or
12 excusable cause, willfully commits biochemical assault against
13 another person shall be punished as provided in this section.

14 B. Every act of biochemical assault is a misdemeanor punishable
15 by imprisonment in the county jail for a term of not more than one
16 (1) year, or by a fine not to exceed One Thousand Dollars
17 (\$1,000.00), or by both such fine and imprisonment when the person
18 knows the substance or material used to commit biochemical assault
19 is not toxic, noxious, or lethal to humans. In addition to any term
20 of imprisonment imposed for biochemical assault, the person shall be
21 ordered to make restitution to the victim and to reimburse the cost
22 of any emergency personnel, equipment, supplies, and other expenses
23 incurred by the state and any political subdivision as a result of
24 responding to such act.

1 C. Every act of biochemical assault is a Class B1 felony
2 offense punishable by imprisonment in the State Penitentiary for a
3 term of not more than ten (10) years when the person knows the
4 substance or material used to commit biochemical assault is toxic,
5 noxious, or lethal to humans. In addition to any term of
6 imprisonment imposed for biochemical assault, the person shall be
7 ordered to make restitution to the victim and to reimburse the cost
8 of any emergency personnel, equipment, supplies, and other expenses
9 incurred by the state and any political subdivision as a result of
10 responding to such act.

11 SECTION 59. AMENDATORY 21 O.S. 2021, Section 1287, is
12 amended to read as follows:

13 Section 1287.

14 USE OF FIREARM WHILE COMMITTING A FELONY

15 A. Any person who, while committing or attempting to commit a
16 felony, possesses a pistol, shotgun or rifle or any other offensive
17 weapon in such commission or attempt, whether the pistol, shotgun or
18 rifle is loaded or not, or who possesses a blank or imitation
19 pistol, altered air or toy pistol, shotgun or rifle capable of
20 raising in the mind of one threatened with such device a fear that
21 it is a real pistol, shotgun or rifle, or who possesses an air gun
22 or carbon dioxide or other gas-filled weapon, electronic dart gun,
23 conductive energy weapon, knife, dagger, dirk, switchblade knife,
24 blackjack, ax, loaded cane, billy, hand chain or metal knuckles, in

1 addition to the penalty provided by statute for the felony committed
2 or attempted shall, upon conviction, be guilty of a Class B4 felony
3 offense for possessing such weapon or device, which shall be a
4 separate offense from the felony committed or attempted and shall be
5 punishable by imprisonment in the custody of the Department of
6 Corrections for a period of not less than two (2) years nor for more
7 than ten (10) years for the first offense, and guilty of a Class B1
8 felony offense punishable for a period of not less than ten (10)
9 years nor more than thirty (30) years for any second or subsequent
10 offense.

11 B. Any person convicted of violating the provisions of this
12 section after having been issued a handgun license pursuant to the
13 provisions of the Oklahoma Self-Defense Act shall have the license
14 revoked and shall be liable for an administrative fine of One
15 Thousand Dollars (\$1,000.00) upon a hearing and determination by the
16 Oklahoma State Bureau of Investigation that the person is in
17 violation of the provisions of this section.

18 C. As used in this section:

19 1. "Altered toy pistol" shall mean any toy weapon which has
20 been altered from its original manufactured state to resemble a real
21 weapon; and

22 2. "Altered air pistol" shall mean any air pistol manufactured
23 to propel projectiles by air pressure which has been altered from
24 its original manufactured state.

1 SECTION 60. AMENDATORY 21 O.S. 2021, Section 1289.17A,
2 is amended to read as follows:

3 Section 1289.17A.

4 FELONY DISCHARGING FIREARMS

5 It shall be unlawful for any person to willfully or
6 intentionally discharge any firearm or other deadly weapon at or
7 into any dwelling, or at or into any building used for public or
8 business purposes. Any violation of the provisions of this section
9 shall be a Class B1 felony offense punishable by imprisonment in the
10 custody of the Department of Corrections for a term not less than
11 two (2) years nor more than twenty (20) years. The provisions of
12 this section shall not apply to any law enforcement officer in the
13 performance of any lawful duty.

14 SECTION 61. AMENDATORY 21 O.S. 2021, Section 1431, is
15 amended to read as follows:

16 Section 1431. Every person who breaks into and enters the
17 dwelling house of another, in which there is at the time some human
18 being, with intent to commit some crime therein, either:

19 1. By forcibly bursting or breaking the wall, or an outer door,
20 window, or shutter of a window of such house or the lock or bolts of
21 such door, or the fastening of such window or shutter; or

22 2. By breaking in any other manner, being armed with a
23 dangerous weapon or being assisted or aided by one or more
24 confederates then actually present; or

1 3. By unlocking an outer door by means of false keys or by
2 picking the lock thereof, or by lifting a latch or opening a window,
3 is guilty of burglary in the first degree, a Class B1 felony
4 offense.

5 SECTION 62. AMENDATORY 21 O.S. 2021, Section 1903, is
6 amended to read as follows:

7 Section 1903. A. No person shall by force or violence, or
8 threat of force or violence, seize or exercise control of any bus.
9 Any person violating this subsection shall be guilty of a Class B1
10 felony offense and shall, upon conviction, be punished by
11 imprisonment in the custody of the Department of Corrections for not
12 more than twenty (20) years, or by a fine of not more than Twenty
13 Thousand Dollars (\$20,000.00), or by both such fine and
14 imprisonment.

15 B. In addition, no person shall intimidate, threaten, assault
16 or batter any driver, attendant, guard or passenger of any bus with
17 intent to violate subsection A of this section. Any person
18 violating this subsection shall be guilty of a Class B4 felony
19 offense and shall, upon conviction, be punished by imprisonment in
20 the custody of the Department for not more than ten (10) years, or
21 by a fine of not more than Five Thousand Dollars (\$5,000.00), or by
22 both such fine and imprisonment.

23 C. In addition, any person violating subsection A or B of this
24 section using a dangerous or deadly weapon shall be guilty of a

1 Class B1 felony offense, and shall, upon conviction, be punished by
2 imprisonment in the custody of the Department for not more than
3 twenty (20) years, or by a fine of not more than Twenty Thousand
4 Dollars (\$20,000.00), or by both such fine and imprisonment.

5 D. It shall be unlawful for any person to discharge any firearm
6 into or within any bus, terminal or other transportation facility,
7 unless such action is determined to have been in defensive force
8 resulting from reasonable fear of imminent peril of death or great
9 bodily harm to himself or herself or another. Such person shall,
10 upon conviction, be guilty of a Class B4 felony offense punishable
11 by a fine of not more than Five Thousand Dollars (\$5,000.00), or by
12 imprisonment for not more than five (5) years, or both.

13 SECTION 63. AMENDATORY 21 O.S. 2021, Section 2001, is
14 amended to read as follows:

15 Section 2001. A. It is unlawful for any person knowingly or
16 intentionally to receive or acquire proceeds and to conceal such
17 proceeds, or engage in transactions involving such proceeds, known
18 to be derived from a specified unlawful activity, as defined in
19 subsection F of this section. This subsection does not apply to any
20 transaction between an individual and the counsel of the individual
21 necessary to preserve the right to representation of the individual,
22 as guaranteed by the Oklahoma Constitution and by the Sixth
23 Amendment of the United States Constitution. However, this
24 exception does not create any presumption against or prohibition of

1 the right of the state to seek and obtain forfeiture of any proceeds
2 derived from a violation of the Oklahoma Statutes.

3 B. It is unlawful for any person knowingly or intentionally to
4 give, sell, transfer, trade, invest, conceal, transport, or maintain
5 an interest in or otherwise make available anything of value which
6 that person knows is intended to be used for the purpose of
7 committing or furthering the commission of a specified unlawful
8 activity, as defined in subsection F of this section.

9 C. It is unlawful for any person knowingly or intentionally to
10 direct, plan, organize, initiate, finance, manage, supervise, or
11 facilitate the transportation or transfer of proceeds known to be
12 derived from a specified unlawful activity, as defined in subsection
13 F of this section.

14 D. It is unlawful for any person knowingly or intentionally to
15 conduct a financial transaction involving proceeds derived from a
16 specified unlawful activity, as defined in subsection F of this
17 section, when the transaction is designed in whole or in part to
18 conceal or disguise the nature, location, source, ownership, or
19 control of the proceeds known to be derived from a violation of the
20 Oklahoma Statutes, or to avoid a transaction reporting requirement
21 under state or federal law.

22 E. Notwithstanding any other provision of this section, it
23 shall be lawful for an organization engaged in the business of
24 banking to receive deposits and payments, to pay checks and other

1 withdrawals, and to process any other financial transaction for its
2 customers in the ordinary course of business if it has no actual
3 knowledge of any violation of the Oklahoma Statutes by that
4 customer. If an organization engaged in the business of banking,
5 acting in good faith and without actual knowledge of any violation
6 of the Oklahoma Statutes by its customer, acquires a security
7 interest or statutory lien with respect to a customer's funds, that
8 customer's funds which are subject to the security interest or lien
9 shall not be subject to forfeiture action, to the extent of the
10 amount of that customer's indebtedness to the banking organization.

11 F. For purposes of this section, "specified unlawful activity"
12 means an act or omission, including any initiatory, preparatory, or
13 completed offense or omission that is punishable as a misdemeanor or
14 felony under the laws of Oklahoma, or if the act occurred outside
15 Oklahoma would be punishable as a misdemeanor or felony under the
16 laws of the state in which it occurred and under the laws of
17 Oklahoma.

18 G. Any person convicted of violating any of the provisions of
19 this section is guilty of:

20 1. A misdemeanor, if the violation involves Two Thousand Five
21 Hundred Dollars (\$2,500.00) or less;

22 2. A Class D3 felony offense, punishable by imprisonment ~~for~~
23 ~~not more than two (2) years~~ as provided for in subsections B through
24 F of Section 20P of this title if the violation involves more than

1 Two Thousand Five Hundred Dollars (\$2,500.00), but not more than Ten
2 Thousand Dollars (\$10,000.00);

3 3. A Class C1 felony offense, punishable by imprisonment ~~for~~
4 ~~not less than two (2) years and not more than ten (10) years as~~
5 provided for in subsections B through E of Section 20L of this title
6 if the violation involves more than Ten Thousand Dollars
7 (\$10,000.00), but not more than Fifty Thousand Dollars (\$50,000.00);
8 or

9 4. A Class B1 felony offense, punishable by imprisonment for
10 not less than five (5) years and not more than twenty (20) years if
11 the violation involves more than Fifty Thousand Dollars
12 (\$50,000.00).

13 H. In addition to any criminal penalty, a person who violates
14 any provision of this section shall be subject to a civil penalty of
15 three (3) times the value of the property involved in the
16 transaction. The civil penalty provided in this subsection shall be
17 split evenly between the prosecuting agency and the investigating
18 law enforcement agency.

19 SECTION 64. AMENDATORY 22 O.S. 2021, Section 1404, is
20 amended to read as follows:

21 Section 1404. A. Any person convicted of violating any
22 provision of Section 1403 of this title shall be guilty of a Class
23 B1 felony offense and shall be punished by a term of imprisonment in
24 the custody of the Department of Corrections of not less than ten

1 (10) years and shall not be eligible for a deferred sentence,
2 probation, suspension, work furlough, or release from confinement on
3 any other basis until the person has served one-half (1/2) of the
4 sentence. A violation of each of the provisions of Section 1403 of
5 this title shall be a separate offense.

6 B. In lieu of the fine authorized by the Oklahoma Racketeer-
7 Influenced and Corrupt Organizations Act, any person convicted of
8 violating any provision of Section 1403 of this title, through which
9 the person derived pecuniary value, or by which the person caused
10 personal injury, or property damage or other loss, may be sentenced
11 to pay a fine that does not exceed three times the gross value
12 gained or three times the gross loss caused, whichever is greater,
13 plus court costs and the costs of investigation and prosecution
14 reasonably incurred, less the value of any property ordered
15 forfeited pursuant to the provisions of subsection A of Section 1405
16 of this title. The district court shall hold a separate hearing to
17 determine the amount of the fine authorized by the provisions of
18 this subsection.

19 C. No person shall institute any proceedings, civil or
20 criminal, pursuant to the provisions of this act, except the
21 Attorney General, any district attorney or any district attorney
22 appointed under the provisions of Section 215.9 of Title 19 of the
23 Oklahoma Statutes.

1 SECTION 65. AMENDATORY 47 O.S. 2021, Section 11-904, is
2 amended to read as follows:

3 Section 11-904. A. Any person who is involved in a personal
4 injury accident while driving or operating a motor vehicle within
5 this state and who is in violation of the provisions of subsection A
6 of Section 11-902 of this title may be charged with a violation of
7 the provisions of this subsection as follows:

8 1. Any person who is convicted of a violation of the provisions
9 of this subsection shall be deemed guilty of a misdemeanor for the
10 first offense and shall be punished by imprisonment in the county
11 jail for not less than ninety (90) days nor more than one (1) year,
12 and a fine of not more than Two Thousand Five Hundred Dollars
13 (\$2,500.00); and

14 2. Any person who is convicted of a violation of the provisions
15 of this subsection after having been previously convicted of a
16 violation of this subsection or of Section 11-902 of this title
17 shall be deemed guilty of a Class B5 felony offense and shall be
18 punished by imprisonment in the custody of the Department of
19 Corrections for not less than one (1) year and not more than five
20 (5) years, and a fine of not more than Five Thousand Dollars
21 (\$5,000.00).

22 B. 1. Any person who causes an accident resulting in great
23 bodily injury to any person other than himself while driving or
24 operating a motor vehicle within this state and who is in violation

1 of the provisions of subsection A of Section 11-902 of this title
2 may be charged with a violation of the provisions of this
3 subsection. Any person who is convicted of a violation of the
4 provisions of this subsection shall be deemed guilty of a Class B1
5 felony offense punishable by imprisonment in the custody of the
6 Department of Corrections for not less than four (4) years and not
7 more than twenty (20) years, and a fine of not more than Five
8 Thousand Dollars (\$5,000.00).

9 2. As used in this subsection, "great bodily injury" means
10 bodily injury which creates a substantial risk of death or which
11 causes serious, permanent disfigurement or protracted loss or
12 impairment of the function of any bodily member or organ.

13 SECTION 66. AMENDATORY 63 O.S. 2021, Section 2-415, is
14 amended to read as follows:

15 Section 2-415. A. The provisions of the Trafficking in Illegal
16 Drugs Act shall apply to persons convicted of violations with
17 respect to the following substances:

- 18 1. Marijuana;
- 19 2. Cocaine or coca leaves;
- 20 3. Heroin;
- 21 4. Amphetamine or methamphetamine;
- 22 5. Lysergic acid diethylamide (LSD);
- 23 6. Phencyclidine (PCP);
- 24 7. Cocaine base, commonly known as "crack" or "rock";

1 8. 3,4-Methylenedioxy methamphetamine, commonly known as
2 "ecstasy" or MDMA;

3 9. Morphine;

4 10. Oxycodone;

5 11. Hydrocodone;

6 12. Benzodiazepine; or

7 13. Fentanyl and its analogs and derivatives.

8 B. Except as otherwise authorized by the Uniform Controlled
9 Dangerous Substances Act, it shall be unlawful for any person to:

10 1. Knowingly distribute, manufacture, bring into this state or
11 possess a controlled substance specified in subsection A of this
12 section in the quantities specified in subsection C of this section;

13 2. Possess any controlled substance with the intent to
14 manufacture a controlled substance specified in subsection A of this
15 section in quantities specified in subsection C of this section; or

16 3. Use or solicit the use of services of a person less than
17 eighteen (18) years of age to distribute or manufacture a controlled
18 dangerous substance specified in subsection A of this section in
19 quantities specified in subsection C of this section.

20 Violation of this section shall be known as "trafficking in
21 illegal drugs". Separate types of controlled substances described
22 in subsection A of this section when possessed at the same time in
23 violation of any provision of this section shall constitute a
24 separate offense for each substance.

1 Any person who commits the conduct described in paragraph 1, 2
2 or 3 of this subsection and represents the quantity of the
3 controlled substance to be an amount described in subsection C of
4 this section shall be punished under the provisions appropriate for
5 the amount of controlled substance represented, regardless of the
6 actual amount.

7 C. In the case of a violation of the provisions of subsection B
8 of this section, involving:

9 1. Marijuana:

10 a. twenty-five (25) pounds or more of a mixture or
11 substance containing a detectable amount of marijuana
12 shall be a Class B3 felony offense punishable by a
13 fine of not less than Twenty-five Thousand Dollars
14 (\$25,000.00) and not more than One Hundred Thousand
15 Dollars (\$100,000.00), or

16 b. one thousand (1,000) pounds or more of a mixture or
17 substance containing a detectable amount of marijuana
18 shall be deemed aggravated trafficking, a Class B2
19 felony offense, punishable by a fine of not less than
20 One Hundred Thousand Dollars (\$100,000.00) and not
21 more than Five Hundred Thousand Dollars (\$500,000.00);

22 2. Cocaine, coca leaves or cocaine base:

23 a. twenty-eight (28) grams or more of a mixture or
24 substance containing a detectable amount of cocaine,

coca leaves or cocaine base shall be a Class B3 felony offense punishable by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00),

b. three hundred (300) grams or more of a mixture or substance containing a detectable amount of cocaine, coca leaves or cocaine base shall be a Class B3 felony offense punishable by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00), or

c. four hundred fifty (450) grams or more of a mixture or substance containing a detectable amount of cocaine, coca leaves or cocaine base shall be deemed aggravated trafficking, a Class B2 felony offense, punishable by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

3. Heroin:

a. ten (10) grams or more of a mixture or substance containing a detectable amount of heroin shall be a Class B3 felony offense punishable by a fine of not less than Twenty-five Thousand Dollars (\$25,000.00) and not more than Fifty Thousand Dollars (\$50,000.00), or

1 b. twenty-eight (28) grams or more of a mixture or
2 substance containing a detectable amount of heroin
3 shall be deemed aggravated trafficking, a Class B2
4 felony offense, punishable by a fine of not less than
5 Fifty Thousand Dollars (\$50,000.00) and not more than
6 Five Hundred Thousand Dollars (\$500,000.00);

7 4. Amphetamine or methamphetamine:

8 a. twenty (20) grams or more of a mixture or substance
9 containing a detectable amount of amphetamine or
10 methamphetamine shall be a Class B3 felony offense
11 punishable by a fine of not less than Twenty-five
12 Thousand Dollars (\$25,000.00) and not more than Two
13 Hundred Thousand Dollars (\$200,000.00),

14 b. two hundred (200) grams or more of a mixture or
15 substance containing a detectable amount of
16 amphetamine or methamphetamine shall be a Class B3
17 felony offense punishable by a fine of not less than
18 Fifty Thousand Dollars (\$50,000.00) and not more than
19 Five Hundred Thousand Dollars (\$500,000.00), or

20 c. four hundred fifty (450) grams or more of a mixture or
21 substance containing a detectable amount of
22 amphetamine or methamphetamine shall be deemed
23 aggravated trafficking, a Class B2 felony offense,
24 punishable by a fine of not less than Fifty Thousand

Dollars (\$50,000.00) and not more than Five Hundred
Thousand Dollars (\$500,000.00);

5. Lysergic acid diethylamide (LSD):

- a. one (1) gram or more of a mixture or substance
containing a detectable amount of lysergic acid
diethylamide (LSD) shall be a Class B3 felony offense
punishable by a term of imprisonment in the custody of
the Department of Corrections not to exceed twenty
(20) years and by a fine of not less than Fifty
Thousand Dollars (\$50,000.00) and not more than One
Hundred Thousand Dollars (\$100,000.00), or
- b. ten (10) grams or more of a mixture or substance
containing a detectable amount of lysergic acid
diethylamide (LSD) shall be aggravated trafficking, a
Class B2 felony offense, punishable by a term of
imprisonment in the custody of the Department of
Corrections of not less than two (2) years nor more
than life and by a fine of not less than One Hundred
Thousand Dollars (\$100,000.00) and not more than Two
Hundred Fifty Thousand Dollars (\$250,000.00);

6. Phencyclidine (PCP):

- a. twenty (20) grams or more of a substance containing a
mixture or substance containing a detectable amount of
phencyclidine (PCP) shall be trafficking, a Class B3

1 felony offense, punishable by a term of imprisonment
2 in the custody of the Department of Corrections not to
3 exceed twenty (20) years and by a fine of not less
4 than Twenty Thousand Dollars (\$20,000.00) and not more
5 than Fifty Thousand Dollars (\$50,000.00), or

6 b. one hundred fifty (150) grams or more of a substance
7 containing a mixture or substance containing a
8 detectable amount of phencyclidine (PCP) shall be
9 aggravated trafficking, a Class B2 felony offense,
10 punishable by a term of imprisonment in the custody of
11 the Department of Corrections of not less than two (2)
12 years nor more than life and by a fine of not less
13 than Fifty Thousand Dollars (\$50,000.00) and not more
14 than Two Hundred Fifty Thousand Dollars (\$250,000.00);

15 7. Methylenedioxy methamphetamine:

16 a. thirty (30) tablets or ten (10) grams of a mixture or
17 substance containing a detectable amount of 3,4-
18 Methylenedioxy methamphetamine shall be trafficking, a
19 Class B3 felony offense, punishable by a term of
20 imprisonment in the custody of the Department of
21 Corrections not to exceed twenty (20) years and by a
22 fine of not less than Twenty-five Thousand Dollars
23 (\$25,000.00) and not more than One Hundred Thousand
24 Dollars (\$100,000.00), or

b. one hundred (100) tablets or thirty (30) grams of a mixture or substance containing a detectable amount of 3,4-Methylenedioxy methamphetamine shall be deemed aggravated trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections of not less than two (2) years nor more than life and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

8. Morphine: One thousand (1,000) grams or more of a mixture containing a detectable amount of morphine shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

9. Oxycodone: Four hundred (400) grams or more of a mixture containing a detectable amount of oxycodone shall be trafficking, a Class B3 felony offense, punishable by a term of imprisonment in the custody of the Department of Corrections not to exceed twenty (20) years and by a fine of not less than One Hundred Thousand Dollars (\$100,000.00) and not more than Five Hundred Thousand Dollars (\$500,000.00);

1 10. Hydrocodone: Three thousand seven hundred fifty (3,750)
2 grams or more of a mixture containing a detectable amount of
3 hydrocodone shall be trafficking, a Class B3 felony offense,
4 punishable by a term of imprisonment in the custody of the
5 Department of Corrections not to exceed twenty (20) years and by a
6 fine of not less than One Hundred Thousand Dollars (\$100,000.00) and
7 not more than Five Hundred Thousand Dollars (\$500,000.00);

8 11. Benzodiazepine: Five hundred (500) grams or more of a
9 mixture containing a detectable amount of benzodiazepine shall be
10 trafficking, a Class B3 felony offense, punishable by a term of
11 imprisonment not to exceed twenty (20) years and by a fine of not
12 less than One Hundred Thousand Dollars (\$100,000.00) and not more
13 than Five Hundred Thousand Dollars (\$500,000.00); and

14 12. Fentanyl and its analogs and derivatives:

15 a. one (1) gram or more of a mixture containing fentanyl
16 or carfentanil, or any fentanyl analogs or
17 derivatives, shall be trafficking, a Class B3 felony
18 offense, punishable by a term of imprisonment in the
19 custody of the Department of Corrections not to exceed
20 twenty (20) years and by a fine of not less than One
21 Hundred Thousand Dollars (\$100,000.00) and not more
22 than Two Hundred Fifty Thousand Dollars (\$250,000.00),
23 or
24

1 b. five (5) grams or more of a mixture containing
2 fentanyl or carfentanil, or any fentanyl analogs or
3 derivatives, shall be aggravated trafficking, a Class
4 B1 felony offense, punishable by a term of
5 imprisonment in the custody of the Department of
6 Corrections of not less than two (2) years nor more
7 than life and by a fine of not less than Two Hundred
8 Fifty Thousand Dollars (\$250,000.00) and not more than
9 Five Hundred Thousand Dollars (\$500,000.00).

10 D. Any person who violates the provisions of this section with
11 respect to marijuana, cocaine, coca leaves, cocaine base, heroin,
12 amphetamine or methamphetamine in a quantity specified in paragraphs
13 1, 2, 3 and 4 of subsection C of this section shall, in addition to
14 any fines specified by this section, be punishable by a term of
15 imprisonment as follows:

16 1. For trafficking, a first violation of this section, a term
17 of imprisonment in the custody of the Department of Corrections not
18 to exceed twenty (20) years;

19 2. For trafficking, a second violation of this section, a term
20 of imprisonment in the Department of Corrections of not less than
21 four (4) years nor more than life, for which the person shall serve
22 fifty percent (50%) of the sentence before being eligible for parole
23 consideration;

1 3. For trafficking, a third or subsequent violation of this
2 section, a term of imprisonment in the custody of the Department of
3 Corrections of not less than twenty (20) years nor more than life,
4 of which the person shall serve fifty percent (50%) of the sentence
5 before being eligible for parole consideration.

6 Persons convicted of trafficking shall not be eligible for
7 earned credits or any other type of credits which have the effect of
8 reducing the length of sentence to less than fifty percent (50%) of
9 the sentence imposed; and

10 If the person is convicted of aggravated trafficking, the person
11 shall serve eighty-five percent (85%) of such sentence before being
12 eligible for parole consideration.

13 E. The penalties specified in subsections C and D of this
14 section are subject to the enhancements enumerated in subsections E
15 and F of Section 2-401 of this title.

16 F. Any person convicted of any offense described in this
17 section shall, in addition to any fine imposed, pay a special
18 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
19 deposited into the Trauma Care Assistance Revolving Fund created in
20 Section 1-2530.9 of this title and the assessment pursuant to
21 Section 2-503.2 of this title.

22 SECTION 67. AMENDATORY 21 O.S. 2021, Section 446, is
23 amended to read as follows:
24

1 Section 446. A. It shall be unlawful for any person to
2 transport, move, or attempt to transport in the State of Oklahoma
3 any alien knowing or in reckless disregard of the fact that the
4 alien has come to, entered, or remained in the United States in
5 violation of law, in furtherance of the illegal presence of the
6 alien in the United States.

7 B. It shall be unlawful for any person to conceal, harbor, or
8 shelter from detection any alien in any place within the State of
9 Oklahoma, including any building or means of transportation, knowing
10 or in reckless disregard of the fact that the alien has come to,
11 entered, or remained in the United States in violation of law.

12 C. It shall be unlawful for any person to intentionally
13 destroy, hide, alter, abscond with or keep documentation, including
14 birth certificates, visas, passports, green cards or other documents
15 utilized in the regular course of business to either verify or
16 legally extend an individual's legal status within the United States
17 for the purpose of trafficking a person in violation of Section 748
18 of this title.

19 D. Nothing in this section shall be construed so as to prohibit
20 or restrict the provision of any state or local public benefit
21 described in 8 U.S.C., Section 1621(b), or regulated public health
22 services provided by a private charity using private funds.

23 E. Any person violating the provisions of subsections A, B or C
24 of this section shall, upon conviction, be guilty of a Class B2

1 felony offense punishable by imprisonment in the custody of the
2 Department of Corrections for not less than one (1) year, or by a
3 fine of not less than One Thousand Dollars (\$1,000.00), or by both
4 such fine and imprisonment.

5 SECTION 68. AMENDATORY 21 O.S. 2021, Section 532, is
6 amended to read as follows:

7 Section 532. Any sheriff, coroner, clerk of a court, constable
8 or other ministerial officer and any deputy or subordinate of any
9 ministerial officer, who either:

10 1. Willfully or carelessly allows any person lawfully held by
11 him in custody to escape or go at large, except as may be permitted
12 by law; or

13 2. Receives any gratuity or reward, or any security or promise
14 of one, to procure, assist, connive at or permit any prisoner in his
15 custody to escape, whether such escape is attempted or not; or

16 3. Commits any unlawful act tending to hinder justice,
17 shall be guilty of a Class B2 felony offense.

18 SECTION 69. AMENDATORY 21 O.S. 2021, Section 741, is
19 amended to read as follows:

20 Section 741. Any person who, without lawful authority, seizes,
21 confines, inveigles, decoys, kidnaps, abducts, or carries away
22 another, with intent, either:

23 1. To cause such other person to be confined or imprisoned in
24 this state against the will of the other person; or

1 2. To cause such other person to be sent out of this state
2 against the will of the other person; or
3 3. To cause such person to be sold as a slave, or in any way
4 held to service against the will of such person,
5 shall be guilty of a Class B2 felony offense punishable by
6 imprisonment in the custody of the Department of Corrections for a
7 term not exceeding twenty (20) years. Upon any trial for a
8 violation of this section, the consent thereto of the person
9 kidnapped or confined, shall not be a defense, unless it appears
10 satisfactorily to the jury, that such person was above the age of
11 twelve (12) years, and that such consent was not extorted by threat,
12 or by duress.

13 Except for persons sentenced to life or life without parole, on
14 and after the effective date of this act, any person sentenced to
15 imprisonment for a violation of this section and the offense
16 involved sexual abuse or sexual exploitation, shall be required to
17 serve a term of post-imprisonment supervision pursuant to
18 subparagraph f of paragraph 1 of subsection A of Section 991a of
19 Title 22 of the Oklahoma Statutes under conditions determined by the
20 Department of Corrections. The jury shall be advised that the
21 mandatory post-imprisonment supervision shall be in addition to the
22 actual imprisonment.

23 SECTION 70. AMENDATORY 21 O.S. 2021, Section 856.1, is
24 amended to read as follows:

1 Section 856.1. Every person who shall knowingly, intentionally
2 or willfully cause, aid, abet or encourage a minor child to:

3 1. Distribute, dispense, possess or manufacture a controlled
4 dangerous substance, as provided in the Uniform Controlled Dangerous
5 Substances Act, Section 2-101 et seq. of Title 63 of the Oklahoma
6 Statutes;

7 2. Create, distribute, or possess a counterfeit controlled
8 dangerous substance, as defined by Section 2-101 of Title 63 of the
9 Oklahoma Statutes;

10 3. Distribute any imitation controlled substance as defined by
11 Section 2-101 of Title 63 of the Oklahoma Statutes;

12 4. Conspire or participate in any scheme, plan or act for the
13 purposes of avoiding, eluding or evading arrest or detection by law
14 enforcement authorities for crimes involving controlled substances
15 as defined by Section 2-101 of Title 63 of the Oklahoma Statutes; or

16 5. Violate any penal provisions of the Uniform Controlled
17 Dangerous Substances Act,

18 shall be guilty of a Class B2 felony offense punishable by
19 imprisonment in the State Penitentiary for a term not more than
20 twenty (20) years and a fine of not more than Two Hundred Thousand
21 Dollars (\$200,000.00). Said sentence shall not be subject to
22 statutory provisions for suspended sentences, or deferred sentences
23 except when the conviction is for a first offense.

1 SECTION 71. AMENDATORY 21 O.S. 2021, Section 866, is
2 amended to read as follows:

3 Section 866. A. 1. The crime of trafficking in children is
4 defined to consist of any of the following acts or any part thereof:

5 a. the acceptance, solicitation, offer, payment or
6 transfer of any compensation, in money, property or
7 other thing of value, at any time, by any person in
8 connection with the acquisition or transfer of the
9 legal or physical custody or adoption of a minor
10 child, except as ordered by the court or except as
11 otherwise provided by Section 7505-3.2 of Title 10 of
12 the Oklahoma Statutes,

13 b. the acceptance or solicitation of any compensation, in
14 money, property or other thing of value, by any person
15 or organization for services performed, rendered or
16 purported to be performed to facilitate or assist in
17 the adoption or foster care placement of a minor
18 child, except by the Department of Human Services, a
19 child-placing agency licensed in Oklahoma pursuant to
20 the Oklahoma Child Care Facilities Licensing Act, or
21 an attorney authorized to practice law in Oklahoma.
22 The provisions of this paragraph shall not prohibit an
23 attorney licensed to practice law in another state or
24 an out-of-state licensed child-placing agency from

1 receiving compensation when working with an attorney
2 licensed in this state who is, or when working with a
3 child-placing agency licensed in this state which is,
4 providing adoption services or other services
5 necessary for placing a child in an adoptive
6 arrangement,

7 c. bringing or causing to be brought into this state or
8 sending or causing to be sent outside this state any
9 child for the purpose of placing such child in a
10 foster home or for the adoption thereof and thereafter
11 refusing to comply upon request with the Interstate
12 Compact on the Placement of Children. Provided,
13 however, that this provision shall have no application
14 to the parent or guardian of the child nor to a person
15 bringing said child into this state for the purpose of
16 adopting the child into such person's own family,

17 d. the solicitation or receipt of any money or any other
18 thing of value for expenses related to the placement
19 of a child for the purpose of an adoption by the birth
20 parent of the child who at the time of the
21 solicitation or receipt had no intent to consent to
22 eventual adoption,

23 e. the solicitation or receipt of any money or any other
24 thing of value for expenses related to the placement

1 of a child for adoption by a woman who knows she is
2 not pregnant but who holds herself out to be pregnant
3 and offers to place a child upon birth for adoption,

4 f. (1) the receipt of any money or any other thing of
5 value for expenses related to the placement of a
6 child for adoption by a birth parent, child-
7 placing agency or attorney who receives, from one
8 or more parties, any money or any other thing of
9 value without disclosing to each prospective
10 adoptive parent, child-placing agency, and
11 attorney the receipt of any money or any other
12 thing of value immediately upon receipt,

13 (2) the solicitation or receipt of any money or any
14 other thing of value by a birth parent, an
15 attorney or child-placing agency for expenses
16 related to the placement of a child for the
17 purpose of adoption from more than one
18 prospective adoptive family for the adoption of
19 one child. A birth parent, child-placing agency
20 or attorney shall not represent that a child is,
21 or will be, available for adoption to more than
22 one prospective adoptive family at one time,

23 g. advertising of services for compensation to assist
24 with or effect the placement of a child for adoption

1 or for care in a foster home by any person or
2 organization except by the Department of Human
3 Services, or a child-placing agency licensed in this
4 state. Nothing in this paragraph shall prohibit an
5 attorney authorized to practice law in Oklahoma from
6 the advertisement of legal services related to the
7 adoption of children, and

8 h. advertisements for and solicitation of a woman who is
9 pregnant to induce her to place her child upon birth
10 for adoption, except by a child-placing agency
11 licensed in this state or an attorney authorized to
12 practice law in Oklahoma. Nothing in this section
13 shall prohibit a person from advertising to solicit a
14 pregnant woman to consider adoptive placement with the
15 person or to locate a child for an adoptive placement
16 into the person's own home, provided that such person
17 has received a favorable preplacement home study
18 recommendation in accordance with Section 7505-5.1 of
19 Title 10 of the Oklahoma Statutes, which shall be
20 verified by the signed written statement of the person
21 or agency which performed the home study, and provided
22 that no money or other thing of value is offered as
23 part of such an inducement except as ordered by the
24

1 court or except as otherwise provided by Section 7505-
2 3.2 of Title 10 of the Oklahoma Statutes.

3 2. a. Except as otherwise provided by this section, the
4 violation of any of the subparagraphs in paragraph 1
5 of this subsection shall constitute a Class B2 felony
6 offense and shall be punishable by imprisonment of up
7 to ten (10) years or a fine of up to Ten Thousand
8 Dollars (\$10,000.00) per violation or both such fine
9 and imprisonment.

10 b. Prospective adoptive parents who violate subparagraph
11 a of paragraph 1 of this subsection, upon conviction
12 thereof, shall be guilty of a misdemeanor and may be
13 punished by a fine not to exceed Five Thousand Dollars
14 (\$5,000.00) per violation.

15 B. 1. No person shall knowingly publish for circulation within
16 the borders of the State of Oklahoma an advertisement of any kind in
17 any print, broadcast or electronic medium, including, but not
18 limited to, newspapers, magazines, telephone directories, handbills,
19 radio or television, which violates subparagraph g or h of paragraph
20 1 of subsection A of this section.

21 2. Any person violating the provisions of this subsection
22 shall, upon conviction thereof, be guilty of a misdemeanor and shall
23 be punished by a fine not to exceed Five Thousand Dollars
24 (\$5,000.00) per violation.

1 C. The payment or acceptance of costs and expenses listed in
2 Section 7505-3.2 of Title 10 of the Oklahoma Statutes shall not be a
3 violation of this section as long as the petitioner or birth parent
4 has complied with the applicable procedure specified in Section
5 7505-3.2 of Title 10 of the Oklahoma Statutes and such costs and
6 expenses are approved by the court.

7 D. Any person knowingly failing to file an affidavit of all
8 adoption costs and expenses before the final decree of adoption as
9 required by Sections 7505-3.2 and 7505-6.2 of Title 10 of the
10 Oklahoma Statutes shall be guilty of a misdemeanor.

11 SECTION 72. AMENDATORY 21 O.S. 2021, Section 1040.8, as
12 amended by Section 18, Chapter 59, O.S.L. 2024 (21 O.S. Supp. 2024,
13 Section 1040.8), is amended to read as follows:

14 Section 1040.8. A. No person shall knowingly photograph, act
15 in, pose for, model for, print, sell, offer for sale, give away,
16 exhibit, publish, offer to publish, or otherwise distribute,
17 display, or exhibit any book, magazine, story, pamphlet, paper,
18 writing, card, advertisement, circular, print, picture, photograph,
19 motion picture film, electronic video game or recording, image,
20 cast, slide, figure, instrument, statue, drawing, presentation, or
21 other article which is obscene material or child sexual abuse
22 material, as defined in Section 1024.1 of this title. In the case
23 of any unsolicited mailing of any of the material listed in this
24 section, the offense is deemed complete from the time such material

1 is deposited in any post office or delivered to any person with
2 intent that it shall be forwarded. Also, unless preempted by
3 federal law, no unsolicited mail which is harmful to minors pursuant
4 to Section 1040.75 of this title shall be mailed to any person. The
5 party mailing the materials specified in this section may be
6 indicted and tried in any county wherein such material is deposited
7 or delivered, or in which it is received by the person to whom it is
8 addressed.

9 B. Any person who violates any provision of this section
10 involving obscene materials, upon conviction, shall be guilty of a
11 misdemeanor and shall be punished by imprisonment in the county jail
12 for not more than one (1) year, or by a fine of not less than Two
13 Thousand Dollars (\$2,000.00), or by both such fine and imprisonment.

14 C. Any person who violates any provision of this section
15 involving child sexual abuse material, upon conviction, shall be
16 guilty of a Class B2 felony offense and shall be punished by
17 imprisonment in the custody of the Department of Corrections for not
18 less than three (3) years and not more than twenty (20) years, or by
19 a fine of not less than Ten Thousand Dollars (\$10,000.00), or by
20 both such fine and imprisonment. Any person convicted of a second
21 or subsequent violation shall, upon conviction, be punished by
22 imprisonment in the custody of the Department of Corrections for not
23 less than ten (10) years and not more than thirty (30) years, or by
24 a fine of not less than Twenty Thousand Dollars (\$20,000.00), or by

1 both such fine and imprisonment. The violator, upon conviction,
2 shall be required to register as a sex offender under the Sex
3 Offenders Registration Act.

4 SECTION 73. AMENDATORY 21 O.S. 2021, Section 1081, is
5 amended to read as follows:

6 Section 1081. Any person who shall procure any other person for
7 prostitution, or who, by promise, threats, violence or by any device
8 or scheme shall cause, induce, persuade or encourage another person
9 to become a prostitute; or shall procure a place as inmate in a
10 house of prostitution for another person; or who shall, by promise,
11 threats, violence, or by any device or scheme cause, induce,
12 persuade or encourage an inmate of a house of prostitution to remain
13 therein as such inmate; or who shall, by fraud, or artifice, or by
14 duress of person or goods, or by abuse of any position of confidence
15 or authority procure any other person to become a prostitute, or to
16 enter any place in which prostitution is encouraged or allowed
17 within this state, or to come into this state or leave this state
18 for the purpose of prostitution, or who shall procure any other
19 person, who has not previously practiced prostitution to become a
20 prostitute within this state, or to come into this state or leave
21 this state for the purpose of prostitution; or shall receive or give
22 or agree to receive or give any money or thing of value for
23 procuring or attempting to procure any other person to become an
24 inmate of a house of prostitution within this state, or to come into

1 this state or leave this state for the purpose of prostitution,
2 shall be guilty of pandering, and upon conviction for any offense
3 under this article shall be guilty of a Class B2 felony offense and
4 shall be punished by imprisonment in the State Penitentiary for a
5 period of not less than two (2) years nor more than twenty (20)
6 years and by fines as follows: a fine of not less than One Thousand
7 Dollars (\$1,000.00) and not more than Three Thousand Dollars
8 (\$3,000.00) upon the first conviction for such offense, a fine of
9 not less than Three Thousand Dollars (\$3,000.00) and not more than
10 Six Thousand Dollars (\$6,000.00) upon the second conviction, and a
11 fine of not less than Six Thousand Dollars (\$6,000.00) and not more
12 than Nine Thousand Dollars (\$9,000.00) for the third or subsequent
13 convictions for such offense.

14 SECTION 74. AMENDATORY 21 O.S. 2021, Section 1085, is
15 amended to read as follows:

16 Section 1085. Whoever shall by any means keep, hold, detain, or
17 restrain against her will, any female person in a house of
18 prostitution or other place where prostitution is practiced or
19 allowed; or whoever shall, directly or indirectly keep, hold, detain
20 or restrain or attempt to keep, hold, detain or restrain, in any
21 house of prostitution or other place where prostitution is practiced
22 or allowed, any female person by any means for the purpose of
23 compelling such female person, directly or indirectly to pay,
24 liquidate or cancel any debt, dues or obligations incurred or said

1 to have been incurred by such female person, shall upon conviction
2 be guilty of a Class B2 felony offense and shall be punished by
3 imprisonment in the State Penitentiary for a period of not less than
4 two (2) years nor more than twenty (20) years, and by a fine of not
5 less than Three Hundred Dollars (\$300.00) and not more than One
6 Thousand Dollars (\$1,000.00).

7 SECTION 75. AMENDATORY 21 O.S. 2021, Section 1116, is
8 amended to read as follows:

9 Section 1116. Rape in the second degree is a Class B2 felony
10 offense punishable by imprisonment in the State Penitentiary not
11 less than one (1) year nor more than fifteen (15) years.

12 SECTION 76. AMENDATORY 21 O.S. 2021, Section 1402, is
13 amended to read as follows:

14 Section 1402. Any person who willfully and maliciously sets
15 fire to or burns or by the use of any explosive device or substance
16 or while manufacturing or attempting to manufacture a controlled
17 dangerous substance in violation of subsection G of Section 2-401 of
18 Title 63 of the Oklahoma Statutes destroys in whole or in part, or
19 causes to be burned or destroyed, or aids, counsels or procures the
20 burning or destruction of any uninhabited or unoccupied building or
21 structure or contents thereof, whether the property of himself or
22 another, shall be guilty of arson in the second degree, which is a
23 Class B2 felony offense, and upon conviction thereof shall be
24 punished by a fine not to exceed Twenty Thousand Dollars

1 (\$20,000.00) or be confined in the State Penitentiary for not more
2 than twenty-five (25) years or both.

3 SECTION 77. AMENDATORY 57 O.S. 2021, Section 590, is
4 amended to read as follows:

5 Section 590. A. It is unlawful for any person registered
6 pursuant to the Sex Offenders Registration Act to reside, either
7 temporarily or permanently, within a two-thousand-foot radius of any
8 public or private school site, educational institution, property or
9 campsite used by an organization whose primary purpose is working
10 with children, a playground or park that is established, operated or
11 supported in whole or in part by a homeowners' association or a
12 city, town, county, state, federal or tribal government, a licensed
13 child care center or family child care home as defined in the
14 Oklahoma Child Care Facilities Licensing Act or the residence of his
15 or her victim. Establishment of a licensed child care center,
16 family child care home or park in the vicinity of the residence of a
17 registered sex offender will not require the relocation of the sex
18 offender or the sale of the property. On June 7, 2006, the distance
19 indicated in this section shall be measured from the nearest
20 property line of the residence of the person to the nearest property
21 line of the public or private school site, educational institution,
22 property or campsite used by an organization whose primary purpose
23 is working with children, playground, park, licensed child care
24 center, family child care home or residence of his or her victim;

1 provided, any nonprofit organization established and housing sex
2 offenders prior to the effective date of this provision shall be
3 allowed to continue its operation.

4 Nothing in this provision shall require any person to sell or
5 otherwise dispose of any real estate or home acquired or owned prior
6 to the conviction of the person as a sex offender.

7 B. It shall be unlawful for any person who is required to
8 register pursuant to the Sex Offenders Registration Act for any
9 offense in which a minor child was the victim to reside with a minor
10 child or establish any other living accommodation where a minor
11 child resides. Provided, however, the person may reside with a
12 minor child if the person is the parent, stepparent or grandparent
13 of the minor child and the minor child was not the victim of the
14 offense for which the person is required to register. Any person
15 subject to the provisions of the Sex Offenders Registration Act who
16 resides with a minor child must report to the statewide centralized
17 hotline of the Department of Human Services the name and date of
18 birth of any and all minor children residing in the same household
19 and the offenses for which the person is required to register
20 pursuant to the Sex Offenders Registration Act within three (3) days
21 of intent to reside with a minor child.

22 Nothing in the provisions of this subsection shall prevent the
23 Department of Human Services from conducting and completing a safety
24

1 evaluation when a registered sex offender resides in the home of a
2 minor child.

3 C. The provisions of this section shall not apply to any
4 registered sex offender residing in a hospital or other facility
5 certified or licensed by the State of Oklahoma to provide medical
6 services.

7 D. Any person willfully violating the provisions of this
8 section by:

9 1. Intentionally moving into any neighborhood or to any real
10 estate or home within the prohibited distance; or

11 2. Intentionally moving into a residence with a minor child or
12 establishing any other living accommodation where a minor child
13 resides as specified in subsection B of this section,
14 shall, upon conviction, be guilty of a Class B5 felony offense
15 punishable by a fine not to exceed Three Thousand Dollars
16 (\$3,000.00), or by imprisonment in the custody of the Department of
17 Corrections for a term of not less than one (1) year nor more than
18 three (3) years, or by both such fine and imprisonment. Any person
19 convicted of a second or subsequent violation of this section shall
20 be guilty of a Class B2 felony offense and shall be punished by a
21 fine not to exceed Three Thousand Dollars (\$3,000.00), or by
22 imprisonment in the custody of the Department of Corrections for a
23 term of not less than three (3) years, or by both such fine and
24 imprisonment.

1 SECTION 78. AMENDATORY 59 O.S. 2021, Section 1350.6, is
2 amended to read as follows:

3 Section 1350.6. A. Notwithstanding any other provision of law,
4 it shall be unlawful for a bail enforcer to break into and enter the
5 dwelling house of any defendant or ~~third-party~~ third party for
6 purposes of recovery or attempted recovery of a defendant either:

7 1. By forcibly bursting or breaking the wall, or an outer door,
8 window, or shutter of a window of such house or the lock or bolts of
9 such door, or the fastening of such window or shutter;

10 2. By breaking in any other manner, being armed with a weapon
11 or being assisted or aided by one or more persons then actually
12 present; or

13 3. By unlocking an outer door by means of false keys or by
14 picking the lock thereof, or by lifting a latch or opening a window.

15 B. A person violating the provisions of this section shall be
16 guilty of burglary in the first degree, a Class B2 felony offense,
17 and, upon conviction, punished as provided in Section 1436 of Title
18 21 of the Oklahoma Statutes. Provided, however, the offense and
19 penalty stated in this section shall not apply to a licensed bail
20 enforcer during an active attempt at recovery of a felony defendant
21 under the following conditions:

22 a. the bail enforcer has first-hand or eyes-on knowledge
23 that the defendant entered the dwelling house during
24

- 1 an attempt to recover the defendant and the defendant
2 after reasonable request is refusing to surrender,
- 3 b. the bail enforcer has first-hand or eyes-on knowledge
4 that the defendant is actually within the dwelling
5 house and after reasonable request is refusing to
6 surrender, or
- 7 c. the bail enforcer has obtained knowledge confirming
8 beyond a reasonable doubt that the defendant is
9 actually within the dwelling house and after
10 reasonable request refuses to surrender.

11 For purposes of this subsection, "first-hand knowledge" means
12 information received from direct eye-witness testimony, actual
13 visual contact with and confirmed identification of the defendant by
14 a person who knows the defendant or resides at the dwelling house,
15 or other factual evidence provided directly to the licensed bail
16 enforcer that confirms the identity and presence of the defendant
17 within the dwelling house.

18 The exceptions to the offense and penalty in this section shall
19 not limit or restrict another person within or without the dwelling
20 house, or owning the dwelling house, from taking any action in
21 response to or to defend a forced entry into such dwelling house,
22 including use of a firearm as may be authorized by law. The use of
23 an exception provided in this subsection by a licensed bail enforcer
24 shall be a fact to be determined by the district attorney in

1 considering whether to prosecute an offense under this section. Any
2 person exercising his or her right to respond or protect the
3 dwelling house or its occupants shall not be liable for injury to
4 another who was forcing entry into such dwelling house. An owner or
5 occupant of a dwelling house may seek damages to his or her property
6 in a civil action if such damage resulted from a forced entry by a
7 licensed bail enforcer.

8 SECTION 79. AMENDATORY 63 O.S. 2021, Section 2-332, is
9 amended to read as follows:

10 Section 2-332. A. It shall be unlawful for a person to
11 knowingly and unlawfully possess a drug product containing
12 ephedrine, pseudoephedrine or phenylpropanolamine, or their salts,
13 isomers or salts of isomers with intent to use the product as a
14 precursor to manufacture methamphetamine or another controlled
15 substance.

16 B. Except as provided in this subsection, possession of a drug
17 product containing more than seven and two-tenths (7.2) grams of
18 ephedrine, pseudoephedrine or phenylpropanolamine, or their salts,
19 isomers or salts of isomers shall constitute a rebuttable
20 presumption of the intent to use the product as a precursor to
21 methamphetamine or another controlled substance. The rebuttable
22 presumption established by this subsection shall not apply to the
23 following persons who are lawfully possessing drug products in the
24 course of legitimate business:

1 1. A retail distributor of drug products or wholesaler;

2 2. A wholesale drug distributor, or its agents, licensed by the
3 Board of Pharmacy;

4 3. A manufacturer of drug products, or its agents, licensed by
5 the Board of Pharmacy;

6 4. A pharmacist licensed by the Board of Pharmacy; and

7 5. A licensed ~~healthcare~~ health care professional possessing
8 the drug products in the course of carrying out his profession.

9 C. A violation of subsection A of this section shall be a Class
10 B2 felony offense punishable as provided for in subsection G of
11 Section 2-401 of this title.

12 D. Any wholesaler, manufacturer, or distributor of drug
13 products containing pseudoephedrine or phenylpropanolamine, or their
14 salts, isomers, or salts of isomers shall obtain a registration
15 annually from the Oklahoma State Bureau of Narcotics and Dangerous
16 Drugs Control. Any such wholesaler, manufacturer, or distributor
17 shall keep complete records of all transactions involving such drug
18 products including the names of all parties involved in the
19 transaction and amount of the drug products involved. The records
20 shall be kept readily retrievable and separate from all other
21 invoices or records of transactions not involving such drug
22 products, and shall be maintained for not less than three (3) years.

23 E. As used in this section:
24

1 1. "Manufacturer" means any person within this state who
2 produces, compounds, packages, or in any manner initially prepares
3 for sale or use any drug product described in subsection D of this
4 section, or any such person in another state if they cause the
5 products to be compounded, packaged, or transported into this state;

6 2. "Wholesaler" means any person within this state or another
7 state, other than a manufacturer, who sells, transfers, or in any
8 manner furnishes a drug product described in subsection A of this
9 section to any other person in this state for the purpose of being
10 resold;

11 3. "Distributor" means any person within this state or another
12 state, other than a manufacturer or wholesaler, who sells, delivers,
13 transfers, or in any manner furnishes a drug product described in
14 subsection A of this section to any person who is not the ultimate
15 user or consumer of the product; and

16 4. "Readily retrievable" means available for inspection without
17 prior notice at the registration address if that address is within
18 the State of Oklahoma. If the registration address is in a state
19 other than Oklahoma, it means records must be furnished within three
20 (3) working days by courier, facsimile, mail or electronic mail.

21 F. Any substances possessed without a registration as provided
22 in subsection D of this section shall be subject to forfeiture upon
23 conviction for a violation of this section.

1 G. In addition to any administrative penalties provided by law,
2 any violation of subsection D of this section shall be a
3 misdemeanor, punishable upon conviction by a fine only in an amount
4 not more than Ten Thousand Dollars (\$10,000.00).

5 SECTION 80. AMENDATORY 21 O.S. 2021, Section 341, is
6 amended to read as follows:

7 Section 341. Every public officer of the state or any county,
8 city, town, or member or officer of the Legislature, and every
9 deputy or clerk of any such officer and every other person receiving
10 any money or other thing of value on behalf of or for account of
11 this state or any department of the government of this state or any
12 bureau or fund created by law and in which this state or the people
13 thereof, are directly or indirectly interested, who either:

14 First: Receives, directly or indirectly, any interest, profit
15 or perquisites, arising from the use or loan of public funds in the
16 officer's or person's hands or money to be raised through an agency
17 for state, city, town, district, or county purposes; or

18 Second: Knowingly keeps any false account, or makes any false
19 entry or erasure in any account of or relating to any moneys so
20 received by him, on behalf of the state, city, town, district or
21 county, or the people thereof, or in which they are interested; or

22 Third: Fraudulently alters, falsifies, cancels, destroys or
23 obliterates any such account,
24

1 shall, upon conviction, thereof, be deemed guilty of a Class B3
2 felony offense and shall be punished by a fine of not to exceed Five
3 Hundred Dollars (\$500.00), and by imprisonment in the State
4 Penitentiary for a term of not less than one (1) year nor more than
5 twenty (20) years and, in addition thereto, the person shall be
6 disqualified to hold office in this state, and the court shall issue
7 an order of such forfeiture, and should appeal be taken from the
8 judgment of the court, the defendant may, in the discretion of the
9 court, stand suspended from such office until such cause is finally
10 determined.

11 SECTION 81. AMENDATORY 21 O.S. 2021, Section 349, is
12 amended to read as follows:

13 Section 349. Any person who willfully burns, destroys, or
14 injures any public buildings or improvements in this state shall be
15 guilty of a Class B3 felony offense, punishable by imprisonment in
16 the State Penitentiary not exceeding twenty-five (25) years.

17 SECTION 82. AMENDATORY 21 O.S. 2021, Section 539, is
18 amended to read as follows:

19 Section 539. Any person who, after proclamation issued by the
20 Governor declaring any county to be in a state of insurrection,
21 resists or aids in resisting the execution of process in the county
22 declared to be in a state of insurrection, or who aids or attempts
23 the rescue or escape of another from lawful custody or confinement,
24 or who resists or aids in resisting a force ordered out by the

1 government to quell or suppress an insurrection, shall be guilty of
2 a Class B3 felony offense punishable by imprisonment in the State
3 Penitentiary for not less than two (2) years.

4 SECTION 83. AMENDATORY 21 O.S. 2021, Section 644.1, is
5 amended to read as follows:

6 Section 644.1. A. Any person who commits domestic abuse, as
7 defined by subsection C of Section 644 of this title, and has a
8 prior pattern of physical abuse shall be guilty of a Class B3 felony
9 offense, upon conviction, punishable by imprisonment in the custody
10 of the Department of Corrections for a term of not more than ten
11 (10) years or by a fine not exceeding Five Thousand Dollars
12 (\$5,000.00) or by both such fine and imprisonment.

13 B. For purposes of this section, "prior pattern of physical
14 abuse" means two or more separate incidences, including the current
15 incident, occurring on different days and each incident relates to
16 an act constituting assault and battery or domestic abuse committed
17 by the defendant against a current or former spouse, a present
18 spouse of a former spouse, parents, a foster parent, a child, a
19 person otherwise related by blood or marriage, a person with whom
20 the defendant is in a dating relationship, an individual with whom
21 the defendant has had a child, a person who formerly lived in the
22 same household as the defendant, a person living in the same
23 household as the defendant, a current intimate partner or former
24 intimate partner, or any combination of such persons, where proof of

1 each incident prior to the present incident is established by the
2 sworn testimony of a third party who was a witness to the alleged
3 physical abuse or by other admissible direct evidence that is
4 independent of the testimony of the victim.

5 SECTION 84. AMENDATORY 21 O.S. 2021, Section 1289.26, is
6 amended to read as follows:

7 Section 1289.26.

8 USE OF BODY ARMOR

9 Any person who commits or attempts to commit a felony while
10 wearing body armor as defined in Section 1289.19 of this title, in
11 addition to the penalty provided by statute for the felony committed
12 or attempted, upon conviction shall be guilty of a Class B4 felony
13 offense for wearing such body armor, which shall be a separate
14 offense from the felony committed or attempted, and shall be
15 punishable by imprisonment in the State Penitentiary for a period of
16 not more than ten (10) years for the first offense, and shall be
17 guilty of a Class B3 felony offense punishable by imprisonment for a
18 period of not more than twenty (20) years for any second or
19 subsequent offense.

20 SECTION 85. AMENDATORY 21 O.S. 2021, Section 1403, is
21 amended to read as follows:

22 Section 1403. A. Any person who willfully and maliciously sets
23 fire to or burns or by the use of any explosive device or substance
24 destroys in whole or in part, or causes to be burned or destroyed,

1 or aids, counsels or procures the burning of any property
2 whatsoever, including automobiles, trucks, trailers, motorcycles,
3 boats, standing farm crops, pasture lands, forest lands, or any
4 other property not herein specifically named, such property being
5 worth not less than Fifty Dollars (\$50.00), whether the property of
6 himself or another, shall be guilty of arson in the third degree, a
7 Class C1 felony offense, and upon conviction thereof shall be
8 punished by a fine not to exceed Ten Thousand Dollars (\$10,000.00),
9 or be confined ~~in the State Penitentiary for not more than fifteen~~
10 ~~(15) years~~ as provided for in subsections B through E of Section 20L
11 of Title 21 of the Oklahoma Statutes.

12 B. Any person who willfully and maliciously, and with intent to
13 injure or defraud the insurer, sets fire to or burns or by use of
14 any explosive device or substance destroys in whole or in part, or
15 causes to be burned or destroyed, or aids, counsels, or procures the
16 burning or destruction of any building, property, or other chattels,
17 whether the property of himself or another, which shall at the time
18 be insured against loss or damage by fire or explosion, shall be
19 guilty of arson in the third degree, a Class B3 felony offense, and
20 upon conviction thereof shall be punished by a fine not to exceed
21 Ten Thousand Dollars (\$10,000.00) or be confined in the State
22 Penitentiary for not more than fifteen (15) years or both.

23 C. ~~Arson in the third degree is a felony.~~
24

SECTION 86. AMENDATORY 21 O.S. 2021, Section 1561, is amended to read as follows:

Section 1561. Every person who, with intent to defraud, forges, counterfeits or falsely alters:

1st. Any will or codicil of real or personal property, or any deed or other instrument being or purporting to be the act of another, by which any right or interest in real property is, or purports to be, transferred, conveyed or in any way changed or affected; or,

2nd. Any certificate or endorsement of the acknowledgment by any person of any deed or other instrument which by law may be recorded or given in evidence, made or purporting to have been made by any officer duly authorized to make such certificate or endorsement; or,

3rd. Any certificate of the proof of any deed, will, codicil or other instrument which by law may be recorded or given in evidence, made or purporting to have been made by any court or officer duly authorized to make such certificate, is guilty of forgery in the first degree, a Class B3 felony offense.

SECTION 87. AMENDATORY 21 O.S. 2021, Section 1562, is amended to read as follows:

Section 1562. Every person who, with intent to defraud, forges, counterfeits, or falsely alters:

1 1st. Any certificate or other public security, issued or
2 purporting to have been issued under the authority of this state, by
3 virtue of any law thereof, by which certificate or other public
4 security, the payment of any money absolutely or upon any
5 contingency is promised, or the receipt of any money or property
6 acknowledged; or

7 2nd. Any certificate of any share, right or interest in any
8 public stock created by virtue of any law of this state, issued or
9 purporting to have been issued by any public officer, or any other
10 evidence of any debt or liability, of the people of this State,
11 either absolute or contingent, issued or purporting to have been
12 issued by any public officer; or,

13 3rd. Any endorsement or other instrument transferring or
14 purporting to transfer the right or interest of any holder of any
15 such certificate, public security, certificate of stock, evidence of
16 debt or liability, or of any person entitled to such right or
17 interest;

18 is guilty of forgery in the first degree, a Class B3 felony offense.

19 SECTION 88. AMENDATORY 21 O.S. 2021, Section 1622, is
20 amended to read as follows:

21 Section 1622. Every person who, with intent to defraud, makes
22 or subscribes any instrument in his own name, intended to create,
23 increase, discharge, defeat or diminish any pecuniary obligation,
24 right or interest, or to transfer or affect any property whatever,

1 and utters or passes such instrument, under the pretense that it is
2 the act of another who bears the same name, is guilty of forgery, a
3 Class B3 felony offense, in the same degree as if he had forged the
4 instrument of a person bearing a different name from his own.

5 SECTION 89. AMENDATORY 21 O.S. 2021, Section 1623, is
6 amended to read as follows:

7 Section 1623. Every person who, with intent to defraud,
8 endorses any negotiable instrument in his own name, and utters or
9 passes such instrument, under the fraudulent pretense that it is
10 endorsed by another person who bears the same name, is guilty of
11 forgery, a Class B3 felony offense, in the same degree as if he had
12 forged the endorsement of a person bearing a different name from his
13 own.

14 SECTION 90. AMENDATORY 21 O.S. 2021, Section 1624, is
15 amended to read as follows:

16 Section 1624. The total or partial erasure or obliteration of
17 any instrument or writing, with intent to defraud, by which any
18 pecuniary obligation, or any right, interest or claim to property is
19 or is intended to be created, increased, discharged, diminished or
20 in any manner affected, is forgery, a Class B3 felony offense, in
21 the same degree as the false alteration of any part of such
22 instrument or writing.

23 SECTION 91. AMENDATORY 21 O.S. 2021, Section 1626, is
24 amended to read as follows:

1 Section 1626. The false making or forging of an evidence of
2 debt purporting to have been issued by any corporation and bearing
3 the pretended signature of any person as an agent or officer of such
4 corporation, is forgery, a Class B3 felony offense, in the same
5 degree as if such person was at the time an officer or agent of such
6 corporation; notwithstanding such person may never have been an
7 officer or agent of such corporation, or notwithstanding there never
8 was any such person in existence.

9 SECTION 92. AMENDATORY 21 O.S. 2021, Section 1742.2, is
10 amended to read as follows:

11 Section 1742.2. A. Whoever:

12 1. Knowingly procures, attempts to procure, solicits, or
13 conspires with another to procure a telephone record of any resident
14 of this state without the authorization of the customer to whom the
15 record pertains or by fraudulent, deceptive, or false means;

16 2. Knowingly sells or attempts to sell a telephone record of
17 any resident of this state without the authorization of the customer
18 to whom the record pertains; or

19 3. Receives a telephone record of any resident of this state
20 knowing that the record has been obtained without the authorization
21 of the customer to whom the record pertains or by fraudulent,
22 deceptive, or false means,
23
24

1 shall be punished in accordance with the provisions of subsection B
2 of this section and shall be liable for restitution in accordance
3 with subsection C of this section.

4 B. An offense under subsection A of this section ~~is a felony~~
5 ~~and the punishment is~~ shall be deemed a:

6 1. ~~Imprisonment for not more than five (5) years~~ Class D1
7 felony offense punishable by imprisonment as provided for in
8 subsections B through F of Section 20N of Title 21 of the Oklahoma
9 Statutes if the violation of subsection A of this section involves a
10 single telephone record;

11 2. ~~Imprisonment~~ Class C2 felony offense punishable by
12 imprisonment for not more than ten (10) years if the violation of
13 subsection A of this section involves two to ten telephone records
14 of a resident of this state;

15 3. ~~Imprisonment~~ Class B3 felony offense punishable by
16 imprisonment for not more than twenty (20) years if the violation of
17 subsection A of this section involves more than ten telephone
18 records of a resident of this state; and

19 4. In all cases, forfeiture of any personal property used or
20 intended to be used to commit the offense.

21 C. A person found guilty of an offense under subsection A of
22 this section, in addition to any other punishment, shall be ordered
23 to make restitution for any financial loss sustained by the customer
24

1 or any other person who suffered financial loss as the direct result
2 of the offense.

3 D. In a prosecution brought pursuant to subsection A of this
4 section, the act of unauthorized or fraudulent procurement, sale, or
5 receipt of telephone records shall be considered to have been
6 committed in the county:

7 1. Where the customer whose telephone record is the subject of
8 the prosecution resided at the time of the offense; or

9 2. In which any part of the offense took place, regardless of
10 whether the defendant was ever actually present in the county.

11 E. A prosecution pursuant to subsection A of this section shall
12 not prevent prosecution pursuant to any other provision of law when
13 the conduct also constitutes a violation of some other provision of
14 law.

15 F. Subsection A of this section shall not apply to any person
16 acting pursuant to a valid court order, warrant, or subpoena.

17 G. Each violation of subsection A of this section shall be an
18 unlawful practice pursuant to the provisions of the Oklahoma
19 Consumer Protection Act.

20 SECTION 93. AMENDATORY 36 O.S. 2021, Section 4055.14, is
21 amended to read as follows:

22 Section 4055.14. A. In addition to the penalties and other
23 enforcement provisions of the Viatical Settlements Act of 2008, if
24 any person violates the Viatical Settlements Act of 2008 or any

1 regulation implementing the Viatical Settlements Act of 2008, the
2 Insurance Commissioner may seek an injunction in a court of
3 competent jurisdiction and may apply for temporary and permanent
4 orders that the Commissioner determines are necessary to restrain
5 the person from committing the violation.

6 B. Any person damaged by the acts of a person in violation of
7 the Viatical Settlements Act of 2008 may bring a civil action
8 against the person committing the violation in a court of competent
9 jurisdiction.

10 C. The Commissioner may issue, in accordance with the
11 Administrative Procedures Act, a cease and desist order upon a
12 person that violates any provision of the Viatical Settlements Act
13 of 2008, any regulation or order adopted by the Commissioner, or any
14 written agreement entered into with the Commissioner.

15 D. When the Commissioner finds that an activity in violation of
16 the Viatical Settlements Act of 2008 presents an immediate danger to
17 the public that requires an immediate final order, the Commissioner
18 may issue an emergency cease and desist order reciting with
19 particularity the facts underlying the findings. The emergency
20 cease and desist order is effective immediately upon service of a
21 copy of the order on the respondent and remains effective for ninety
22 (90) days. If the Commissioner begins nonemergency cease and desist
23 proceedings, the emergency cease and desist order remains effective,

24

absent an order by a court of competent jurisdiction pursuant to the Administrative Procedures Act.

E. In addition to the penalties and other enforcement provisions of the Viatical Settlements Act of 2008, any person who violates the Viatical Settlements Act of 2008 is subject to civil penalties of up to Ten Thousand Dollars (\$10,000.00) per violation. Imposition of civil penalties shall be pursuant to an order of the Commissioner issued under Section 313 of ~~Title 36 of the Oklahoma Statutes~~ this title. The Commissioner's order may require a person found to be in violation of the Viatical Settlements Act of 2008 to make restitution to persons aggrieved by violations of the Viatical Settlements Act of 2008.

F. A person convicted of a violation of the Viatical Settlements Act by a court of competent jurisdiction shall be ~~guilty of a felony punishable as follows:~~

1. ~~To~~ Guilty of a Class B3 felony offense punishable by imprisonment for not more than twenty (20) years or to payment of a fine of not more than One Hundred Thousand Dollars (\$100,000.00), or both, if the value of the viatical settlement contract is more than Thirty-five Thousand Dollars (\$35,000.00);

2. ~~To~~ Guilty of a Class C2 felony offense punishable by imprisonment ~~for not more than ten (10) years~~ as provided for in subsections B through F of Section 20M of Title 21 of the Oklahoma Statutes, or to payment of a fine of not more than Twenty Thousand

Dollars (\$20,000.00), or both, if the value of the viatical settlement contract is more than Two Thousand Five Hundred Dollars (\$2,500.00) but not more than Thirty-five Thousand Dollars (\$35,000.00);

3. ~~To~~ Guilty of a Class D1 felony offense punishable by imprisonment for not more than five (5) years as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both, if the value of the viatical settlement contract is more than Five Hundred Dollars (\$500.00) but not more than Two Thousand Five Hundred Dollars (\$2,500.00); or

4. ~~To~~ Guilty of a Class D3 felony offense punishable by imprisonment for not more than one (1) year as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes, or to payment of a fine of not more than Three Thousand Dollars (\$3,000.00), or both, if the value of the viatical settlement contract is Five Hundred Dollars (\$500.00) or less.

A person convicted of a violation of the Viatical Settlements Act of 2008 shall be ordered to pay restitution to persons aggrieved by the violation of the Viatical Settlements Act of 2008. Restitution shall be ordered in addition to a fine or imprisonment, but not in lieu of a fine or imprisonment.

G. Except for a fraudulent viatical settlement act committed by a viator, the enforcement provisions and penalties of this section

1 shall not apply to a viator. A person convicted of a violation of
2 the Viatical Settlements Act of 2008 by a court of competent
3 jurisdiction may be sentenced in accordance with paragraph 1, 2, 3
4 or 4 of subsection F of this section based on the greater of (i) the
5 value of property, services, or other benefit wrongfully obtained or
6 attempted to obtain, or (ii) the aggregate economic loss suffered by
7 any person as a result of the violation. A person convicted of a
8 fraudulent viatical settlement act must be ordered to pay
9 restitution to persons aggrieved by the fraudulent viatical
10 settlement act. Restitution must be ordered in addition to a fine
11 or imprisonment but not in lieu of a fine or imprisonment.

12 In any prosecution under paragraphs 1, 2, 3 and 4 of subsection
13 F of this section the value of the viatical settlement contracts
14 within any six-month period may be aggregated and the defendant
15 charged accordingly in applying the provisions of this section.
16 When two or more offenses are committed by the same person in two or
17 more counties, the accused may be prosecuted in any county in which
18 one of the offenses was committed for all of the offenses aggregated
19 under this section. The applicable statute of limitations provision
20 under Section 93 of Title 12 of the Oklahoma Statutes shall not
21 begin to run until the insurance company or law enforcement agency
22 is aware of the fraud, but in no event may the prosecution be
23 commenced later than seven (7) years after the act has occurred.

24

SECTION 94. AMENDATORY 52 O.S. 2021, Section 47.6, is amended to read as follows:

Section 47.6. A. Any person who has been determined by the Commission to have violated any provisions of the Hazardous Liquid Transportation System Safety Act or any rule, regulation or order issued pursuant to the provisions of the Hazardous Liquid Transportation System Safety Act shall be liable for an administrative penalty of not more than Two Hundred Thousand Dollars (\$200,000.00) for each day that the violation continues. The maximum administrative penalty shall not exceed Two Million Dollars (\$2,000,000.00) for any related series of violations.

B. 1. The amount of the penalty shall be assessed by the Commission pursuant to the provisions of subsection A of this section, after notice and hearing. In determining the amount of the penalty, the Commission shall include but not be limited to consideration of the nature, circumstances, and gravity of the violation and, with respect to the person found to have committed the violation, the degree of culpability, the effect on ability of the person to continue to do business, and any show of good faith in attempting to achieve compliance with the provisions of the Hazardous Liquid Transportation System Safety Act.

2. All penalties collected pursuant to the provisions of this subsection shall be deposited in the Pipeline Enforcement Fund.

1 C. Any person who willfully and knowingly injures or destroys,
2 or attempts to injure or destroy, any hazardous liquid
3 transportation system, upon conviction thereof, shall be guilty of a
4 Class B3 felony offense and shall be subject for each offense to a
5 fine of not more than Twenty-five Thousand Dollars (\$25,000.00),
6 imprisonment for a term not less than five (5) years and not to
7 exceed fifteen (15) years, or by both such fine and imprisonment.

8 SECTION 95. AMENDATORY 57 O.S. 2021, Section 21, is
9 amended to read as follows:

10 Section 21. A. Any person who, without authority, brings into
11 or has in his or her possession in any jail or state penal
12 institution or other place where prisoners are located, any gun,
13 knife, bomb or other dangerous instrument, any controlled dangerous
14 substance as defined by the Uniform Controlled Dangerous Substances
15 Act, any alcoholic beverage as defined by Section 1-103 of Title 37A
16 of the Oklahoma Statutes, money or financial documents for a person
17 other than the inmate or a spouse of the inmate, including but not
18 limited to tax returns, shall be guilty of a Class B3 felony offense
19 and, upon conviction, shall be punished by imprisonment in the
20 custody of the Department of Corrections for a term of not less than
21 one (1) year nor more than five (5) years, or by a fine of not less
22 than One Hundred Dollars (\$100.00) nor more than One Thousand
23 Dollars (\$1,000.00), or by both such fine and imprisonment.
24 Provided, the provisions of this subsection shall not prohibit any

1 Department of Corrections employee who has a valid handgun license
2 pursuant to the Oklahoma Self-Defense Act to keep a firearm in a
3 vehicle on any property set aside for the parking of any vehicle,
4 whether occupied or unoccupied, at any state-owned prison facility,
5 provided the employee has provided annual notification to the
6 Department of Corrections of the brand name, model, serial number,
7 and owner identification information of the firearm, and the firearm
8 is secured and stored in a locked metal storage container located in
9 a locked vehicle. The storage container will be secured in the
10 vehicle by a lockable chain or cable or by utilizing hardware
11 provided by the manufacturer.

12 B. If an inmate is found to be in possession of any item
13 prohibited by this section, upon conviction, such inmate shall be
14 guilty of a Class D1 felony offense and shall be punished by
15 imprisonment ~~for a term of not less than five (5) years nor more~~
16 ~~than twenty (20) years in the custody of the Department of~~
17 ~~Corrections as provided for in subsections B through F of Section~~
18 20N of Title 21 of the Oklahoma Statutes.

19 C. If the person found to be in possession of any item
20 prohibited by this section has committed, prior to the commission of
21 an offense in violation of this section, two or more felony
22 offenses, and the possession of contraband in violation of this
23 section is within ten (10) years of the completion of the execution
24 of the sentence for any prior offense, such person, upon conviction,

1 shall be guilty of a felony and shall be punished by imprisonment in
2 the custody of the Department of Corrections for a term of not less
3 than twenty (20) years. Felony offenses relied upon shall not have
4 arisen out of the same transaction or occurrence or series of events
5 closely related in time and location.

6 D. Any person who, without authority, brings into or has in his
7 or her possession in any jail or state penal institution or other
8 place where prisoners are located, cigarettes, cigars, snuff,
9 chewing tobacco or any other form of tobacco product shall, upon
10 conviction, be guilty of a misdemeanor punishable by imprisonment in
11 the county jail not to exceed one (1) year, or by a fine not
12 exceeding Five Hundred Dollars (\$500.00), or by both such fine and
13 imprisonment.

14 E. Any person who knowingly, willfully and without authority
15 brings into or has in his or her possession in any secure area of a
16 jail or state penal institution or other secure place where
17 prisoners are located any cellular phone or electronic device
18 capable of sending or receiving any electronic communication shall,
19 upon conviction, be guilty of a Class D1 felony offense punishable
20 ~~by imprisonment in the custody of the Department of Corrections for~~
21 ~~a term not exceeding two (2) years~~ as provided for in subsections B
22 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
23 a fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00),
24 or by both such fine and imprisonment.

1 F. Any contraband item prohibited by the provisions of this
2 section that is seized as a result of a violation of this section
3 may be forfeited by the agency that seized the contraband item
4 following the procedures outlined in Section 2-506 of Title 63 of
5 the Oklahoma Statutes.

6 G. "Electronic communication" means any transfer of signs,
7 signals, writings, images, sounds, data or intelligence of any
8 nature transmitted in whole or part by a wire, radio,
9 electromagnetic, photo-electronic or photo-optical system, and
10 includes, but is not limited to, the transfer of that communication
11 through the Internet.

12 SECTION 96. AMENDATORY 63 O.S. 2021, Section 2-406, as
13 last amended by Section 7, Chapter 308, O.S.L. 2024 (63 O.S. Supp.
14 2024, Section 2-406), is amended to read as follows:

15 Section 2-406. A. It shall be unlawful for any registrant or
16 person applying for registration to knowingly or intentionally:

17 1. Distribute, other than by dispensing or as otherwise
18 authorized by the Uniform Controlled Dangerous Substances Act, a
19 controlled dangerous substance classified in Schedules I or II, in
20 the course of his or her legitimate business, except pursuant to an
21 order form as required by Section 2-308 of this title. Any
22 registrant or person convicted of violating the provisions of this
23 paragraph shall be guilty of a Class B3 felony offense;
24

1 2. Use in the course of the manufacture or distribution of a
2 controlled dangerous substance a registration number which is
3 fictitious, revoked, suspended or issued to another person. Any
4 registrant or person convicted of violating the provisions of this
5 paragraph shall be guilty of a Class B3 felony offense;

6 3. Acquire or obtain possession of a controlled dangerous
7 substance by misrepresentation, fraud, forgery, deception or
8 subterfuge. Any registrant or person convicted of violating the
9 provisions of this paragraph shall be guilty of a Class C1 felony
10 offense punishable as provided for in subsections B through E of
11 Section 20L of Title 21 of the Oklahoma Statutes;

12 4. Furnish false or fraudulent material information in, or omit
13 any material information from, any application, report, or other
14 document required to be kept or filed under the Uniform Controlled
15 Dangerous Substances Act, or any record required to be kept by the
16 Uniform Controlled Dangerous Substances Act. Any registrant or
17 person convicted of violating the provisions of this paragraph shall
18 be guilty of a Class B3 felony offense;

19 5. Make, distribute, or possess any punch, die, plate, stone,
20 or other thing designed to print, imprint, or reproduce the
21 trademark, trade name, or other identifying mark, imprint, or device
22 of another or any likeness of any of the foregoing upon any drug or
23 container or labeling thereof so as to render such drug a
24 counterfeit controlled dangerous substance. Any registrant or

1 person convicted of violating the provisions of this paragraph shall
2 be guilty of a Class B3 felony offense; and

3 6. Purchase, or attempt, endeavor, or conspire to obtain or
4 purchase, any license or registration required to distribute,
5 possess, prescribe, or manufacture any controlled dangerous
6 substance on behalf of, or at the request or demand of, any other
7 person through the use of a straw person or straw party.

8 B. ~~Any~~ Except as provided for in paragraph 3 of subsection A of
9 this section, any person who violates this section is guilty of a
10 felony punishable shall, upon conviction, be punished by
11 imprisonment for not more than twenty (20) years or a fine not more
12 than Two Hundred Fifty Thousand Dollars (\$250,000.00), or both.

13 C. Any person convicted of a second or subsequent violation of
14 this section is punishable by a term of imprisonment twice that
15 otherwise authorized and by twice the fine otherwise authorized.
16 Convictions for second or subsequent violations of this section
17 shall not be subject to statutory provisions for suspended
18 sentences, deferred sentences, or probation.

19 D. Any person convicted of any offense described in this
20 section shall, in addition to any fine imposed, pay a special
21 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
22 deposited into the Trauma Care Assistance Revolving Fund created in
23 Section 1-2530.9 of this title.

SECTION 97. AMENDATORY 63 O.S. 2021, Section 2-419.1, is amended to read as follows:

Section 2-419.1. A. It shall be unlawful for any individual eighteen (18) years of age or older to solicit, employ, hire, or use an individual under eighteen (18) years of age to unlawfully transport, carry, sell, give away, prepare for sale, or peddle any controlled dangerous substance.

B. A person who violates subsection A of this section shall be guilty of a Class C1 felony offense and, upon conviction, shall be punishable by a term of imprisonment, or fine, or both, not exceeding twice that authorized by Section 2-401 of ~~Title 63 of the Oklahoma Statutes~~ this title.

C. A person who violates subsection A of this section after a previous conviction pursuant to that subsection which has become final, shall be punishable by a term of imprisonment not exceeding three times that authorized by Section 2-401 of ~~Title 63 of the Oklahoma Statutes~~ this title.

D. A person who violates subsection A of this section by employing, hiring, or using an individual under fifteen (15) years of age shall, upon conviction, be guilty of a Class B3 felony offense and may be imprisoned for not more than twenty-five (25) years, fined not more than One Hundred Thousand Dollars (\$100,000.00), or both, in addition to any other punishment authorized by this section.

1 E. It shall not be a defense to this section that a person did
2 not know the age of an individual.

3 SECTION 98. AMENDATORY 63 O.S. 2021, Section 4253, is
4 amended to read as follows:

5 Section 4253. A. Any person who knowingly and with intent that
6 a violation of this section be committed:

7 1. Owns, operates, or conducts a chop shop;

8 2. Transports any vessel or motor or vessel or motor part to or
9 from a location knowing it to be a chop shop; or

10 3. Sells, transfers, purchases, or receives any vessel or motor
11 or vessel or motor part either to or from a location knowing it to
12 be a chop shop,

13 upon conviction, is guilty of a Class C1 felony offense, punishable
14 by imprisonment ~~for not more than ten (10) years~~ as provided for in
15 subsections B through E of Section 20L of Title 21 of the Oklahoma
16 Statutes, or by a fine of not more than One Hundred Thousand Dollars
17 (\$100,000.00), or both such imprisonment and fine.

18 B. Any person who knowingly alters, counterfeits, defaces,
19 destroys, disguises, falsifies, forges, obliterates, or knowingly
20 removes a hull identification number, manufacturer's serial number
21 or other identification number with the intent to misrepresent the
22 identity or prevent the identification of a vessel or motor or
23 vessel or motor part, upon conviction, is guilty of a Class C2
24 felony offense, punishable by imprisonment ~~for not more than ten~~

1 ~~(10) years~~ as provided for in subsections B through F of Section 20M
2 of Title 21 of the Oklahoma Statutes, or by a fine of not more than
3 One Hundred Thousand Dollars (\$100,000.00), or both such
4 imprisonment and fine.

5 C. 1. Any person who buys, disposes, sells, transfers, or
6 possesses a vessel or motor or vessel or motor part, with knowledge
7 that the hull identification number, manufacturer's serial number or
8 other identification number of the vessel or motor or vessel or
9 motor part has been altered, counterfeited, defaced, destroyed,
10 disguised, falsified, forged, obliterated, or removed, upon
11 conviction, is guilty of a Class D1 felony offense, punishable by
12 imprisonment ~~for not more than five (5) years~~ as provided for in
13 subsections B through F of Section 20N of Title 21 of the Oklahoma
14 Statutes, or by a fine of not more than Fifty Thousand Dollars
15 (\$50,000.00), or both such imprisonment and fine.

16 2. The provisions of paragraph 1 of this subsection shall not
17 apply to a vessel or motor scrap processor who, in the normal legal
18 course of business and in good faith, processes a vessel or motor or
19 vessel or motor part by crushing, compacting, or other similar
20 methods, provided that any hull identification number,
21 manufacturer's serial number or other identification number is not
22 removed from the vessel or motor or vessel or motor part prior to or
23 during any such processing.

1 3. The provisions of paragraph 1 of this subsection shall not
2 apply to any owner or authorized possessor of a vessel or motor or
3 vessel or motor part which has been recovered by law enforcement
4 authorities after having been stolen or where the condition of the
5 hull identification number, manufacturer's serial number or other
6 identification number of the vessel or motor or vessel or motor part
7 is known to or has been reported to law enforcement authorities. It
8 shall be presumed that law enforcement authorities have knowledge of
9 all hull identification numbers, manufacturer's serial numbers or
10 other identification numbers on a vessel or motor or vessel or motor
11 part which are altered, counterfeited, defaced, disguised,
12 falsified, forged, obliterated, or removed, when law enforcement
13 authorities deliver or return the vessel or motor or vessel or motor
14 part to its owner or authorized possessor after it has been
15 recovered by law enforcement authorities after having been reported
16 stolen.

17 D. A person commits an attempt when, with intent to commit a
18 violation proscribed by subsection A, B or C of this section, the
19 person does any act which constitutes a substantial step toward the
20 commission of the violation proscribed by subsection A, B or C of
21 this section, and upon conviction is guilty of a Class C2 felony
22 offense, punishable by imprisonment ~~for not more than five (5) years~~
23 as provided for in subsections B through F of Section 20M of Title
24

1 21 of the Oklahoma Statutes, or by a fine of not more than Fifty
2 Thousand Dollars (\$50,000.00), or both such imprisonment and fine.

3 E. A person commits conspiracy when, with an intent that a
4 violation proscribed by subsection A, B or C of this section be
5 committed, the person agrees with another to the commission of the
6 violation proscribed by subsection A, B or C of this section, and
7 upon conviction is guilty of a Class D3 felony offense, punishable
8 by imprisonment ~~for not more than two (2) years~~ as provided for in
9 subsections B through F of Section 20P of Title 21 of the Oklahoma
10 Statutes, or by a fine of not more than Twenty-five Thousand Dollars
11 (\$25,000.00), or both such imprisonment and fine. No person may be
12 convicted of conspiracy under this section unless an act in
13 furtherance of such agreement is alleged and proved to have been
14 committed by that person or a coconspirator.

15 F. A person commits solicitation when, with intent that a
16 violation proscribed by subsection A, B or C of this section be
17 committed, the person commands, encourages, or requests another to
18 commit the violation proscribed by subsection A, B or C of this
19 section, and upon conviction is guilty of a Class D3 felony offense,
20 punishable by imprisonment ~~for not more than two (2) years~~ as
21 provided for in subsections B through F of Section 20P of Title 21
22 of the Oklahoma Statutes, or by a fine of not more than Ten Thousand
23 Dollars (\$10,000.00), or both such imprisonment and fine.

1 G. A person commits aiding and abetting when, either before or
2 during the commission of a violation proscribed by subsection A, B
3 or C of this section, with the intent to promote or facilitate such
4 commission, the person aids, abets, agrees or attempts to aid
5 another in the planning or commission of the violation proscribed by
6 subsection A, B or C of this section, and upon conviction is guilty
7 of a Class D3 felony offense, punishable by imprisonment ~~for not~~
8 ~~more than one (1) year~~ as provided for in subsections B through F of
9 Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of
10 not more than Five Thousand Dollars (\$5,000.00), or both such
11 imprisonment and fine.

12 H. A person is an accessory after the fact who maintains,
13 assists, or gives any other aid to an offender while knowing or
14 having reasonable grounds to believe the offender to have committed
15 a violation under subsection A, B, C, D, E, F or G of this section,
16 and upon conviction is guilty of a Class D3 felony offense,
17 punishable by imprisonment ~~for not more than one (1) year~~ as
18 provided for in subsections B through F of Section 20P of Title 21
19 of the Oklahoma Statutes, or by a fine of not more than Five
20 Thousand Dollars (\$5,000.00), or both such imprisonment and fine.

21 I. No prosecution shall be brought and no person shall be
22 convicted of any violation under this section, where acts of the
23 person, otherwise constituting a violation, were done in good faith
24 in order to comply with the laws or regulations of any state or

1 territory of the United States, or of the federal government of the
2 United States.

3 J. The sentence imposed upon a person convicted of any
4 violation of this section shall not be reduced to less than one (1)
5 year imprisonment for a second conviction of any violation, or less
6 than five (5) years for a third or subsequent conviction of any
7 violation of this section, and no sentence imposed upon a person for
8 a second or subsequent conviction of any violation of this section
9 shall be suspended or reduced, until such person shall have served
10 the minimum period of imprisonment provided for herein. A person
11 convicted of a second or subsequent violation of this section shall
12 not be eligible for probation, parole, furlough or work release. A
13 second conviction or any third or subsequent conviction of a
14 violation of this section shall be deemed a Class B3 felony offense.

15 K. 1. In addition to any other punishment, a person who
16 violates this section shall be ordered to make restitution to the
17 lawful owner or owners of the stolen vessel or motor or the stolen
18 vessel or motor part or parts, or to the owner's insurer to the
19 extent that the owner has been compensated by the insurer, and to
20 any other person for any financial loss sustained as a result of a
21 violation of this section.

22 Financial loss shall include, but not be limited to, loss of
23 earnings, out-of-pocket and other expenses, repair and replacement
24 costs and claims payments. "Lawful owner" shall include an innocent

1 bona fide purchaser for value of a stolen vessel or motor or stolen
2 vessel or motor part who does not know that the vessel or motor or
3 part is stolen; or an insurer to the extent that such insurer has
4 compensated a bona fide purchaser for value.

5 2. The court shall determine the extent and method of
6 restitution. In an extraordinary case, the court may determine that
7 the best interests of the victim and justice would not be served by
8 ordering restitution. In any such case, the court shall make and
9 enter specific written findings on the record concerning the
10 extraordinary circumstances presented which militated against
11 restitution.

12 SECTION 99. AMENDATORY 21 O.S. 2021, Section 53, is
13 amended to read as follows:

14 Section 53. Every woman who, having been convicted of
15 endeavoring to conceal the birth of an issue of her body, which, if
16 born alive, would be a bastard, or the death of any such issue under
17 the age of two (2) years, subsequently to such conviction endeavors
18 to conceal any such birth or death of issue of her body, shall be
19 guilty of a Class B4 felony offense punishable by imprisonment in
20 the State Penitentiary not exceeding five (5) years and not less
21 than two (2) years.

22 SECTION 100. AMENDATORY 21 O.S. 2021, Section 645, is
23 amended to read as follows:

1 Section 645. Every person who, with intent to do bodily harm
2 and without justifiable or excusable cause, commits any assault,
3 battery, or assault and battery upon the person of another with any
4 sharp or dangerous weapon, or who, without such cause, shoots at
5 another, with any kind of firearm, air gun, conductive energy weapon
6 or other means whatever, with intent to injure any person, although
7 without the intent to kill such person or to commit any felony, upon
8 conviction is guilty of a Class B4 felony offense punishable by
9 imprisonment in the State Penitentiary not exceeding ten (10) years,
10 or by imprisonment in a county jail not exceeding one (1) year.

11 SECTION 101. AMENDATORY 21 O.S. 2021, Section 799, is
12 amended to read as follows:

13 Section 799. Any person guilty of robbery in the second degree
14 shall be guilty of a Class B4 felony offense punishable by
15 imprisonment in the State Penitentiary not exceeding ten (10) years.

16 SECTION 102. AMENDATORY 21 O.S. 2021, Section 843.3, is
17 amended to read as follows:

18 Section 843.3. A. Any person who engages in abuse, sexual
19 abuse, or exploitation of a vulnerable adult, as defined in Section
20 10-103 of Title 43A of the Oklahoma Statutes, shall be guilty of a
21 Class B4 felony offense. The person, upon conviction, shall be
22 fined not more than Ten Thousand Dollars (\$10,000.00) or be
23 imprisoned in the custody of the Department of Corrections for a
24

1 term of not more than two (2) years, or both such fine and
2 imprisonment.

3 B. Any person who has a responsibility to care for a vulnerable
4 adult as defined by Section 10-103 of Title 43A of the Oklahoma
5 Statutes who purposely, knowingly or recklessly neglects the
6 vulnerable adult shall be guilty of a Class D1 felony offense. The
7 person, upon conviction, shall be fined not more than Ten Thousand
8 Dollars (\$10,000.00), or be imprisoned in the custody of the
9 ~~Department of Corrections for a term of not more than two (2) years~~
10 as provided for in subsections B through F of Section 20N of Title
11 21 of the Oklahoma Statutes, or both such fine and imprisonment.

12 C. In addition the court shall consider any provision of the
13 Elderly and Incapacitated Victim's Protection Act when the victim is
14 an elderly or incapacitated person as defined by Section 991a-15 of
15 Title 22 of the Oklahoma Statutes.

16 SECTION 103. AMENDATORY 21 O.S. 2021, Section 850, is
17 amended to read as follows:

18 Section 850. A. No person shall maliciously and with the
19 specific intent to intimidate or harass another person because of
20 that person's race, color, religion, ancestry, national origin or
21 disability:

- 22 1. Assault or batter another person;
- 23 2. Damage, destroy, vandalize or deface any real or personal
- 24 property of another person; or

1 3. Threaten, by word or act, to do any act prohibited by
2 paragraph 1 or 2 of this subsection if there is reasonable cause to
3 believe that such act will occur.

4 B. No person shall maliciously and with specific intent to
5 incite or produce, and which is likely to incite or produce,
6 imminent violence, which violence would be directed against another
7 person because of that person's race, color, religion, ancestry,
8 national origin or disability, make or transmit, cause or allow to
9 be transmitted, any telephonic, computerized, or electronic message.

10 C. No person shall maliciously and with specific intent to
11 incite or produce, and which is likely to incite or produce,
12 imminent violence, which violence would be directed against another
13 person because of that person's race, color, religion, ancestry,
14 national origin or disability, broadcast, publish, or distribute,
15 cause or allow to be broadcast, published or distributed, any
16 message or material.

17 D. Any person convicted of violating any provision of
18 subsections A, B or C of this section shall be guilty of a
19 misdemeanor on a first offense and a Class B4 felony offense
20 punishable by not more than ten (10) years incarceration in the
21 custody of the Department of Corrections for a second or subsequent
22 offense. The fine for a felony violation of this section shall not
23 exceed Ten Thousand Dollars (\$10,000.00). Furthermore, said person
24

1 shall be civilly liable for any damages resulting from any violation
2 of this section.

3 E. Upon conviction, any person guilty of a misdemeanor in
4 violation of this section shall be punishable by the imposition of a
5 fine not exceeding One Thousand Dollars (\$1,000.00), or by
6 imprisonment in the county jail for a period of not more than one
7 (1) year, or by both such fine and imprisonment.

8 F. The Oklahoma State Bureau of Investigation shall develop a
9 standard system for state and local law enforcement agencies to
10 report incidents of crime which are apparently directed against
11 members of racial, ethnic, religious groups or other groups
12 specified by this section. The Oklahoma State Bureau of
13 Investigation shall promulgate rules, regulations and procedures
14 necessary to develop, implement and maintain a standard system for
15 the collection and reporting of hate crime data. All state, county,
16 city and town law enforcement agencies shall submit a monthly report
17 to the Oklahoma State Bureau of Investigation on forms prescribed by
18 the Bureau. The report shall contain the number and nature of the
19 offenses committed within their respective jurisdictions, the
20 disposition of such matters and any other information the Bureau may
21 require, respecting information relating to the cause and prevention
22 of crime, recidivism, the rehabilitation of criminals and the proper
23 administration of criminal justice.

1 G. No person, partnership, company or corporation that installs
2 telephonic, computerized, or electronic message equipment shall be
3 required to monitor the use of such equipment for possible
4 violations of this section, nor shall such person, partnership,
5 company or corporation be held criminally or civilly liable for the
6 use by another person of the equipment in violation of this section,
7 unless the person, partnership, company or corporation that
8 installed the equipment had prior actual knowledge that the
9 equipment was to be used in violation of this section.

10 SECTION 104. AMENDATORY 21 O.S. 2021, Section 851, is
11 amended to read as follows:

12 Section 851. A. Any parent of any child or children under the
13 age of ten (10) years, and every person to whom such child or
14 children have been confided for nurture or education, who deserts
15 such child or children within this state, or takes such child or
16 children without this state, with the intent wholly to abandon it
17 shall be deemed guilty of a Class B4 felony offense and upon
18 conviction thereof shall be punished by imprisonment in the State
19 Penitentiary for any period of time not less than one (1) year nor
20 more than ten (10) years.

21 B. It is an affirmative defense to a prosecution under this
22 section that a parent voluntarily delivered a child under the age of
23 thirty (30) days to and left the child with, or voluntarily arranged
24 for another person to deliver a child to and leave the child with, a

1 medical services provider or child rescuer as provided in Section 1-
2 2-109 of Title 10A of the Oklahoma Statutes.

3 SECTION 105. AMENDATORY 21 O.S. 2021, Section 853, is
4 amended to read as follows:

5 Section 853. Every person who shall without good cause abandon
6 his wife in destitute or necessitous circumstances and neglect and
7 refuse to maintain or provide for her, or who shall abandon his or
8 her minor child or children under the age of fifteen (15) years and
9 willfully neglect or refuse to maintain or provide for such child or
10 children, shall be deemed guilty of a Class B4 felony offense and,
11 upon conviction thereof, shall be punished by imprisonment in the
12 State Penitentiary for any period of time not less than one (1) year
13 or more than ten (10) years.

14 SECTION 106. AMENDATORY 21 O.S. 2021, Section 856, is
15 amended to read as follows:

16 Section 856. A. 1. Except as otherwise specifically provided
17 by law, every person who shall knowingly or willfully cause, aid,
18 abet or encourage a minor to be, to remain, or to become a
19 delinquent child or a runaway child, upon conviction, shall, for the
20 first offense, be guilty of a misdemeanor punishable by imprisonment
21 in a county jail not to exceed one (1) year, or by a fine not to
22 exceed One Thousand Dollars (\$1,000.00), or by both such fine and
23 imprisonment.

1 2. For purposes of prosecution under this subsection, a
2 "runaway child" means an unemancipated minor who is voluntarily
3 absent from the home without a compelling reason, without the
4 consent of a custodial parent or other custodial adult and without
5 the parent or other custodial adult's knowledge as to the child's
6 whereabouts. "Compelling reason" means imminent danger from incest,
7 a life-threatening situation, or equally traumatizing circumstance.
8 A person aiding a runaway child pursuant to paragraph (4) of
9 subsection (a) of Section 5 of Title 76 of the Oklahoma Statutes or
10 aiding a child based upon a reasonable belief that the child is in
11 physical, mental or emotional danger and with notice to the
12 Department of Human Services or a local law enforcement agency of
13 the location of the child within twelve (12) hours of aiding the
14 child shall not be subject to prosecution under this section.

15 B. Every person convicted of a second or any subsequent
16 violation of this section shall be guilty of a Class D3 felony
17 offense punishable by imprisonment ~~in the custody of the Department~~
18 ~~of Corrections not to exceed three (3) years~~ as provided for in
19 subsections B through F of Section 20P of Title 21 of the Oklahoma
20 Statutes, or by a fine not exceeding Five Thousand Dollars
21 (\$5,000.00), or by both such fine and imprisonment.

22 C. Every person eighteen (18) years of age or older who shall
23 knowingly or willfully cause, aid, abet, or encourage a minor to
24 commit or participate in committing an act that would be a felony if

1 committed by an adult shall, upon conviction, be guilty of a Class
2 B5 felony offense punishable by the maximum penalty allowed for
3 conviction of the offense or offenses which the person caused,
4 aided, abetted, or encouraged the minor to commit or participate in
5 committing.

6 D. Every person who shall knowingly or willfully cause, aid,
7 abet, encourage, solicit, or recruit a minor to participate, join,
8 or associate with any criminal street gang, as defined by subsection
9 F of this section, or any gang member for the purpose of committing
10 any criminal act shall, upon conviction, be guilty of a Class B5
11 felony offense punishable by imprisonment in the custody of the
12 Department of Corrections for a term of not more than five (5)
13 years, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or
14 both such fine and imprisonment.

15 E. Every person convicted of a second or subsequent violation
16 of subsection D of this section shall be guilty of a Class B4 felony
17 offense punishable by imprisonment in the custody of the Department
18 of Corrections for a term not less than five (5) years nor more than
19 ten (10) years, or by a fine not exceeding Five Thousand Dollars
20 (\$5,000.00), or by both such fine and imprisonment.

21 F. "Criminal street gang" means any ongoing organization,
22 association, or group of five or more persons that specifically
23 either promotes, sponsors, or assists in, or participates in, and
24

1 requires as a condition of membership or continued membership, the
2 commission of one or more of the following criminal acts:

3 1. Assault, battery, or assault and battery with a deadly
4 weapon, as defined in Section 645 of this title;

5 2. Aggravated assault and battery as defined by Section 646 of
6 this title;

7 3. Robbery by force or fear, as defined in Sections 791 through
8 797 of this title;

9 4. Robbery or attempted robbery with a dangerous weapon or
10 imitation firearm, as defined by Section 801 of this title;

11 5. Unlawful homicide or manslaughter, as defined in Sections
12 691 through 722 of this title;

13 6. The sale, possession for sale, transportation, manufacture,
14 offer for sale, or offer to manufacture controlled dangerous
15 substances, as defined in Section 2-101 et seq. of Title 63 of the
16 Oklahoma Statutes;

17 7. Trafficking in illegal drugs, as provided for in the
18 Trafficking in Illegal Drugs Act, Section 2-414 of Title 63 of the
19 Oklahoma Statutes;

20 8. Arson, as defined in Sections 1401 through 1403 of this
21 title;

22 9. The influence or intimidation of witnesses and jurors, as
23 defined in Sections 388, 455 and 545 of this title;

1 10. Theft of any vehicle, as described in Section 1720 of this
2 title;

3 11. Rape, as defined in Section 1111 of this title;

4 12. Extortion, as defined in Section 1481 of this title;

5 13. Transporting a loaded firearm in a motor vehicle, in
6 violation of Section 1289.13 of this title;

7 14. Possession of a concealed weapon, as defined by Section
8 1289.8 of this title;

9 15. Shooting or discharging a firearm, as defined by Section
10 652 of this title;

11 16. Soliciting, inducing or enticing another to commit an act
12 of prostitution, as defined by Section 1030 of this title;

13 17. Human trafficking, as defined by Section 748 of this title;
14 or

15 18. Possession of a firearm after former conviction of a
16 felony, as defined by Section 1283 of this title.

17 SECTION 107. AMENDATORY 21 O.S. 2021, Section 885, is
18 amended to read as follows:

19 Section 885. Persons who, being within the degrees of
20 consanguinity within which marriages are by the laws of the state
21 declared incestuous and void, intermarry with each other, or commit
22 adultery or fornication with each other, shall be guilty of a Class
23 B4 felony offense punishable by imprisonment in the custody of the
24 Department of Corrections not exceeding ten (10) years. Except for

1 persons sentenced to life or life without parole, any person
2 sentenced to imprisonment for two (2) years or more for a violation
3 of this subsection shall be required to serve a term of post-
4 imprisonment supervision pursuant to subparagraph f of paragraph 1
5 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
6 under conditions determined by the Department of Corrections. The
7 jury shall be advised that the mandatory post-imprisonment
8 supervision shall be in addition to the actual imprisonment.

9 SECTION 108. AMENDATORY 21 O.S. 2021, Section 886, is
10 amended to read as follows:

11 Section 886. Every person who is guilty of the detestable and
12 abominable crime against nature, committed with mankind or with a
13 beast, is guilty of a Class B4 felony offense punishable by
14 imprisonment in the custody of the Department of Corrections not
15 exceeding ten (10) years. Except for persons sentenced to life or
16 life without parole, any person sentenced to imprisonment for two
17 (2) years or more for a violation of this section shall be required
18 to serve a term of post-imprisonment supervision pursuant to
19 subparagraph f of paragraph 1 of subsection A of Section 991a of
20 Title 22 of the Oklahoma Statutes under conditions determined by the
21 Department of Corrections. The jury shall be advised that the
22 mandatory post-imprisonment supervision shall be in addition to the
23 actual imprisonment.

1 SECTION 109. AMENDATORY 21 O.S. 2021, Section 891, is
2 amended to read as follows:

3 Section 891. Whoever maliciously, forcibly or fraudulently
4 takes or entices away any child under the age of sixteen (16) years,
5 with intent to detain or conceal such child from its parent,
6 guardian or other person having the lawful charge of such child or
7 to transport such child from the jurisdiction of this state or the
8 United States without the consent of the person having lawful charge
9 of such child shall, upon conviction, be guilty of a Class B4 felony
10 offense punishable by imprisonment in the custody of the Department
11 of Corrections not exceeding ten (10) years.

12 Except for persons sentenced to life or life without parole, any
13 person sentenced to imprisonment for two (2) years or more for a
14 violation of this section and the offense involved sexual abuse or
15 sexual exploitation, shall be required to serve a term of post-
16 imprisonment supervision pursuant to subparagraph f of paragraph 1
17 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
18 under conditions determined by the Department of Corrections. The
19 jury shall be advised that the mandatory post-imprisonment
20 supervision shall be in addition to the actual imprisonment.

21 SECTION 110. AMENDATORY 21 O.S. 2021, Section 1028, as
22 amended by Section 1, Chapter 267, O.S.L. 2024 (21 O.S. Supp. 2024,
23 Section 1028), is amended to read as follows:

24

1 Section 1028. A. It shall be unlawful in the State of
2 Oklahoma:

3 1. To keep, set up, maintain, or operate any house, place,
4 building, other structure, or part thereof, or vehicle, trailer, or
5 other conveyance with the intent of committing an act of
6 prostitution, lewdness, or assignation;

7 2. To knowingly own any house, place, building, other
8 structure, or part thereof, or vehicle, trailer, or other conveyance
9 used with the intent of committing an act of lewdness, assignation,
10 or prostitution, or to let, lease, or rent, or contract to let,
11 lease, or rent any such place, premises, or conveyance, or part
12 thereof, to another with knowledge or reasonable cause to believe
13 that the intention of the lessee or rentee is to use such place,
14 premises, or conveyance for prostitution, lewdness, or assignation;

15 3. To offer, or to offer to secure, another with the intent of
16 having such person commit an act of prostitution, or with the intent
17 of having such person commit any other lewd or indecent act;

18 4. To receive or to offer or agree to receive any person into
19 any house, place, building, other structure, vehicle, trailer, or
20 other conveyance with the intent of committing an act of
21 prostitution, lewdness, or assignation, or to permit any person to
22 remain there with such intent;

23 5. To direct, take, or transport, or to offer or agree to take
24 or transport, or aid or assist in transporting, any person to any

1 house, place, building, other structure, vehicle, trailer, or other
2 conveyance, or to any other person with knowledge or having
3 reasonable cause to believe that the intent of such directing,
4 taking or transporting is prostitution, lewdness or assignation;

5 6. To knowingly accept, receive, levy, or appropriate any money
6 or other thing of value without consideration from a prostitute or
7 from the proceeds of any person engaged in prostitution; or

8 7. To knowingly abet the crime of prostitution by allowing a
9 house, place, building, or parking lot to be used or occupied by a
10 person who is soliciting, inducing, enticing, or procuring another
11 to commit an act of lewdness, assignation, or prostitution or who is
12 engaging in prostitution, lewdness, or assignation on the premises
13 of the house, place, building, or parking lot.

14 B. Any person who violates the provisions of this section
15 shall, upon conviction, be guilty of a Class B4 felony offense
16 punishable by imprisonment in the Department of Corrections for a
17 term of not more than five (5) years, and by a fine as follows:

18 1. Not more than Five Thousand Dollars (\$5,000.00) upon the
19 first conviction;

20 2. Not more than Ten Thousand Dollars (\$10,000.00) upon the
21 second conviction; and

22 3. Not more than Fifteen Thousand Dollars (\$15,000.00) upon the
23 third or subsequent conviction.
24

1 C. Any person who violates the provisions of this section where
2 the victim of the offense is under eighteen (18) years of age at the
3 time of the offense shall, upon conviction, be guilty of a felony
4 punishable by imprisonment in the custody of the Department of
5 Corrections for a term of not more than fifteen (15) years, and by a
6 fine as follows:

7 1. Not more than Ten Thousand Dollars (\$10,000.00) upon the
8 first conviction;

9 2. Not more than Twenty Thousand Dollars (\$20,000.00) upon the
10 second conviction; and

11 3. Not more than Thirty Thousand Dollars (\$30,000.00) upon the
12 third or subsequent conviction.

13 SECTION 111. AMENDATORY 21 O.S. 2021, Section 1040.13,
14 as amended by Section 21, Chapter 59, O.S.L. 2024 (21 O.S. Supp.
15 2024, Section 1040.13), is amended to read as follows:

16 Section 1040.13. Every person who, with knowledge of its
17 contents, sends, brings, or causes to be sent or brought into this
18 state for sale or commercial distribution, or in this state
19 prepares, sells, exhibits, commercially distributes, gives away,
20 offers to give away, or has in his or her possession with intent to
21 sell, to commercially distribute, to exhibit, to give away, or to
22 offer to give away any obscene material or child sexual abuse
23 material or gives information stating when, where, how, or from
24 whom, or by what means obscene material or child sexual abuse

1 material can be purchased or obtained, upon conviction, is guilty of
2 a Class B4 felony offense and shall be punished by imprisonment for
3 not more than ten (10) years in prison or by a fine of not more than
4 Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and
5 fine.

6 SECTION 112. AMENDATORY 21 O.S. 2021, Section 1040.13a,
7 is amended to read as follows:

8 Section 1040.13a. A. It is unlawful for any person to
9 facilitate, encourage, offer or solicit sexual conduct with a minor,
10 or other individual the person believes to be a minor, by use of any
11 technology, or to engage in any communication for sexual or prurient
12 interest with any minor, or other individual the person believes to
13 be a minor, by use of any technology. For purposes of this
14 subsection, "by use of any technology" means the use of any
15 telephone or cell phone, computer disk (CD), digital video disk
16 (DVD), recording or sound device, CD-ROM, VHS, computer, computer
17 network or system, Internet or World Wide Web address including any
18 blog site or personal web address, e-mail address, Internet Protocol
19 address (IP), text messaging or paging device, any video, audio,
20 photographic or camera device of any computer, computer network or
21 system, cell phone, any other electrical, electronic, computer or
22 mechanical device, or any other device capable of any transmission
23 of any written or text message, audio or sound message,
24

1 photographic, video, movie, digital or computer-generated image, or
2 any other communication of any kind by use of an electronic device.

3 B. A person is guilty of violating the provisions of this
4 section if the person knowingly transmits any prohibited
5 communication by use of any technology defined herein, or knowingly
6 prints, publishes or reproduces by use of any technology described
7 herein any prohibited communication, or knowingly buys, sells,
8 receives, exchanges, or disseminates any prohibited communication or
9 any information, notice, statement, website, or advertisement for
10 communication with a minor or access to any name, telephone number,
11 cell phone number, e-mail address, Internet address, text message
12 address, place of residence, physical characteristics or other
13 descriptive or identifying information of a minor, or other
14 individual the person believes to be a minor.

15 C. The fact that an undercover operative or law enforcement
16 officer was involved in the detection and investigation of an
17 offense pursuant to this section shall not constitute a defense to a
18 prosecution under this section.

19 D. Any violation of the provisions of this section shall be a
20 Class B4 felony offense, punishable by a fine in an amount not to
21 exceed Ten Thousand Dollars (\$10,000.00), or by imprisonment in the
22 custody of the Department of Corrections for a term of not more than
23 ten (10) years, or by both such fine and imprisonment. For purposes
24 of this section, each communication shall constitute a separate

1 offense. Except for persons sentenced to life or life without
2 parole, any person sentenced to imprisonment for two (2) years or
3 more for a violation of this section shall be required to serve a
4 term of post-imprisonment supervision pursuant to subparagraph f of
5 paragraph 1 of subsection A of Section 991a of Title 22 of the
6 Oklahoma Statutes under conditions determined by the Department of
7 Corrections. The jury shall be advised that the mandatory post-
8 imprisonment supervision shall be in addition to the actual
9 imprisonment.

10 E. For purposes of any criminal prosecution pursuant to any
11 violation of this section, the person violating the provisions of
12 this section shall be deemed to be within the jurisdiction of this
13 state by the fact of accessing any computer, cellular phone or other
14 computer-related or satellite-operated device in this state,
15 regardless of the actual jurisdiction where the violator resides.

16 SECTION 113. AMENDATORY 21 O.S. 2021, Section 1073, is
17 amended to read as follows:

18 Section 1073. Any person who promotes a pyramid promotional
19 scheme shall be guilty of a Class B4 felony offense and, upon
20 conviction, shall be punishable by a fine of not more than Ten
21 Thousand Dollars (\$10,000.00) or by imprisonment in the State
22 Penitentiary for not more than ten (10) years, or by both such fine
23 and imprisonment, for each violation of this act.

1 SECTION 114. AMENDATORY 21 O.S. 2021, Section 1086, is
2 amended to read as follows:

3 Section 1086. Any owner, proprietor, keeper, manager,
4 conductor, or other person, who knowingly permits or suffers the
5 violation of any provision of this article, in any house, building,
6 room, tent, lot or premises under his control or of which he has
7 possession, upon conviction, shall be punished for the first offense
8 by imprisonment within the county jail for a period of not less than
9 six (6) months nor more than one (1) year, and by a fine of not more
10 than Three Hundred Dollars (\$300.00), and upon conviction for any
11 subsequent offense under this article shall be guilty of a Class B4
12 felony offense and shall be punished by imprisonment in the State
13 Penitentiary for a period of not less than one (1) year nor more
14 than ten (10) years.

15 SECTION 115. AMENDATORY 21 O.S. 2021, Section 1118, is
16 amended to read as follows:

17 Section 1118. Any person who takes any woman unlawfully against
18 her will, with the intent to compel her by force, menace or duress
19 to marry him, or to marry any other person, shall be guilty of a
20 Class B4 felony offense punishable by imprisonment in the State
21 Penitentiary not exceeding ten (10) years.

22 SECTION 116. AMENDATORY 21 O.S. 2021, Section 1119, is
23 amended to read as follows:
24

1 Section 1119. Every person who takes away or induces to leave
2 any person under the age of fifteen (15) years, from a parent,
3 guardian or other person having the legal charge of the person,
4 without the consent of said parent, guardian, or other person having
5 legal charge, for the purpose of marriage or concubinage, or any
6 crime involving moral turpitude shall be guilty of a Class B4 felony
7 offense punishable by imprisonment in the State Penitentiary not
8 exceeding five (5) years, or by imprisonment in the county jail not
9 exceeding one (1) year, or by a fine not exceeding One Thousand
10 Dollars (\$1,000.00), or by both such fine and imprisonment.

11 SECTION 117. AMENDATORY 21 O.S. 2021, Section 1161.1, is
12 amended to read as follows:

13 Section 1161.1. A. It is unlawful for any person to knowingly
14 and willfully desecrate a human corpse for any purpose of:

- 15 1. Tampering with the evidence of a crime;
- 16 2. Camouflaging the death of human being;
- 17 3. Disposing of a dead body;
- 18 4. Impeding or prohibiting the detection, investigation or
19 prosecution of a crime;
- 20 5. Altering, inhibiting or concealing the identification of a
21 dead body, a crime victim, or a criminal offender; or
- 22 6. Disrupting, prohibiting or interfering with any law
23 enforcement agency or the Office of the State Medical Examiner in
24 detecting, investigating, examining, determining, identifying or

1 processing a dead body, cause of death, the scene where a dead body
2 is found, or any forensic examination or investigation relating to a
3 dead body or a crime.

4 B. Upon conviction, the violator of any provision of this
5 section shall be guilty of a Class B4 felony offense punishable by
6 imprisonment in the custody of the Department of Corrections for a
7 term not more than seven (7) years, by a fine not exceeding Eight
8 Thousand Dollars (\$8,000.00), or by both such fine and imprisonment.

9 C. This offense may be prosecuted in addition to any
10 prosecution pursuant to Section 1161 of Title 21 of the Oklahoma
11 Statutes for removal of a dead body or any other criminal offense.

12 D. For purposes of this section, "desecration of a human
13 corpse" means any act committed after the death of a human being
14 including, but not limited to, dismemberment, disfigurement,
15 mutilation, burning, or any act committed to cause the dead body to
16 be devoured, scattered or dissipated; except, those procedures
17 performed by a state agency or licensed authority in due course of
18 its duties and responsibilities for forensic examination, gathering
19 or removing crime scene evidence, presentation or preservation of
20 evidence, dead body identification, cause of death, autopsy,
21 cremation or burial, organ donation, use of a cadaver for medical
22 educational purposes, or other necessary procedures to identify,
23 remove or dispose of a dead body by the proper authority.

1 SECTION 118. AMENDATORY 21 O.S. 2021, Section 1173, as
2 amended by Section 2, Chapter 318, O.S.L. 2022 (21 O.S. Supp. 2024,
3 Section 1173), is amended to read as follows:

4 Section 1173. A. Any person who willfully, maliciously, and
5 repeatedly follows or harasses another person in a manner that:

6 1. Would cause a reasonable person or a member of the immediate
7 family of that person as defined in subsection F of this section to
8 feel frightened, intimidated, threatened, harassed, or molested; and

9 2. Actually causes the person being followed or harassed to
10 feel terrorized, frightened, intimidated, threatened, harassed, or
11 molested,

12 shall, upon conviction, be guilty of the crime of stalking, which is
13 a felony punishable by imprisonment in the custody of the Department
14 of Corrections for a term not to exceed three (3) years, or by a
15 fine not to exceed Five Thousand Dollars (\$5,000.00), or by both
16 such fine and imprisonment. Any person convicted of a second
17 violation of the provisions of this subsection shall be punished by
18 imprisonment in the custody of the Department of Corrections for a
19 term not to exceed six (6) years, or by a fine not to exceed Ten
20 Thousand Dollars (\$10,000.00), or by both such fine and

21 imprisonment. Any person convicted of a third or subsequent
22 violation of the provisions of this subsection shall be punished by
23 imprisonment in the custody of the Department of Corrections for a
24 term not to exceed twelve (12) years, or by a fine not to exceed

1 Fifteen Thousand Dollars (\$15,000.00), or by both such fine and
2 imprisonment.

3 B. Any person who violates the provisions of subsection A of
4 this section when:

5 1. There is a permanent or temporary restraining order, a
6 protective order, an emergency ex parte protective order, or an
7 injunction in effect prohibiting the behavior described in
8 subsection A of this section against the same party, when the person
9 violating the provisions of subsection A of this section has actual
10 notice of the issuance of such order or injunction;

11 2. Said person is on probation or parole, a condition of which
12 prohibits the behavior described in subsection A of this section
13 against the same party or under the conditions of a community or
14 alternative punishment; or

15 3. Said person, within ten (10) years preceding the violation
16 of subsection A of this section, completed the execution of sentence
17 for a conviction of a crime involving the use or threat of violence
18 against the same party, or against any member of the immediate
19 family of such party,
20 shall, upon conviction, be guilty of a Class B5 felony offense
21 punishable by imprisonment in the custody of the Department of
22 Corrections for a term not to exceed fifteen (15) years, or by a
23 fine not to exceed Twenty Thousand Dollars (\$20,000.00), or by both
24 such fine and imprisonment.

1 C. Any person who:

2 1. Commits a second act of stalking within ten (10) years of
3 the completion of sentence for a prior conviction of stalking; or

4 2. Has a prior conviction of stalking and, after being served
5 with a protective order that prohibits contact with an individual,
6 knowingly makes unconsented contact with the same individual,
7 shall, upon conviction, be guilty of a Class B5 felony offense
8 punishable by imprisonment in the custody of the Department of
9 Corrections for a term not to exceed twenty (20) years, or by a fine
10 not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both
11 such fine and imprisonment.

12 D. Any person who commits an act of stalking within ten (10)
13 years of the completion of execution of sentence for a prior
14 conviction under subsection B or C of this section shall, upon
15 conviction, be guilty of a Class B4 felony offense punishable by
16 imprisonment in the custody of the Department of Corrections for a
17 term not to exceed twenty-five (25) years, or by a fine not to
18 exceed Thirty Thousand Dollars (\$30,000.00), or by both such fine
19 and imprisonment.

20 E. Evidence that the defendant continued to engage in a course
21 of conduct involving repeated unconsented contact, as defined in
22 subsection F of this section, with the victim after having been
23 requested by the victim to discontinue the same or any other form of
24 unconsented contact, and to refrain from any further unconsented

1 contact with the victim, shall give rise to a rebuttable presumption
2 that the continuation of the course of conduct caused the victim to
3 feel terrorized, frightened, intimidated, threatened, harassed, or
4 molested.

5 F. For purposes of determining the crime of stalking, the
6 following definitions shall apply:

7 1. "Harasses" means a pattern or course of conduct directed
8 toward another individual that includes, but is not limited to,
9 repeated or continuing unconsented contact, that would cause a
10 reasonable person to suffer emotional distress, and that actually
11 causes emotional distress to the victim. Harassment shall include
12 harassing or obscene phone calls as prohibited by Section 1172 of
13 this title and conduct prohibited by Section 850 of this title.
14 Harassment does not include constitutionally protected activity or
15 conduct that serves a legitimate purpose;

16 2. "Course of conduct" means a series of two or more separate
17 acts over a period of time, however short or long, evidencing a
18 continuity of purpose, including any of the following:

- 19 a. maintaining a visual or physical proximity to the
20 victim,
- 21 b. approaching or confronting the victim in a public
22 place or on private property,
- 23 c. appearing at the workplace of the victim or contacting
24 the employer or coworkers of the victim,

- d. appearing at the home of the victim or contacting the neighbors of the victim,
- e. entering onto or remaining on property owned, leased, or occupied by the victim,
- f. contacting the victim by telephone, text message, electronic message, electronic mail, or other means of electronic communication or causing the telephone or electronic device of the victim or the telephone or electronic device of any other person to ring or generate notifications repeatedly or continuously, regardless of whether a conversation ensues,
- g. photographing, videotaping, audiotaping, or, through any other electronic means, monitoring or recording the activities of the victim. This subparagraph applies regardless of where the act occurs,
- h. sending to the victim any physical or electronic material or contacting the victim by any means, including any message, comment, or other content posted on any Internet site or web application,
- i. sending to a family member or member of the household of the victim, or any current or former employer of the victim, or any current or former coworker of the victim, or any friend of the victim, any physical or electronic material or contacting such person by any

1 means, including any message, comment, or other
2 content posted on any Internet site or web
3 application, for the purpose of obtaining information
4 about, disseminating information about, or
5 communicating with the victim,

- 6 j. placing an object on or delivering an object to
7 property owned, leased, or occupied by the victim,
- 8 k. delivering an object to a family member or member of
9 the household of the victim, or an employer, coworker,
10 or friend of the victim, or placing an object on, or
11 delivering an object to, property owned, leased, or
12 occupied by such a person with the intent that the
13 object be delivered to the victim, or
- 14 l. causing a person to engage in any of the acts
15 described in subparagraphs a through k of this
16 paragraph.

17 Constitutionally protected activity is not included within the
18 meaning of "course of conduct";

19 3. "Emotional distress" means significant mental suffering or
20 distress that may, but does not necessarily require, medical or
21 other professional treatment or counseling;

22 4. "Unconsented contact" means any contact with another
23 individual that is initiated or continued without the consent of the
24 individual, or in disregard of that individual's expressed desire

1 that the contact be avoided or discontinued. Constitutionally
2 protected activity is not included within the meaning of unconsented
3 contact. Unconsented contact includes but is not limited to any of
4 the following:

- 5 a. following or appearing within the sight of that
6 individual,
- 7 b. approaching or confronting that individual in a public
8 place or on private property,
- 9 c. appearing at the workplace or residence of that
10 individual,
- 11 d. entering onto or remaining on property owned, leased,
12 or occupied by that individual,
- 13 e. contacting that individual by telephone,
- 14 f. sending mail or electronic communications to that
15 individual, and
- 16 g. placing an object on, or delivering an object to,
17 property owned, leased, or occupied by that
18 individual;

19 5. "Member of the immediate family", for the purposes of this
20 section, means any spouse, parent, child, person related within the
21 third degree of consanguinity or affinity or any other person who
22 regularly resides in the household or who regularly resided in the
23 household within the prior six (6) months; and
24

1 6. "Following" shall include the tracking of the movement or
2 location of an individual through the use of a Global Positioning
3 System (GPS) device or other monitoring device by a person, or
4 person who acts on behalf of another, without the consent of the
5 individual whose movement or location is being tracked; provided,
6 this shall not apply to the lawful use of a GPS device or other
7 monitoring device or to the use by a new or used motor vehicle
8 dealer or other motor vehicle creditor of a GPS device or other
9 monitoring device, including a device containing technology used to
10 remotely disable the ignition of a motor vehicle, in connection with
11 lawful action after default of the terms of a motor vehicle credit
12 sale, loan or lease, and with the express written consent of the
13 owner or lessee of the motor vehicle.

14 SECTION 119. AMENDATORY 21 O.S. 2021, Section 1217, is
15 amended to read as follows:

16 Section 1217. Any person or persons acting in concert with each
17 other who knowingly and willfully interfere with, molest, or assault
18 firemen in the performance of their duties, or who knowingly and
19 willfully obstruct, interfere with or impede the progress of firemen
20 to reach the destination of a fire, shall be deemed guilty of a
21 Class B4 felony offense and shall be punished therefor by
22 imprisonment in the State Penitentiary for a term not exceeding ten
23 (10) years nor less than two (2) years.

1 SECTION 120. AMENDATORY 21 O.S. 2021, Section 1230.7, is
2 amended to read as follows:

3 Section 1230.7. Any person commits ~~the~~ a Class B4 felony
4 offense of unlawful concealment of hazardous waste who knowingly and
5 willfully subjects any other person, including but not limited to
6 peace officers, emergency responders or clean-up crews, to the
7 potential for immediate or long-term risk to their health or safety
8 by exposure to chemical wastes, by knowingly and willfully:

9 1. Concealing or causing other persons to conceal the unlawful
10 abandonment or disposal of hazardous waste;

11 2. Concealing or causing other persons to conceal that
12 hazardous waste is being transported; or

13 3. Misrepresenting or causing other persons to misrepresent the
14 type of hazardous waste being transported.

15 SECTION 121. AMENDATORY 21 O.S. 2021, Section 1230.8, is
16 amended to read as follows:

17 Section 1230.8. Any person convicted of the offense of:

18 1. Unlawful hazardous waste transportation shall be guilty of a
19 Class D1 felony offense punishable by imprisonment ~~for not more than~~
20 ~~five (5) years~~ as provided for in subsections B through F of Section
21 20N of this title, or a fine of not more than Twenty-five Thousand
22 Dollars (\$25,000.00), or both such fine and imprisonment;

23 2. Unlawful waste management with respect to:
24

1 a. waste other than hazardous waste shall be guilty of a
2 misdemeanor punishable by a fine of not more than Ten
3 Thousand Dollars (\$10,000.00), and

4 b. hazardous waste shall be guilty of a Class D1 felony
5 offense punishable by imprisonment ~~for not more than~~
6 ~~five (5) years~~ as provided for in subsections B
7 through F of Section 20N of this title, or a fine of
8 not more than Fifty Thousand Dollars (\$50,000.00), or
9 both such fine and imprisonment;

10 3. Unlawful waste misrepresentation with respect to:

11 a. waste other than hazardous waste shall be guilty of a
12 misdemeanor punishable by a fine of not more than Five
13 Thousand Dollars (\$5,000.00), and

14 b. hazardous waste shall be guilty of a Class D1 felony
15 offense punishable by imprisonment ~~for not more than~~
16 ~~five (5) years~~ as provided for in subsections B
17 through F of Section 20N of this title, or a fine of
18 not more than Twenty-five Thousand Dollars
19 (\$25,000.00), or both such fine and imprisonment;

20 4. Unlawful disposal of hazardous waste shall be guilty of a
21 Class D1 felony offense punishable by imprisonment ~~for not more than~~
22 ~~five (5) years~~ as provided for in subsections B through F of Section
23 20N of this title, or a fine of not more than Twenty-five Thousand
24 Dollars (\$25,000.00), or both such fine and imprisonment; and

1 5. Unlawful concealment of hazardous waste shall be guilty of a
2 Class B4 felony offense punishable by imprisonment for not less than
3 two (2) years nor more than ten (10) years and a fine of not more
4 than One Hundred Thousand Dollars (\$100,000.00) .

5 SECTION 122. AMENDATORY 21 O.S. 2021, Section 1263, is
6 amended to read as follows:

7 Section 1263. Any person who, by word of mouth or writings,
8 advocates, affirmatively suggests or teaches the duty, necessity,
9 propriety or expediency of crime, criminal syndicalism, or sabotage,
10 or who shall advocate, affirmatively suggest or teach the duty,
11 necessity, propriety or expediency of doing any act of violence, the
12 destruction of or damage to any property, the bodily injury to any
13 person or persons, or the commission of any crime or unlawful act as
14 a means of accomplishing or effecting any industrial or political
15 ends, change, or revolution, or for profit; or who prints,
16 publishes, edits, issues, or knowingly circulates, sells,
17 distributes, or publicly displays any books, pamphlets, paper,
18 handbill, poster, document, or written or printed matter in any form
19 whatsoever, containing matter advocating, advising, affirmatively
20 suggesting, or teaching crime, criminal syndicalism, sabotage, the
21 doing of any act of physical violence, the destruction of or damage
22 to any property, the injury to any person, or the commission of any
23 crime or unlawful act as a means of accomplishing, effecting or
24 bringing about any industrial or political ends, or change, or as a

1 means of accomplishing, effecting or bringing about any industrial
2 or political revolution, or for profit; or who shall openly, or at
3 all attempt to justify by word of mouth or writing, the commission
4 or the attempt to commit sabotage, any act of physical violence, the
5 destruction of or damage to any property, the injury to any person
6 or the commission of any crime or unlawful act, with the intent to
7 exemplify, spread or teach or affirmatively suggest criminal
8 syndicalism; or who organizes, or helps to organize or becomes a
9 member of or voluntarily assembles with any society or assemblage of
10 persons which teaches, advocates, or affirmatively suggests the
11 doctrine of criminal syndicalism, sabotage, or the necessity,
12 propriety or expediency of doing any act of physical violence or the
13 commission of any crime or unlawful act as a means of accomplishing
14 or effecting any industrial or political ends, change or revolution,
15 or for profit, is guilty of a Class B4 felony offense, and upon
16 conviction thereof shall be punished by imprisonment in the State
17 Penitentiary for a term not to exceed ten (10) years, or by a fine
18 of not more than Five Thousand Dollars (\$5,000.00), or by both such
19 fine and imprisonment. Provided, that none of the provisions of
20 Sections 1261 through 1264 of this title shall be construed to
21 modify or affect Section 166 of Title 40 of the Oklahoma Statutes.

22 SECTION 123. AMENDATORY 21 O.S. 2021, Section 1265.2, is
23 amended to read as follows:

24

1 Section 1265.2. Whoever destroys, impairs, injures, interferes
2 or tampers with real or personal property with intent to hinder,
3 delay or interfere with the preparation of the United States or of
4 any of the states for defense or for war, or with the prosecution of
5 war by the United States, shall be guilty of a Class B4 felony
6 offense punishable by imprisonment for not more than ten (10) years,
7 or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or
8 both; provided, if such person so acts with the intent to hinder,
9 delay or interfere with the preparation of the United States or of
10 any of the states for defense or for war, or with the prosecution of
11 war by the United States, the minimum punishment shall be
12 imprisonment for not less than one (1) year.

13 SECTION 124. AMENDATORY 21 O.S. 2021, Section 1265.3, is
14 amended to read as follows:

15 Section 1265.3. Whoever intentionally makes or causes to be
16 made any defect in any article or thing with reasonable grounds to
17 believe that such article or thing is intended to be used in
18 connection with the preparation of the United States or any of the
19 states for defense or for war, or for the prosecution of war by the
20 United States, or that such article or thing is one of a number of
21 similar articles or things, some of which are intended so to be
22 used, shall be guilty of a Class B4 felony offense punishable by
23 imprisonment for not more than ten (10) years, or a fine of not more
24 than Ten Thousand Dollars (\$10,000.00) or both; provided, if such

1 person so acts with the intent to hinder, delay or interfere with
2 the preparation of the United States or of any of the states for
3 defense or for war, or with the prosecution of war by the United
4 States, the minimum punishment shall be imprisonment for not less
5 than one (1) year.

6 SECTION 125. AMENDATORY 21 O.S. 2021, Section 1265.5, is
7 amended to read as follows:

8 Section 1265.5. If two or more persons conspire to commit any
9 crime defined by Sections 1265.1 through 1265.14 of this title, each
10 of such persons is guilty of conspiracy, a Class B4 felony offense,
11 and subject to the same punishment as if he had committed the crime
12 which he conspired to commit, whether or not any act be done in
13 furtherance of the conspiracy. It shall not constitute any defense
14 or ground of suspension of judgment, sentence or punishment on
15 behalf of any person prosecuted under this section, that any of his
16 fellow conspirators has been acquitted, has not been arrested or
17 convicted, is not amenable to justice or has been pardoned or
18 otherwise discharged before or after conviction.

19 SECTION 126. AMENDATORY 21 O.S. 2021, Section 1268.4, is
20 amended to read as follows:

21 Section 1268.4. A. Terrorism hoax is a felony.

22 B. A person convicted of terrorism hoax shall be guilty of a
23 Class B4 felony offense and shall be punished by imprisonment in the
24 State Penitentiary for a term of not more than ten (10) years. In

1 addition to any punishment imposed for the act of terrorism hoax,
2 the person shall be ordered to make restitution to the victim and to
3 reimburse the cost of any emergency personnel, equipment, supplies,
4 and other expenses incurred by the state and any political
5 subdivision as a result of responding to such act.

6 SECTION 127. AMENDATORY 21 O.S. 2021, Section 1268.6, is
7 amended to read as follows:

8 Section 1268.6. A. It shall be unlawful for any person to
9 manufacture, send, deliver or possess any toxic, noxious, or lethal
10 substance, chemical, biological or nuclear material with the intent
11 of engaging in terrorist activity.

12 B. A person convicted of a violation of this section shall be
13 guilty of a Class B4 felony offense punishable by imprisonment in
14 the State Penitentiary for a term of not more than eight (8) years.
15 In addition to any term of imprisonment imposed for a violation of
16 this section, the person shall be ordered to make restitution to
17 victims and to reimburse the cost of any emergency personnel,
18 equipment, supplies, and other expenses incurred by the state and
19 any political subdivision as a result of responding to the crime.

20 SECTION 128. AMENDATORY 21 O.S. 2021, Section 1268.7, is
21 amended to read as follows:

22 Section 1268.7. A. No person, knowing that property is the
23 proceeds of an act of terrorism or a monetary instrument given,
24 received, or intended to be used in support of an act of terrorism,

1 shall conduct or attempt to conduct any financial transaction
2 involving that property or transport, transmit or transfer that
3 monetary instrument with the intent to do any of the following:

4 1. Commit or further the commission of an act of terrorism;

5 2. Conceal or disguise the nature, location, source, ownership,
6 or control of either the proceeds of an act of terrorism or a
7 monetary instrument given, received, or intended to be used to
8 support an act of terrorism; or

9 3. Conceal or disguise the intent to avoid a financial
10 transaction reporting requirement as provided in 31 U.S.C., Section
11 5311 et seq., 31 C.F.R., Part 103, Title 6 of the Oklahoma Statutes,
12 or other federal monetary reporting requirements under law.

13 B. Any person convicted of violating any provision of
14 subsection A of this section shall be guilty of a Class B4 felony
15 offense punishable by imprisonment in the custody of the Department
16 of Corrections for a term of not less than two (2) years nor more
17 than ten (10) years, or by a fine of not more than Fifty Thousand
18 Dollars (\$50,000.00) or an amount equal to twice the dollar amount
19 of each transaction, whichever is greater, or by both such fine and
20 imprisonment.

21 SECTION 129. AMENDATORY 21 O.S. 2021, Section 1268.8, is
22 amended to read as follows:

23 Section 1268.8. Any person who knowingly or intentionally uses
24 a money services business, as defined by the Oklahoma Financial

1 Transaction Reporting Act, or an electronic funds transfer network
2 for any purpose in violation of the Oklahoma Antiterrorism Act, or
3 with intent to facilitate any violation of the Oklahoma
4 Antiterrorism Act shall, upon conviction, be guilty of a Class B4
5 felony offense punishable by imprisonment in the custody of the
6 Department of Corrections for a term of not less than two (2) years
7 nor more than ten (10) years, or by a fine of not more than Fifty
8 Thousand Dollars (\$50,000.00) or an amount equal to twice the dollar
9 amount of each transaction, whichever is greater, or by both such
10 fine and imprisonment.

11 SECTION 130. AMENDATORY 21 O.S. 2021, Section 1283, as
12 amended by Section 1, Chapter 299, O.S.L. 2022 (21 O.S. Supp. 2024,
13 Section 1283), is amended to read as follows:

14 Section 1283.

15 CONVICTED FELONS AND DELINQUENTS

16 A. Except as provided in subsection B of this section, it shall
17 be unlawful for any person convicted of any felony in any court of
18 this state or of another state or of the United States to have in
19 his or her possession or under his or her immediate control, or in
20 any vehicle which the person is operating, or at the residence where
21 the convicted person resides, any pistol, imitation or homemade
22 pistol, altered air or toy pistol, machine gun, sawed-off shotgun or
23 sawed-off rifle, or any other firearm. Any person who violates the
24

1 provisions of this subsection shall, upon conviction, be guilty of a
2 Class B4 felony offense.

3 B. Any person who has previously been convicted of a nonviolent
4 felony in any court of this state or of another state or of the
5 United States, and who has received a full and complete pardon from
6 the proper authority and has not been convicted of any other felony
7 offense which has not been pardoned, shall have restored the right
8 to possess any firearm or other weapon prohibited by subsection A of
9 this section, the right to apply for and carry a handgun, concealed
10 or unconcealed, pursuant to the provisions of the Oklahoma Self-
11 Defense Act or as otherwise permitted by law, and have the right to
12 perform the duties of a peace officer, gunsmith, and for firearms
13 repair.

14 C. It shall be unlawful for any person serving a term of
15 probation for any felony in any court of this state or of another
16 state or of the United States or under the jurisdiction of any
17 alternative court program to have in his or her possession or under
18 his or her immediate control, or at his or her residence, or in any
19 passenger vehicle which the person is operating, any pistol, shotgun
20 or rifle including any imitation or homemade pistol, altered air or
21 toy pistol, toy shotgun or toy rifle, while such person is subject
22 to supervision, probation, parole or inmate status. Any person who
23 violates the provisions of this subsection shall, upon conviction,
24 be guilty of a Class B4 felony offense.

1 D. It shall be unlawful for any person previously adjudicated
2 as a delinquent child or a youthful offender for the commission of
3 an offense, which would have constituted a felony offense if
4 committed by an adult, to have in the possession of the person or
5 under the immediate control of the person, or have in any vehicle
6 which he or she is driving, or at the residence of the person, any
7 pistol, imitation or homemade pistol, altered air or toy pistol,
8 machine gun, sawed-off shotgun or sawed-off rifle, or any other
9 dangerous or deadly firearm within ten (10) years after such
10 adjudication; provided, that nothing in this subsection shall be
11 construed to prohibit the placement of the person in a home with a
12 full-time duly appointed peace officer who is certified by the
13 Council on Law Enforcement Education and Training (CLEET) pursuant
14 to the provisions of Section 3311 of Title 70 of the Oklahoma
15 Statutes. Any person who violates the provisions of this subsection
16 shall, upon conviction, be guilty of a Class B4 felony offense.

17 E. It shall be unlawful for any person who is an alien
18 illegally or unlawfully in the United States to have in the
19 possession of the person or under the immediate control of the
20 person, or in any vehicle the person is operating, or at the
21 residence where the person resides, any pistol, imitation or
22 homemade pistol, altered air or toy pistol, shotgun, rifle or any
23 other dangerous or deadly firearm; provided, that nothing in this
24 subsection applies to prohibit the transport or detention of the

1 person by law enforcement officers or federal immigration
2 authorities. Any person who violates the provisions of this
3 subsection shall, upon conviction, be guilty of a ~~misdemeanor~~ Class
4 B4 felony offense punishable by a fine of Two Hundred Fifty Dollars
5 (\$250.00).

6 F. Any person having been issued a handgun license pursuant to
7 the provisions of the Oklahoma Self-Defense Act and who knowingly or
8 intentionally allows a convicted felon or adjudicated delinquent or
9 a youthful offender as prohibited by the provisions of subsection A,
10 C, or D of this section to possess or have control of any firearm
11 authorized by the Oklahoma Self-Defense Act shall, upon conviction,
12 be guilty of a Class B4 felony offense punishable by a fine not to
13 exceed Five Thousand Dollars (\$5,000.00). In addition, the person
14 shall have the handgun license revoked by the Oklahoma State Bureau
15 of Investigation after a hearing and determination that the person
16 has violated the provisions of this section.

17 G. Any convicted or adjudicated person violating the provisions
18 of this section shall, upon conviction, be guilty of a felony
19 punishable as provided in Section 1284 of this title.

20 H. For purposes of this section, "sawed-off shotgun" or "sawed-
21 off rifle" shall mean any shotgun or rifle which the barrel or
22 barrels have been illegally shortened in length.

1 I. For purposes of this section, "altered toy pistol" shall
2 mean any toy weapon which has been altered from its original
3 manufactured state to resemble a real weapon.

4 J. For purposes of this section, "altered air pistol" shall
5 mean any air pistol manufactured to propel projectiles by air
6 pressure which has been altered from its original manufactured
7 state.

8 K. For purposes of this section, "alternative court program"
9 shall mean any drug court, Anna McBride or mental health court, DUI
10 court or veterans court.

11 SECTION 131. AMENDATORY 21 O.S. 2021, Section 1289.16,
12 is amended to read as follows:

13 Section 1289.16.

14 FELONY POINTING FIREARMS

15 Except for an act of self-defense, it shall be unlawful for any
16 person to willfully or without lawful cause point a shotgun, rifle
17 or pistol, or any deadly weapon, whether loaded or not, at any
18 person or persons for the purpose of threatening or with the
19 intention of discharging the firearm or with any malice or for any
20 purpose of injuring, either through physical injury or mental or
21 emotional intimidation or for purposes of whimsy, humor or prank, or
22 in anger or otherwise, but not to include the pointing of shotguns,
23 rifles or pistols by law enforcement authorities in the performance
24 of their duties, armed security guards licensed by the Council on

1 Law Enforcement Education and Training pursuant to the Oklahoma
2 Security Guard and Private Investigator Act in the performance of
3 their duties, members of the state military forces in the
4 performance of their duties, members of the federal military reserve
5 and active military components in the performance of their duties,
6 or any federal government law enforcement officer in the performance
7 of any duty, or in the performance of a play on stage, rodeo,
8 television or on film, or in defense of any person, one's home or
9 property. Any person convicted of a violation of the provisions of
10 this section shall be guilty of a Class B4 felony offense and shall
11 be punished as provided in Section 1289.17 of this title.

12 Any person convicted of a violation of the provisions of this
13 section after having been issued a handgun license pursuant to the
14 Oklahoma Self-Defense Act shall have the license revoked and shall
15 be subject to an administrative fine of One Thousand Dollars
16 (\$1,000.00), upon a hearing and determination by the Oklahoma State
17 Bureau of Investigation that the person is in violation of the
18 provisions of this section.

19 SECTION 132. AMENDATORY 21 O.S. 2021, Section 1289.17,
20 is amended to read as follows:

21 Section 1289.17.

22 PENALTIES FOR 1289.16

23 Any violation of Section 1289.16 of this title shall constitute
24 a Class B4 felony offense, for which a person convicted thereof

1 shall be sentenced to imprisonment in the State Penitentiary for not
2 less than one (1) year nor more than ten (10) years.

3 SECTION 133. AMENDATORY 21 O.S. 2021, Section 1289.20,
4 is amended to read as follows:

5 Section 1289.20.

6 MANUFACTURE OF RESTRICTED BULLETS

7 A. Except for the purpose of public safety or national
8 security, it shall be unlawful to manufacture, cause to be
9 manufactured, import, advertise for sale or sell within this state
10 any restricted bullet as defined in Section 1289.19 of this title.

11 B. Any person convicted of violating subsection A of this
12 section shall be guilty of a Class B4 felony offense and shall be
13 punished by a fine of not less than Five Hundred Dollars (\$500.00)
14 nor more than Ten Thousand Dollars (\$10,000.00), or by imprisonment
15 in the State Penitentiary for not more than ten (10) years, or by
16 both such fine and imprisonment.

17 SECTION 134. AMENDATORY 21 O.S. 2021, Section 1289.21,
18 is amended to read as follows:

19 Section 1289.21.

20 POSSESSION OR USE OF RESTRICTED BULLETS

21 A. It shall be unlawful for any person to possess, carry upon
22 his person, use or attempt to use against another person any
23 restricted bullet as defined in Section 1289.19 of this title.

1 B. Any person convicted of violating subsection A of this
2 section shall be guilty of a Class B4 felony offense and shall be
3 punished by imprisonment in the State Penitentiary for not less than
4 two (2) years nor more than ten (10) years. The sentence so imposed
5 shall not be suspended.

6 SECTION 135. AMENDATORY 21 O.S. 2021, Section 1290.21,
7 is amended to read as follows:

8 Section 1290.21.

9 REPLACEMENT LICENSE

10 A. In the event a handgun license becomes missing, lost, stolen
11 or destroyed, the license shall be invalid, and the person to whom
12 the license was issued shall notify the Oklahoma State Bureau of
13 Investigation within thirty (30) days of the discovery of the fact
14 that the license is not in the possession of the licensee. The
15 person may obtain a substitute license upon furnishing a notarized
16 statement to the Bureau that the license is missing, lost, stolen or
17 destroyed and paying a fifteen-dollar replacement fee. During any
18 period when a license is missing, lost, stolen or destroyed, the
19 person shall have no authority to carry a concealed or unconcealed
20 handgun pursuant to the provisions of the Oklahoma Self-Defense Act.
21 The Bureau shall, upon receipt of the notarized statement and fee
22 from the licensee, issue a substitute license with the same
23 expiration date within ten (10) days of the receipt of the notarized
24 statement and fee.

1 B. Any person who knowingly or intentionally carries a
2 concealed or unconcealed handgun pursuant to a handgun license
3 authorized and issued pursuant to the provisions of the Oklahoma
4 Self-Defense Act which is stolen shall, upon conviction, be guilty
5 of a Class B4 felony offense punishable by a fine of Five Thousand
6 Dollars (\$5,000.00).

7 C. Any person having a valid handgun license pursuant to the
8 Oklahoma Self-Defense Act may carry any make or model of an
9 authorized pistol listed on the license, provided the type of pistol
10 shall not be other than the type or types listed on the license. A
11 person may complete additional firearms training for an additional
12 type of pistol during any license period and upon successful
13 completion of the training may request the additional type of pistol
14 be included on the license. The person shall submit to the Bureau a
15 fifteen-dollar replacement fee, the original certificate of training
16 and qualification for the additional type of firearm, and a
17 statement requesting the license be updated to include the
18 additional type of pistol. The Bureau shall issue an updated
19 license with the same expiration date within ten (10) days of the
20 receipt of the request. The person shall have no authority to carry
21 any additional type of pistol pursuant to the provisions of the
22 Oklahoma Self-Defense Act until the updated license has been
23 received by the licensee. The original license shall be destroyed
24 upon receipt of an updated handgun license.

1 D. A person may request during any license period an update for
2 a change of address or change of name by submitting to the Bureau a
3 fifteen-dollar replacement fee, and a notarized statement that the
4 address or name of the licensee has changed. The Bureau shall issue
5 an updated license with the same expiration date within ten (10)
6 days of receipt of the request. The original license shall be
7 destroyed upon the receipt of the updated handgun license.

8 SECTION 136. AMENDATORY 21 O.S. 2021, Section 1320.2, is
9 amended to read as follows:

10 Section 1320.2. It shall be unlawful and shall constitute
11 incitement to riot, a Class B4 felony offense, for a person or
12 persons, intending to cause, aid, or abet the institution or
13 maintenance of a riot, to do an act or engage in conduct that urges
14 other persons to commit acts of unlawful force or violence, or the
15 unlawful burning or destroying of property, or the unlawful
16 interference with a police officer, peace officer, fireman or a
17 member of the Oklahoma National Guard or any unit of the armed
18 services officially assigned to riot duty in the lawful performance
19 of his duty.

20 SECTION 137. AMENDATORY 21 O.S. 2021, Section 1320.4, is
21 amended to read as follows:

22 Section 1320.4. Any person guilty of the crime, as set forth in
23 Section 1320.2 of this title, shall be deemed guilty of a Class B4
24 felony offense, punishable by not more than ten (10) years in

1 prison, or a fine of not more than Ten Thousand Dollars
2 (\$10,000.00), or both.

3 SECTION 138. AMENDATORY 21 O.S. 2021, Section 1321.7, is
4 amended to read as follows:

5 Section 1321.7. A. During a state of emergency, any person who
6 maliciously destroys or damages any real or personal property or
7 maliciously injures another shall be guilty of a Class B4 felony
8 offense.

9 B. Any person guilty of violating this section shall, upon
10 conviction thereof, be imprisoned for not less than two (2) years,
11 nor more than ten (10) years.

12 C. Any person sixteen (16) years of age or over who violates
13 the provisions of this section shall be prosecuted as an adult.

14 D. A person is guilty of an offense under this section
15 committed by another person when:

16 1. Acting with the state of mind that is sufficient for
17 commission of the offense, he causes an innocent or irresponsible
18 person to engage in conduct constituting the offense; or

19 2. Intending to promote or facilitate the commission of the
20 offense he:

21 a. solicits, requests, commands, importunes, or otherwise
22 attempts to cause the other person to commit it,
23 b. aids, counsels, or agrees or attempts to aid the other
24 person in planning or committing it, or

1 c. having a legal duty to prevent the commission of the
2 offense, fails to make a proper effort to do so.

3 E. In any prosecution for an offense under this section in
4 which the criminal liability of the accused is based upon the
5 conduct of another person pursuant to this section, it is no defense
6 that:

7 1. The other person is not guilty of the offense in question
8 because of irresponsibility or other legal incapacity or exemption,
9 or because of unawareness of the criminal nature of the conduct in
10 question or of the accused's criminal purpose, or because of other
11 factors precluding the mental state required for the commission of
12 the offense; or

13 2. The other person has not been prosecuted for or convicted of
14 any offense based on the conduct in question, or has previously been
15 acquitted thereof, or has been convicted of a different offense or
16 in a different degree, or has legal immunity from prosecution for
17 the conduct in question.

18 SECTION 139. AMENDATORY 21 O.S. 2021, Section 1321.8, is
19 amended to read as follows:

20 Section 1321.8. The following provisions shall apply during a
21 state of emergency.

22 A. A person is guilty of riot when he participates with two or
23 more persons in a course of disorderly conduct:

1 1. With intent to commit or facilitate the commission of a
2 felony or misdemeanor;

3 2. With intent to prevent or coerce official action; or

4 3. When the accused or any other participant to the knowledge
5 of the accused uses or plans to use a firearm or other deadly
6 weapon.

7 B. Any person upon any public way within the described area who
8 is directed by the authorities to leave the public way but refuses
9 to do so shall be guilty of a misdemeanor.

10 C. Any person who violates the provisions of this section,
11 except subsection B of this section, shall be guilty of a Class B4
12 felony offense, and upon conviction thereof shall be imprisoned for
13 not less than two (2) years nor more than ten (10) years.

14 D. Any person sixteen (16) years of age or over who violates
15 the provisions of this section shall be prosecuted as an adult.

16 E. A person is guilty of ~~an~~ a Class B4 felony offense under
17 this section committed by another person when:

18 1. Acting with the state of mind that is sufficient for
19 commission of the offense, he causes an innocent or irresponsible
20 person to engage in conduct constituting the offense;

21 2. Intending to promote or facilitate the commission of the
22 offense he:

23 a. solicits, requests, commands, importunes, or otherwise
24 attempts to cause the other person to commit it,

1 b. aids, counsels, or agrees or attempts to aid the other
2 person in planning or committing it, or

3 c. having a legal duty to prevent the commission of the
4 offense, fails to make a proper effort to do so; or

5 3. The person's conduct is expressly declared by a statute of
6 this state to establish the person's complicity.

7 F. In any prosecution for an offense under this section in
8 which the criminal liability of the accused is based upon the
9 conduct of another person pursuant to this section, it is no defense
10 that:

11 1. The other person is not guilty of the offense in question
12 because of irresponsibility or other legal incapacity or exemption,
13 or because of unawareness of the criminal nature of the conduct in
14 question or of the accused's criminal purpose, or because of other
15 factors precluding the mental state required for the commission of
16 the offense; or

17 2. The other person has not been prosecuted for or convicted of
18 any offense based on the conduct in question, or has previously been
19 acquitted thereof, or has been convicted of a different offense or
20 in a different degree, or has legal immunity from prosecution for
21 the conduct in question.

22 G. "Disorderly conduct" as used in this section means a course
23 of conduct by a person who:

1 1. Causes public inconvenience, annoyance, or alarm, or
2 recklessly creates a risk thereof, by:

3 a. engaging in fighting or in violent, tumultuous, or
4 threatening behavior,

5 b. making an unreasonable noise or an offensively coarse
6 utterance, gesture, or display, or addressing abusive
7 language to any person present,

8 c. dispersing any lawful procession or meeting of
9 persons, not being a peace officer of this state and
10 without lawful authority, or

11 d. creating a hazardous or physically offensive condition
12 which serves no legitimate purpose; or

13 2. Engages with at least one other person in a course of
14 disorderly conduct as defined in paragraph 1 of this subsection
15 which is likely to cause substantial harm or serious inconvenience,
16 annoyance, or alarm, and refuses or knowingly fails to obey an order
17 to disperse, made by a peace officer to the participants.

18 SECTION 140. AMENDATORY 21 O.S. 2021, Section 1368, is
19 amended to read as follows:

20 Section 1368. A. Any person who has been convicted of a felony
21 under the laws of this or any other state or the laws of the United
22 States who, with an unlawful intent, is in possession of any
23 explosives, upon conviction, shall be guilty of a Class B4 felony
24 offense and shall be punished by a fine of not to exceed Five

1 Thousand Dollars (\$5,000.00), or by imprisonment in the State
2 Penitentiary for a term not to exceed ten (10) years, or by both
3 such fine and imprisonment.

4 B. For purposes of this section, the term "explosive" shall
5 have the same definition as the term "explosive" as defined by
6 Chapter 8 of Title 63 of the Oklahoma Statutes.

7 SECTION 141. AMENDATORY 21 O.S. 2021, Section 1378, is
8 amended to read as follows:

9 Section 1378. A. Any person who shall attempt, conspire or
10 endeavor to perform an act of violence involving or intended to
11 involve serious bodily harm or death of another person shall be
12 guilty of a Class B4 felony offense, punishable upon conviction
13 thereof by imprisonment for a period of not more than ten (10)
14 years.

15 B. Any person who shall threaten to perform an act of violence
16 involving or intended to involve serious bodily harm or death of
17 another person shall be guilty of a misdemeanor, punishable upon
18 conviction thereof by imprisonment in the county jail for a period
19 of not more than six (6) months.

20 C. Any person who shall devise any plan, scheme or program of
21 action to cause serious bodily harm or death of another person with
22 intent to perform such malicious act of violence, whether alone or
23 by conspiring with others, shall be guilty of a Class B4 felony
24

1 offense, punishable upon conviction thereof by imprisonment for a
2 period of not more than ten (10) years.

3 SECTION 142. AMENDATORY 47 O.S. 2021, Section 10-102.1,
4 is amended to read as follows:

5 Section 10-102.1. The driver of any vehicle involved in an
6 accident resulting in the death of any person shall immediately stop
7 such vehicle at the scene of such accident or as close thereto as
8 possible but shall then forthwith return to and in every event shall
9 remain at the scene of the accident until he has fulfilled the
10 requirements of Section 10-104 of this title. Every such stop shall
11 be made without obstructing traffic more than is necessary.

12 B. Any person willfully, maliciously, or feloniously failing to
13 stop to avoid detection or prosecution, or to comply with said
14 requirements under such circumstances, shall upon conviction be
15 guilty of a Class B4 felony offense punishable by imprisonment for
16 not less than one (1) year nor more than ten (10) years, or by a
17 fine of not less than One Thousand Dollars (\$1,000.00) nor more than
18 Ten Thousand Dollars (\$10,000.00), or by both such fine and
19 imprisonment.

20 C. The Commissioner of Public Safety shall revoke the license
21 or permit to drive and any nonresident operating privilege of the
22 person so convicted.

23 SECTION 143. AMENDATORY 47 O.S. 2021, Section 11-905, is
24 amended to read as follows:

1 Section 11-905. A. Any person who, while operating a vehicle
2 in this state without a valid driver license for the class of
3 vehicle being operated, or while knowingly disqualified to operate a
4 motor vehicle in this state, or while such person knows or should
5 have known that his or her driver license is canceled, denied,
6 suspended or revoked, causes an accident which results in personal
7 injury to any other person, may be charged with a violation of the
8 provisions of this subsection. Any person who is convicted of a
9 violation of the provisions of this subsection shall be deemed
10 guilty of a misdemeanor punishable by imprisonment in the county
11 jail for a term not more than one (1) year, or by a fine in an
12 amount not exceeding Two Thousand Dollars (\$2,000.00), or by both
13 such fine and imprisonment.

14 B. 1. Any person who, while operating a vehicle in this state
15 without a valid driver license for the class of vehicle being
16 operated, or while knowingly disqualified to operate a motor vehicle
17 in this state, or while such person knows or should have known that
18 his or her driver license is canceled, denied, suspended or revoked,
19 causes an accident resulting in great bodily injury to any other
20 person, may be charged with a violation of the provisions of this
21 subsection. Any person who is convicted of a violation of the
22 provisions of this subsection shall be deemed guilty of a Class C2
23 felony offense punishable by imprisonment ~~in the custody of the~~
24 ~~Department of Corrections for a term not more than five (5) years as~~

1 provided for in subsections B through F of Section 20M of Title 21
2 of the Oklahoma Statutes, or by a fine in an amount not exceeding
3 Three Thousand Dollars (\$3,000.00), or by both such fine and
4 imprisonment.

5 2. As used in this subsection, "great bodily injury" means
6 bodily injury which creates a substantial risk of death or which
7 causes serious, permanent disfigurement or protracted loss or
8 impairment of the function of any bodily member or organ.

9 C. Any person who, while operating a vehicle in this state
10 without a valid driver license for the class of vehicle being
11 operated, or while knowingly disqualified to operate a motor vehicle
12 in this state, or while such person knows or should have known that
13 his or her driver license is canceled, denied, suspended or revoked,
14 causes an accident resulting in the death of any other person, may
15 be charged with a violation of the provisions of this subsection.
16 Any person who is convicted of a violation of the provisions of this
17 subsection shall be deemed guilty of a Class B4 felony offense
18 punishable by imprisonment in the custody of the Department of
19 Corrections for a term not more than five (5) years, or by a fine in
20 an amount not exceeding Five Thousand Dollars (\$5,000.00), or by
21 both such fine and imprisonment.

22 D. The provisions of this section may be charged in addition to
23 any other chargeable offense allowed by law.
24

SECTION 144. AMENDATORY 47 O.S. 2021, Section 11-1111,
is amended to read as follows:

Section 11-1111. A. No person shall willfully throw or drop
any substance at a moving vehicle or any occupant thereof.

B. No person shall willfully throw or drop any object from a
bridge or overpass with intent to damage any property or injure any
person.

C. Any violation of subsection A or B of this section shall be
deemed a Class B4 felony offense and, upon conviction, shall be
punishable by imprisonment in the Department of Corrections for a
term of not more than ten (10) years, or by a fine not exceeding Ten
Thousand Dollars (\$10,000.00), or by both such fine and
imprisonment.

SECTION 145. AMENDATORY 63 O.S. 2021, Section 2-328, is
amended to read as follows:

Section 2-328. A. A person or business who manufactures,
sells, transfers, furnishes, or receives a precursor substance
defined in Section 2-322 of this title commits an offense if the
person:

1. Does not comply with the requirements of Section 2-322, 2-
323 or 2-326 of this title; or

2. Knowingly makes a false statement in a report or record
required by Section 2-323 or 2-326 of this title.

1 B. Except as provided by subsection C of this section, an
2 offense under subsection A of this section is a misdemeanor and
3 punishable by imprisonment in the county jail for a term not to
4 exceed one (1) year or by a fine not to exceed Ten Thousand Dollars
5 (\$10,000.00).

6 C. A person who manufactures, sells, transfers, or otherwise
7 furnishes a precursor substance defined in Section 2-322 of this
8 title commits ~~an~~ a Class B4 felony offense if the person
9 manufactures, sells, transfers, or furnishes the substance with the
10 knowledge or intent that the recipient shall use the substance to
11 unlawfully manufacture a controlled substance or a controlled
12 substance analog.

13 D. A second or subsequent violation of subsection A of this
14 section shall be a Class B4 felony offense punishable by
15 imprisonment in the State Penitentiary for a term of not more than
16 ten (10) years or by a fine not to exceed Twenty-five Thousand
17 Dollars (\$25,000.00), or by both such fine and imprisonment. Any
18 imprisonment imposed shall not run concurrent with other
19 imprisonment sentences for violations of other provisions of Title
20 63 of the Oklahoma Statutes.

21 E. A person who is required by Section 2-322 or 2-324 of this
22 title to have a permit for precursor substances commits an offense
23 if the person:
24

1 1. Purchases, obtains, or possesses a precursor substance
2 without having first obtained a permit;

3 2. Has in his possession or immediate control a precursor
4 substance with no attached permit;

5 3. Knowingly makes a false statement in an application or
6 report required by Section 2-324 or 2-326 of this title; or

7 4. ~~Manufacturers~~ Manufactures, sells, transfers, or otherwise
8 furnishes any person or business a precursor substance defined in
9 Section 2-322 of this title, who does not have a permit.

10 F. An offense under subsection C or E of this section is a
11 Class B4 felony offense punishable by imprisonment in the State
12 Penitentiary for a term of not more than ten (10) years or by a fine
13 not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both
14 such fine and imprisonment. Any imprisonment imposed shall not run
15 concurrent with other imprisonment sentences for violations of other
16 provisions of Title 63 of the Oklahoma Statutes.

17 SECTION 146. AMENDATORY 63 O.S. 2021, Section 2-333, is
18 amended to read as follows:

19 Section 2-333. A. It shall be unlawful for any person to
20 knowingly sell, transfer, distribute, or dispense any product
21 containing ephedrine, pseudoephedrine or phenylpropanolamine, or
22 their salts, isomers or salts of isomers if the person knows that
23 the purchaser will use the product as a precursor to manufacture
24 methamphetamine or another controlled illegal substance or if the

1 person sells, transfers, distributes or dispenses the product with
2 reckless disregard as to how the product will be used.

3 B. A violation of this section shall be a Class B4 felony
4 offense punishable by imprisonment in the State Penitentiary for a
5 term of not more than ten (10) years.

6 C. Any person who sells, transfers, distributes, dispenses, or
7 in any manner furnishes any product containing pseudoephedrine or
8 phenylpropanolamine, or their salts, isomers, or salts of isomers in
9 a negligent manner, with knowledge or reason to know that the
10 product will be used as a precursor to manufacture methamphetamine
11 or any other illegal controlled substance, or with reckless
12 disregard as to how the product will be used, shall be liable for
13 all damages, whether directly or indirectly caused by the sale,
14 transfer, distribution, dispensation, or furnishing.

15 1. Such damages may include, but are not limited to, any and
16 all costs of detecting, investigating, and cleaning up or
17 remediating clandestine or other unlawfully operated or maintained
18 laboratories where controlled dangerous substances are manufactured,
19 any and all costs of prosecuting criminal cases arising from such
20 manufacture, and any and all consequential and punitive damages
21 otherwise allowed by law.

22 2. A civil action to recover damages against persons,
23 corporations or other entities violating this subsection may be
24 brought only by the Attorney General, the Director of the Oklahoma

1 State Bureau of Narcotics and Dangerous Drugs Control or by any
2 district attorney in whose jurisdiction such person may be shown to
3 have committed such violation. Any funds recovered from such an
4 action shall be used for payment or reimbursement of costs arising
5 from investigating or prosecuting criminal or civil cases involving
6 the manufacture of controlled dangerous substances, for drug
7 education programs, or for payment or reimbursement of remediating
8 contaminated methamphetamine laboratory sites.

9 D. Violation of subsection A or C of this section shall be
10 considered to affect at the same time an entire community or
11 neighborhood, or any considerable number of persons, although the
12 extent of the annoyance or damage inflicted upon the individuals may
13 be unequal and is subject to the provisions of Section 2 of Title 50
14 of the Oklahoma Statutes and Section 1397 of Title 12 of the
15 Oklahoma Statutes.

16 SECTION 147. AMENDATORY 63 O.S. 2021, Section 2-509, is
17 amended to read as follows:

18 Section 2-509. A. All species of plants from which controlled
19 dangerous substances in Schedules I and II may be derived are hereby
20 declared inimical to health and welfare of the public, and the
21 intent of the Legislature is to control and eradicate these species
22 of the plants in the State of Oklahoma.

23 B. It shall be unlawful for any person to cultivate or produce,
24 or to knowingly permit the cultivation, production, or wild growing

1 of any species of such plants, on any lands owned or controlled by
2 such person, and it is hereby declared the duty of every such person
3 to destroy all such plants found growing on lands owned or
4 controlled by the person.

5 C. 1. Whenever any peace officer of the state shall receive
6 information that any species of any such plants has been found
7 growing on any private lands in the State of Oklahoma, the peace
8 officer shall notify the sheriff and county commissioners of the
9 county wherein such plants are found growing. Within five (5) days
10 of receipt of such notice, the county commissioners shall notify the
11 owner or person in possession of such lands that such plants have
12 been found growing on the ~~the~~ lands and that the same must be
13 destroyed or eradicated within fifteen (15) days. When the fifteen
14 (15) days have elapsed, the reporting peace officer shall cause an
15 investigation to be made of the aforesaid lands, and if any such
16 plants be found growing thereon, the county commissioners shall
17 cause the same to be destroyed or eradicated by either cutting and
18 burning or by applications of herbicides approved for such purpose
19 and registered for use in Oklahoma by the Oklahoma Department of
20 Agriculture, Food, and Forestry in accordance with Section 2-505 of
21 this title.

22 2. Whenever any such plants are destroyed or eradicated by
23 order of the county commissioners as provided herein, the cost of
24 the same shall, if the work or labor be furnished by the county

1 commissioners, be taxed against the lands whereon the work was
2 performed, and shall be a lien upon such land in all manner and
3 respects as a lien of judgment, if the owner is charged with a
4 violation of subsection B of this section. If the violation of
5 subsection B of this section is by a person other than the owner of
6 the land, without the knowledge of the owner, the costs shall be
7 paid by the initiating law enforcement agency.

8 D. Knowingly violating the provisions of subsection B or
9 subsection H of this section is hereby declared, as to the owner, or
10 person in possession of such lands, to be a felony and upon
11 conviction punishable as such by a fine not to exceed Fifty Thousand
12 Dollars (\$50,000.00) and imprisonment in the custody of the
13 Department of Corrections for not more than ten (10) years. The
14 fine provided for in this subsection shall be in addition to other
15 punishments provided by law and shall not be in lieu of other
16 punishment. Any person convicted of a second violation of
17 subsection B or subsection H of this section is, upon conviction,
18 punishable by a term of imprisonment in the custody of the
19 Department of Corrections for not less than two (2) years nor more
20 than twenty (20) years and by twice the fine otherwise authorized.
21 Any person convicted of a third or subsequent violation of
22 subsection B or subsection H of this section is punishable by a term
23 of imprisonment in the custody of the Department of Corrections for
24 not less than ten (10) years nor more than life.

1 E. It shall be the duty of any peace officer of the State of
2 Oklahoma who receives information of such plants growing in the
3 State of Oklahoma, to make notice, in writing, to the Oklahoma State
4 Bureau of Narcotics and Dangerous Drugs Control and the future
5 destruction or eradication of the annual growth of such plants shall
6 be supervised by the Oklahoma State Bureau of Narcotics and
7 Dangerous Drugs Control. Any destruction or eradication of the
8 annual growth of such plants supervised by the Bureau shall be by
9 cutting and burning the same or by destruction and eradication
10 through applications of herbicides approved for such purpose and
11 registered for use in Oklahoma by the Oklahoma Department of
12 Agriculture, Food, and Forestry.

13 F. Any application of herbicides authorized by this section
14 shall be made pursuant to the provisions of Section 2-505 of this
15 title.

16 G. In lieu of the eradication procedures provided for in
17 subsections B and C of this section, all species of plants from
18 which controlled dangerous substances in Schedules I and II of the
19 Uniform Controlled Dangerous Substances Act may be derived, may be
20 disposed of pursuant to the provisions of subsection C of Section 2-
21 505 of this title.

22 H. Except as authorized by the Uniform Controlled Dangerous
23 Substances Act, it shall be unlawful, and a Class B4 felony offense,
24 for any person to manufacture or attempt to manufacture any

1 controlled dangerous substance by cooking, burning, or extracting
2 and converting or attempting to extract and convert marihuana or
3 marihuana oil into hashish, hashish oil or hashish powder.

4 SECTION 148. AMENDATORY 63 O.S. 2021, Section 2-701, is
5 amended to read as follows:

6 Section 2-701. A. There is hereby created within the Oklahoma
7 State Bureau of Narcotics and Dangerous Drugs Control a registry of
8 persons who, after November 1, 2010, have been convicted, whether
9 upon a verdict or plea of guilty or upon a verdict or plea of nolo
10 contendere, or received a suspended sentence or any deferred or
11 probationary term, or are currently serving a sentence or any form
12 of probation or parole for a crime or attempt to commit a crime
13 including, but not limited to, unlawful possession, conspiring,
14 endeavoring, manufacturing, distribution or trafficking of a
15 precursor or methamphetamines under the provisions of Section 2-322,
16 2-332, 2-401, 2-402, 2-408 or 2-415 of this title, or any crime
17 including, but not limited to, crimes involving the possession,
18 distribution, manufacturing or trafficking of methamphetamines or
19 illegal amounts of or uses of pseudoephedrine in any federal court,
20 Indian tribal court, or any court of another state if the person is
21 a resident of the State of Oklahoma or seeks to remain in the State
22 of Oklahoma in excess of ten (10) days.

23 B. It shall be unlawful for any person who knows that he or she
24 is subject to the registry created in subsection A of this section

1 to purchase, possess or have control of any Schedule V compound,
2 mixture, or preparation containing any detectable quantity of
3 pseudoephedrine, its salts or optical isomers, or salts of optical
4 isomers. A prescription for pseudoephedrine shall not provide an
5 exemption for any person to this law. Any person convicted of
6 violating the provisions of this subsection shall be guilty of a
7 Class B4 felony offense, punishable by imprisonment in the custody
8 of the Department of Corrections for not less than two (2) years and
9 not more than ten (10) years, or by a fine of not more than Five
10 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

11 C. The registry created in subsection A of this section shall
12 be maintained by the Bureau. The registry shall be made available
13 for registrants who sell or dispense pseudoephedrine-related
14 products and to law enforcement agencies for law enforcement
15 purposes through the electronic methamphetamine precursor tracking
16 service. The electronic methamphetamine precursor tracking service
17 shall generate a stop-sale alert on any sale of pseudoephedrine to
18 any individual listed on the methamphetamine offender registry in
19 real time.

20 D. The registry shall consist of the following information:

- 21 1. Name and address of the person;
- 22 2. Date of birth of the person;
- 23 3. The offense or offenses which made the person eligible for
24 inclusion on the registry;

1 4. The date of conviction or the date that a plea of guilty or
2 nolo contendere was accepted by the court for any violation of an
3 offense provided for in subsection A of this section;

4 5. The county where the offense or offenses occurred; and

5 6. Such other identifying data as the Bureau determines is
6 necessary to properly identify the person.

7 E. Beginning November 1, 2010, all district court clerks shall
8 forward a copy of the judgment and sentence or other applicable
9 information relating to the disposition of the criminal case and
10 date of birth of all persons who are subject to the provisions of
11 the Oklahoma Methamphetamine Offender Registry Act for a violation
12 of the offenses described in subsection A of this section to the
13 Bureau. The information shall be sent in an electronic format in a
14 manner prescribed by the Bureau within ten (10) days of the date of
15 final disposition of the case. Any person subject to the registry
16 pursuant to subsection A of this section, having received a deferred
17 sentence or conviction in a federal court, Indian tribal court, or
18 any court of another state, shall be required to register and submit
19 a methamphetamine offender registration form in a format prescribed
20 by the Bureau within ten (10) days of entering the State of Oklahoma
21 or if incarcerated in a federal institution within the boundaries of
22 Oklahoma, within ten (10) days of release from the institution.
23 Knowingly failing to submit the form required by this subsection
24 shall constitute a misdemeanor.

1 F. Upon receipt of the information provided by the district
2 court clerk, the Bureau shall transmit in an electronic format to
3 the electronic methamphetamine precursor tracking service at least
4 every seven (7) days the name of any person placed on the
5 methamphetamine offender registry as provided in this section. The
6 information transmitted to the electronic tracking service shall
7 include the first, middle, and last name of the person, and the
8 address and the date of birth of the person. The electronic
9 methamphetamine precursor tracking service shall be designed to
10 generate a stop-sale alert for any person who is on the
11 methamphetamine offender registry and whose name, address and date
12 of birth have been transmitted by the Bureau to the electronic
13 tracking service.

14 G. The Bureau shall remove from the methamphetamine offender
15 registry the name and other identifying information of a person who
16 has been convicted of a violation of any of the offenses described
17 in subsection A of this section ten (10) years after the date of the
18 most recent judgment and sentence. Any person having received a
19 deferred sentence that expires prior to the ten-year time limitation
20 may apply to the Bureau to be removed from the registry upon the
21 completion of the deferred sentence by providing to the Bureau a
22 certified copy of the dismissal of the case by certified mail. The
23 Bureau may remove the person from the methamphetamine offender
24 registry upon expiration of the deferred sentence. The Bureau shall

1 also be required to notify the provider of the electronic
2 methamphetamine precursor tracking service when a person is removed
3 from the methamphetamine offender registry. Upon notification from
4 the Bureau, the provider of the electronic tracking service shall
5 remove the name of the person from the electronic methamphetamine
6 precursor tracking service and the person shall thereafter be
7 permitted to purchase pseudoephedrine-related products.

8 H. It shall be a violation for any person to assist another,
9 with knowledge that the person is subject to the registry, in the
10 purchase of any pseudoephedrine products. Any person convicted of
11 violating the provisions of this subsection shall, for a first
12 offense, be guilty of a misdemeanor, punishable by incarceration in
13 the county jail for not more than one (1) year, or by a fine of not
14 more than One Thousand Dollars (\$1,000.00), or by both such fine and
15 imprisonment. Any second or subsequent conviction for a violation
16 of this subsection shall be a Class D2 felony offense, punishable by
17 incarceration ~~in the custody of the Department of Corrections for~~
18 ~~not more than two (2) years~~ as provided for in subsections B through
19 F of Section 200 of Title 21 of the Oklahoma Statutes, or by a fine
20 of not less than Two Thousand Five Hundred Dollars (\$2,500.00), or
21 by both such fine and imprisonment.

22 I. On or prior to November 1, 2011, the Oklahoma State Bureau
23 of Narcotics and Dangerous Drugs Control shall maintain a
24

1 methamphetamine offender registry website available for viewing by
2 the public.

3 J. For the purposes of this section, knowledge that a person
4 was subject to the methamphetamine offender registry may be proven
5 through court testimony or any other public notice or publicly
6 available record including, but not limited to, court records
7 maintained by the Oklahoma Supreme Court Network and the Oklahoma
8 Court Information System.

9 K. The Oklahoma State Bureau of Narcotics and Dangerous Drugs
10 Control shall take necessary actions through the promulgation of
11 rules and cooperation with pharmacies and the courts to ensure that
12 notice of the provisions of this section is provided to those
13 persons subject to the methamphetamine offender registry as listed
14 in subsection A of this section.

15 SECTION 149. AMENDATORY 21 O.S. 2021, Section 647, is
16 amended to read as follows:

17 Section 647. Aggravated assault and battery shall be a Class B5
18 felony offense and shall be punished by imprisonment in the State
19 Penitentiary not exceeding five (5) years, or by imprisonment in a
20 county jail not exceeding one (1) year, or by a fine of not more
21 than Five Hundred Dollars (\$500.00), or both such fine and
22 imprisonment.

23 SECTION 150. AMENDATORY 21 O.S. 2021, Section 649, is
24 amended to read as follows:

1 Section 649. A. Every person who, without justifiable or
2 excusable cause, knowingly commits any assault upon the person of a
3 police officer, sheriff, deputy sheriff, highway patrolman,
4 corrections personnel, or state peace officer employed or duly
5 appointed by any state governmental agency to enforce state laws
6 while the officer is in the performance of his or her duties is
7 punishable by imprisonment in the county jail not exceeding six (6)
8 months, or by a fine not exceeding Five Hundred Dollars (\$500.00),
9 or by both such fine and imprisonment.

10 B. Every person who, without justifiable or excusable cause
11 knowingly commits battery or assault and battery upon the person of
12 a police officer, sheriff, deputy sheriff, highway patrolman,
13 corrections personnel, or other state peace officer employed or duly
14 appointed by any state governmental agency to enforce state laws
15 while the officer is in the performance of his or her duties, upon
16 conviction, shall be guilty of a Class B5 felony offense punishable
17 by imprisonment in the custody of the Department of Corrections of
18 not more than five (5) years or county jail for a period not to
19 exceed one (1) year, or by a fine not exceeding Five Hundred Dollars
20 (\$500.00), or by both such fine and imprisonment.

21 C. As used in this section and in Section 650 of this title,
22 "corrections personnel" means any person, employed or duly appointed
23 by the state or by a political subdivision, who has direct contact
24 with inmates of a jail or state correctional facility, and includes

1 but is not limited to, Department of Corrections personnel in job
2 classifications requiring direct contact with inmates, persons
3 providing vocational-technical training to inmates, education
4 personnel who have direct contact with inmates because of education
5 programs for inmates, and persons employed or duly appointed by
6 county or municipal jails to supervise inmates or to provide medical
7 treatment or meals to inmates of jails.

8 D. For the purposes of this section, assault and battery upon
9 law officers includes any attempt to reach for or gain control of
10 the firearm of any police officer, sheriff, deputy sheriff, highway
11 patrol, corrections personnel as defined in Section 649 of this
12 title, or any peace officer employed by any state or federal
13 governmental agency to enforce state laws.

14 E. For purposes of this section, if an officer is off duty and
15 the nature of the assault or assault and battery relates back to, or
16 in any manner or circumstances has to do with, his or her official
17 position as a law enforcement officer then it shall fall within the
18 meaning of "in the performance of his or her duties" as an officer.

19 F. This section shall not supersede any other act or acts, but
20 shall be cumulative thereto.

21 SECTION 151. AMENDATORY 21 O.S. 2021, Section 649.1, is
22 amended to read as follows:

23 Section 649.1. A. No person shall willfully strike, torment,
24 administer a nonpoisonous desensitizing substance to, or otherwise

1 mistreat a police dog or police horse owned, or the service of which
2 is employed, by a law enforcement agency of the state or a political
3 subdivision of the state.

4 B. No person shall willfully interfere with the lawful
5 performance of any police dog or police horse.

6 C. Except as provided in subsection D of this section, any
7 person convicted of violating any of the provisions of this section
8 shall be guilty of a ~~misdemeanor~~ Class B6 felony offense, punishable
9 by the imposition of a fine not exceeding Five Hundred Dollars
10 (\$500.00), or by imprisonment in the county jail not exceeding one
11 (1) year, or by both such fine and imprisonment. In addition, the
12 person shall be ordered to pay restitution, which shall be paid to
13 the law enforcement agency or political subdivision of the state
14 which employed the service of the police dog or horse.

15 D. Any person who knowingly and willfully and without lawful
16 cause or justification violates the provisions of this section,
17 during the commission of a misdemeanor or felony, shall be guilty of
18 a Class B5 felony offense, punishable by the imposition of a fine
19 not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment
20 in the custody of the Department of Corrections not exceeding two
21 (2) years, or by both such fine and imprisonment. In addition, the
22 person shall be ordered to pay restitution, which shall be paid to
23 the law enforcement agency or political subdivision of the state
24 which employed the service of the police dog or horse.

1 SECTION 152. AMENDATORY 21 O.S. 2021, Section 649.2, is
2 amended to read as follows:

3 Section 649.2. A. No person shall willfully kill; beat;
4 torture; injure so as to disfigure or disable; administer poison to;
5 set a booby trap device for the purpose of injury so as to
6 disfigure, disable or kill; or pay or agree to pay bounty for
7 purposes of injury so as to disfigure, disable or kill any police
8 dog or police horse owned, or the service of which is employed, by a
9 law enforcement agency of the state or a political subdivision of
10 the state.

11 B. Except as provided in subsection C of this section, any
12 person convicted of violating the provisions of this section is
13 guilty of a misdemeanor punishable by the imposition of a fine not
14 exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in
15 the county jail not exceeding one (1) year, or by both such fine and
16 imprisonment. In addition, the person shall be ordered to pay
17 restitution, which shall be paid to the law enforcement agency or
18 political subdivision of the state which employed the service of the
19 police dog or horse.

20 C. Any person who knowingly and willfully and without lawful
21 cause or justification violates the provisions of this section,
22 during the commission of a misdemeanor or felony, shall be guilty of
23 a Class B5 felony offense, punishable by the imposition of a fine
24 not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment

1 in the custody of the Department of Corrections not exceeding five
2 (5) years, or by both such fine and imprisonment. In addition, the
3 person shall be ordered to pay restitution, which shall be paid to
4 the law enforcement agency or political subdivision of the state
5 which employed the service of the police dog or horse.

6 D. The provisions of this section shall not apply:

7 1. To a peace officer or veterinarian who terminates the life
8 of a police dog or a police horse for the purpose of relieving the
9 dog or horse of undue pain or suffering; or

10 2. If a police dog is off duty and is running loose without
11 supervision of a police officer and gets run over by a motor vehicle
12 or is perceived to be a threat to the public.

13 SECTION 153. AMENDATORY 21 O.S. 2021, Section 650.2, is
14 amended to read as follows:

15 Section 650.2. A. Every person in the custody of the Oklahoma
16 Department of Corrections who, without justifiable or excusable
17 cause, knowingly commits any assault, battery or assault and battery
18 upon the person of a Department of Corrections employee while said
19 employee is in the performance of his or her duties shall, upon
20 conviction thereof, be guilty of a Class B6 felony offense.

21 B. Every person incarcerated in an institution operated by a
22 private prison contractor, pursuant to Section 561, 563.1 or 563.2
23 of Title 57 of the Oklahoma Statutes, who, without justifiable or
24 excusable cause, knowingly commits any assault, battery or assault

1 and battery upon the person of an employee of the contractor while
2 said employee is in the performance of duties shall, upon conviction
3 thereof, be guilty of a Class B6 felony offense.

4 C. Every person in the custody of the Department of Human
5 Services who, without justifiable or excusable cause, knowingly
6 commits any aggravated assault and battery upon the person of a
7 Department of Human Services employee, or a person contracting with
8 the Department to provide services, while the employee or contractor
9 is in the performance of his or her duties shall, upon conviction
10 thereof, be guilty of a Class B6 felony offense.

11 D. Every person in the custody of the Office of Juvenile
12 Affairs who, without justifiable or excusable cause, knowingly
13 commits any assault, battery or assault and battery upon the person
14 of an Office of Juvenile Affairs employee while said employee is in
15 the performance of his or her duties shall, upon conviction thereof,
16 be guilty of a Class B6 felony offense.

17 E. Every person in the custody of the Office of Juvenile
18 Affairs who, without justifiable or excusable cause, knowingly
19 commits any battery or assault and battery resulting in bodily
20 injury to any employee of the Office of Juvenile Affairs or employee
21 of any residential facility while said employee is in the
22 performance of duties of employment shall, upon conviction thereof,
23 be guilty of a Class B5 felony offense. The fine for a violation of
24 this subsection shall not be less than Five Hundred Dollars

1 (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), which may
2 be imposed whether or not a period of incarceration is imposed.

3 SECTION 154. AMENDATORY 21 O.S. 2021, Section 653, is
4 amended to read as follows:

5 Section 653. Any person who is guilty of an assault with intent
6 to kill any person, the punishment for which is not prescribed by
7 Section 652 of this title, shall be guilty of a Class B5 felony
8 offense punishable by imprisonment in the State Penitentiary for a
9 term not exceeding five (5) years, or in a county jail not exceeding
10 one (1) year, or by a fine not exceeding Five Hundred Dollars
11 (\$500.00), or by both such fine and imprisonment.

12 SECTION 155. AMENDATORY 21 O.S. 2021, Section 681, is
13 amended to read as follows:

14 Section 681. A. Any person who is guilty of an assault with
15 intent to commit any felony, except an assault with intent to kill,
16 the punishment for which assault is not otherwise prescribed in this
17 code, shall be guilty of a Class B5 felony offense punishable by
18 imprisonment in the custody of the Department of Corrections not
19 exceeding five (5) years, or in a county jail not exceeding one (1)
20 year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or
21 by both such fine and imprisonment.

22 B. Except for persons sentenced to life or life without parole,
23 any person sentenced to imprisonment for two (2) years or more for a
24 violation of subsection A of this section and the offense involved

1 sexual assault, shall be required to serve a term of post-
2 imprisonment supervision pursuant to subparagraph f of paragraph 1
3 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes
4 under conditions determined by the Department of Corrections. The
5 jury shall be advised that the mandatory post-imprisonment
6 supervision shall be in addition to the actual imprisonment.

7 SECTION 156. AMENDATORY 21 O.S. 2021, Section 716, is
8 amended to read as follows:

9 Section 716. Every killing of one human being by the act,
10 procurement or culpable negligence of another, which, under the
11 provisions of this chapter, is not murder, nor manslaughter in the
12 first degree, nor excusable nor justifiable homicide, is
13 manslaughter in the second degree, a Class B5 felony offense.

14 SECTION 157. AMENDATORY 21 O.S. 2021, Section 717, is
15 amended to read as follows:

16 Section 717. If the owner of a mischievous animal, knowing its
17 propensities, wilfully suffers it to go at large, or keeps it
18 without ordinary care, and such animal, while so at large or not
19 confined, kills any human being who has taken all the precautions
20 which the circumstances permitted, to avoid such animal, the owner
21 is deemed guilty of manslaughter in the second degree, a Class B5
22 felony offense.

23 SECTION 158. AMENDATORY 21 O.S. 2021, Section 722, is
24 amended to read as follows:

1 Section 722. Any person guilty of manslaughter in the second
2 degree shall be guilty of a Class B5 felony offense punishable by
3 imprisonment in the State Penitentiary not more than four (4) years
4 and not less than two (2) years, or by imprisonment in a county jail
5 not exceeding one (1) year, or by a fine not exceeding One Thousand
6 Dollars (\$1,000.00), or both fine and imprisonment.

7 SECTION 159. AMENDATORY 21 O.S. 2021, Section 856.3, is
8 amended to read as follows:

9 Section 856.3. Any person who attempts or commits a gang-
10 related offense as a condition of membership in a criminal street
11 gang or while in association with any criminal street gang or gang
12 member shall be guilty of a Class B5 felony offense. Upon
13 conviction, the violator shall be punished by incarceration in the
14 custody of the Department of Corrections for a term of five (5)
15 years, which shall be in addition to any other penalty imposed. For
16 purposes of this section, "criminal street gang" is defined by
17 subsection F of Section 856 of Title 21 of the Oklahoma Statutes and
18 "gang-related offense" means those offenses enumerated in paragraphs
19 1 through 16 of subsection F of Section 856 of Title 21 of the
20 Oklahoma Statutes.

21 SECTION 160. AMENDATORY 21 O.S. 2021, Section 1192.1, is
22 amended to read as follows:

23 Section 1192.1. A. It shall be unlawful for any person knowing
24 that he or she has Acquired Immune Deficiency Syndrome (AIDS) or is

1 a carrier of the human immunodeficiency virus (HIV) and with intent
2 to infect another, to engage in conduct reasonably likely to result
3 in the transfer of the person's own blood, bodily fluids containing
4 visible blood, semen, or vaginal secretions into the bloodstream of
5 another, or through the skin or other membranes of another person,
6 except during in utero transmission of blood or bodily fluids, and:

7 1. The other person did not consent to the transfer of blood,
8 bodily fluids containing blood, semen, or vaginal secretions; or

9 2. The other person consented to the transfer but at the time
10 of giving consent had not been informed by the person that the
11 person transferring such blood or fluids had AIDS or was a carrier
12 of HIV.

13 B. Any person convicted of violating the provisions of this
14 section shall be guilty of a Class B5 felony offense, punishable by
15 imprisonment in the custody of the Department of Corrections for not
16 more than five (5) years.

17 SECTION 161. AMENDATORY 21 O.S. 2021, Section 1302, is
18 amended to read as follows:

19 Section 1302. Any person, masked or in disguise, who shall
20 enter upon the premises of another or demand admission into the
21 house or enclosure of another with intent to inflict bodily injury,
22 or injury to property shall be deemed guilty of assault with intent
23 to commit a felony and such entrance or demand for admission shall
24 be prima facie evidence of such intent, and upon conviction thereof,

1 such person shall be guilty of a Class B5 felony offense and shall
2 be punished by a fine of not less than Fifty Dollars (\$50.00) nor
3 more than Five Hundred Dollars (\$500.00), and by imprisonment in the
4 State Penitentiary for a term of not less than one (1) year nor more
5 than five (5) years.

6 SECTION 162. AMENDATORY 21 O.S. 2021, Section 1303, is
7 amended to read as follows:

8 Section 1303. Any person, while masked or in disguise, who
9 shall assault another with a dangerous weapon, or other instrument
10 of punishment, shall be deemed guilty of a Class B5 felony offense,
11 and upon conviction thereof shall be punishable by a fine of not
12 less than One Hundred Dollars (\$100.00) nor more than Five Hundred
13 Dollars (\$500.00), and by imprisonment in the State Penitentiary for
14 a term of not less than five (5) years nor more than twenty (20)
15 years.

16 SECTION 163. AMENDATORY 21 O.S. 2021, Section 1320.3, is
17 amended to read as follows:

18 Section 1320.3. It shall be unlawful and shall constitute an
19 unlawful assembly, a Class B5 felony offense, for a person to
20 assemble or act in concert with four (4) or more persons for the
21 purpose of engaging in conduct constituting the crime of riot, or to
22 remain at the scene of a riot after being instructed to disperse by
23 law authorities.

24

1 SECTION 164. AMENDATORY 21 O.S. 2021, Section 1320.5, is
2 amended to read as follows:

3 Section 1320.5. Any person guilty of the crime, as set forth in
4 Section 1320.3 of this title, shall be deemed guilty of a Class B5
5 felony offense, punishable by not more than five (5) years in
6 prison, or a fine of not more than Five Thousand Dollars
7 (\$5,000.00), or both.

8 SECTION 165. AMENDATORY 21 O.S. 2021, Section 1685, is
9 amended to read as follows:

10 Section 1685. Any person who shall willfully or maliciously
11 torture, destroy or kill, or cruelly beat or injure, maim or
12 mutilate any animal in subjugation or captivity, whether wild or
13 tame, and whether belonging to the person or to another, or deprive
14 any such animal of necessary food, drink, shelter, or veterinary
15 care to prevent suffering; or who shall cause, procure or permit any
16 such animal to be so tortured, destroyed or killed, or cruelly
17 beaten or injured, maimed or mutilated, or deprived of necessary
18 food, drink, shelter, or veterinary care to prevent suffering; or
19 who shall willfully set on foot, instigate, engage in, or in any way
20 further any act of cruelty to any animal, or any act tending to
21 produce such cruelty, shall be guilty of a Class B5 felony offense
22 and shall be punished by imprisonment in the State Penitentiary not
23 exceeding five (5) years, or by imprisonment in the county jail not
24 exceeding one (1) year, or by a fine not exceeding Five Thousand

1 Dollars (\$5,000.00). Any animal so maltreated or abused shall be
2 considered an abused or neglected animal.

3 SECTION 166. AMENDATORY 21 O.S. 2021, Section 1692.2, is
4 amended to read as follows:

5 Section 1692.2. Every person who willfully instigates or
6 encourages any cockfight, upon conviction, shall be guilty of a
7 Class B5 felony offense. The penalty for a violation of this
8 section shall be as provided in Section 8 of this act.

9 SECTION 167. AMENDATORY 21 O.S. 2021, Section 1692.3, is
10 amended to read as follows:

11 Section 1692.3. Every person who keeps any pit or other place,
12 or knowingly provides any equipment or facilities to be used in
13 permitting any cockfight, upon conviction, shall be guilty of a
14 Class B5 felony offense. The penalty for a violation of this
15 section shall be as provided in Section 8 of this act.

16 SECTION 168. AMENDATORY 21 O.S. 2021, Section 1692.4, is
17 amended to read as follows:

18 Section 1692.4. Every person who does any act or performs any
19 service in the furtherance of or to facilitate any cockfight, upon
20 conviction, shall be guilty of a Class B5 felony offense. Such
21 activities and services specifically prohibited by this section
22 include, but are not limited to: promoting or refereeing of birds
23 at a cockfight, advertising a cockfight, or serving as a stakes
24 holder of any money wagered on any cockfight. The penalty for a

1 violation of this section shall be as provided in Section 8 of this
2 act.

3 SECTION 169. AMENDATORY 21 O.S. 2021, Section 1692.5, is
4 amended to read as follows:

5 Section 1692.5. Every person who owns, possesses, keeps, or
6 trains any bird with the intent that such bird shall be engaged in a
7 cockfight, upon conviction, shall be guilty of a Class B5 felony
8 offense. The penalty for a violation of this section shall be as
9 provided in Section 8 of this act.

10 SECTION 170. AMENDATORY 21 O.S. 2021, Section 1692.8, is
11 amended to read as follows:

12 Section 1692.8. A. Every person who is guilty of a felony
13 under any of the provisions of Sections 2, 3, 4, or 5 of this act
14 shall be guilty of a Class B5 felony offense and shall be punished
15 by imprisonment in the state penitentiary for not less than one (1)
16 year nor more than ten (10) years, or shall be fined not less than
17 Two Thousand Dollars (\$2,000.00) nor more than Twenty-five Thousand
18 Dollars (\$25,000.00), or by both such fine and imprisonment.

19 B. Every person who upon conviction is guilty of any of the
20 provisions of Section 6 of this act shall be punished by
21 imprisonment in the county jail for not more than one (1) year, or
22 shall be fined not more than Five Hundred Dollars (\$500.00), or by
23 both such fine and imprisonment.

24

1 SECTION 171. AMENDATORY 21 O.S. 2021, Section 1694, is
2 amended to read as follows:

3 Section 1694. Every person who willfully or for any bet, stake
4 or reward, instigates or encourages any fight between dogs, or
5 instigates or encourages any dog to attack, bite, wound or worry
6 another dog, except in the course of protection of life and
7 property, upon conviction, shall be guilty of a Class B5 felony
8 offense, punishable as provided in Section 1699.1 of this title.

9 SECTION 172. AMENDATORY 21 O.S. 2021, Section 1695, is
10 amended to read as follows:

11 Section 1695. Every person who keeps any house, pit or other
12 place, or provides any equipment or facilities to be used in
13 permitting any fight between dogs or in furtherance of any activity
14 described in Section 1693 of this title, upon conviction, shall be
15 guilty of a Class B5 felony offense, punishable as provided in
16 Section 1699.1 of this title.

17 SECTION 173. AMENDATORY 21 O.S. 2021, Section 1696, is
18 amended to read as follows:

19 Section 1696. Every person who does any act or performs any
20 service in the furtherance of or to facilitate any dogfight, upon
21 conviction, shall be guilty of a Class B5 felony offense. Such
22 activities and services specifically prohibited by this section
23 include, but are not limited to: Promotion, refereeing, handling of
24 dogs at a fight, transportation of spectators to or from a dogfight,

1 providing concessions at a dogfight, advertising a dogfight, or
2 serving as a stakes holder of any money wagered on any dogfight,
3 punishable as provided in Section 1699.1 of this title.

4 SECTION 174. AMENDATORY 21 O.S. 2021, Section 1697, is
5 amended to read as follows:

6 Section 1697. Every person who owns, possesses, keeps or trains
7 any dog with the intent that such dog shall be engaged in an
8 exhibition of fighting with another dog, upon conviction, shall be
9 guilty of a Class B5 felony offense, punishable as provided in
10 Section 1699.1 of this title.

11 SECTION 175. AMENDATORY 21 O.S. 2021, Section 1699.1, is
12 amended to read as follows:

13 Section 1699.1. A. Every person who is guilty of a Class B5
14 felony offense under any of the provisions of Sections 1694, 1695,
15 1696 and 1697 of this title shall be punished by imprisonment in the
16 State Penitentiary for not less than one (1) year nor more than ten
17 (10) years, or a fine not less than Two Thousand Dollars (\$2,000.00)
18 nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both
19 such fine and imprisonment.

20 B. Every person who upon conviction is guilty of any of the
21 provisions of Section 1698 of this title shall be punished by
22 imprisonment in the county jail for not more than one (1) year, or
23 shall be fined not more than Five Hundred Dollars (\$500.00).
24

1 SECTION 176. AMENDATORY 47 O.S. 2021, Section 10-102, is
2 amended to read as follows:

3 Section 10-102. A. The driver of any vehicle involved in an
4 accident resulting in a nonfatal injury to any person shall
5 immediately stop such vehicle at the scene of such accident or as
6 close thereto as possible but shall then forthwith return to and in
7 every event shall remain at the scene of the accident until he has
8 fulfilled the requirements of Section 10-104 of this title. Every
9 such stop shall be made without obstructing traffic more than is
10 necessary.

11 B. Any person willfully, maliciously, or feloniously failing to
12 stop to avoid detection or prosecution or to comply with said
13 requirements under such circumstances, shall upon conviction be
14 guilty of a Class B5 felony offense punishable by imprisonment for
15 not less than ten (10) days nor more than two (2) years, or by a
16 fine of not less than Fifty Dollars (\$50.00) nor more than One
17 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

18 C. The Commissioner of Public Safety shall revoke the license
19 or permit to drive and any nonresident operating privilege of the
20 person so convicted.

21 SECTION 177. AMENDATORY 57 O.S. 2021, Section 586, is
22 amended to read as follows:

23 Section 586. No person subject to the provisions of the Sex
24 Offenders Registration Act, ~~Sections~~ Section 581 et seq. of this

1 title, shall furnish any false or misleading information in the
2 registration required by said act. Any person violating the
3 provisions of this section shall, upon conviction, be guilty of a
4 Class B5 felony offense.

5 SECTION 178. AMENDATORY 57 O.S. 2021, Section 587, is
6 amended to read as follows:

7 Section 587. A. Any person required to register pursuant to
8 the provisions of the Sex Offenders Registration Act who violates
9 any provision of said act shall, upon conviction, be guilty of a
10 Class B5 felony offense. Any person convicted of a violation of
11 this section shall be punished by imprisonment in the custody of the
12 Department of Corrections for not more than five (5) years, a fine
13 not to exceed Five Thousand Dollars (\$5,000.00), or both such fine
14 and imprisonment.

15 B. Any person required to register pursuant to the Sex
16 Offenders Registration Act who fails to comply with the established
17 guidelines for ~~global position system~~ Global Positioning System
18 (GPS) monitoring shall, upon conviction, be guilty of a Class B5
19 felony offense punishable by a fine not to exceed One Thousand
20 Dollars (\$1,000.00), or by imprisonment in the custody of the county
21 jail for not more than one (1) year, or by both such fine and
22 imprisonment.

23 SECTION 179. AMENDATORY 57 O.S. 2021, Section 590.1, is
24 amended to read as follows:

1 Section 590.1. A. 1. It is unlawful for two or more persons
2 required to register as sex offenders to reside together in any
3 individual dwelling during the term of registration as a sex
4 offender. Every person violating this provision shall be guilty,
5 upon conviction, of a misdemeanor punishable by imprisonment in the
6 county jail for a term not more than one (1) year and a fine in an
7 amount not to exceed One Thousand Dollars (\$1,000.00). Every person
8 convicted of a second or subsequent violation of this section shall
9 be guilty of a Class B5 felony offense punishable by imprisonment in
10 the custody of the Department of Corrections for a term not more
11 than five (5) years and a fine in an amount not to exceed Two
12 Thousand Dollars (\$2,000.00).

13 2. The provisions of paragraph 1 of this subsection shall not
14 be construed to prohibit a registered sex offender from residing in
15 any properly zoned and established boarding house, apartment
16 building or other multi-unit structure; provided the individual
17 dwellings are separate for each registered person. Nothing in this
18 subsection shall prohibit the sharing of living quarters, jail or
19 prison space, or any multi-person or dormitory-style housing of sex
20 offenders in the custody of any jail or correctional facility or any
21 properly zoned facility under contract with a jail or correctional
22 agency for the purpose of housing prisoners, or any properly
23 established treatment or nonprofit facility located in a properly
24 zoned area determined by the local governing authority and housing

1 persons for purposes of sex offender services and treatment.

2 Nothing in this subsection shall prohibit married persons, both of
3 whom are required to register as sex offenders, or two or more blood
4 relatives who are required to register as sex offenders, from
5 residing in any individual dwelling during the term of registration
6 as a sex offender.

7 3. For purposes of this subsection, "individual dwelling"
8 means:

- 9 a. a private residential property, whether owned, leased
10 or rented, including all real property zoned as
11 single-family residential property or zoned as multi-
12 family residential property due to any adjacent,
13 detached or separate living quarters of any kind on
14 such property,
- 15 b. any room available within any boarding house or group
16 home as such term is defined by subsection D of this
17 section,
- 18 c. any single apartment for rent or lease within an
19 apartment building, or
- 20 d. any separate residential unit made available for sale,
21 rent or lease within a multi-unit structure, including
22 a condominium, duplex, triplex, quadriplex or any unit
23 that is constructed together with other separate units
24 into one structure.

1 4. For purposes of this section, "multi-unit structure" means a
2 structure with multiple residential units that provide independent
3 living facilities for living, sleeping, cooking, eating, and
4 sanitation within each individual unit. Manufactured homes, mobile
5 homes, trailers, and recreational vehicles that do not meet the
6 descriptions of this paragraph are not multi-unit structures.

7 B. The Department of Corrections is prohibited from contracting
8 for the housing of any person required to register as a sex offender
9 in any individual dwelling, as defined by paragraph 3 of subsection
10 A of this section, where another person required to register as a
11 sex offender also resides.

12 C. No halfway house, nonprofit organization, or private entity
13 shall contract with the Department of Corrections or any jail to
14 house any person required to register as a sex offender or offer
15 housing independently to any person required to register as a sex
16 offender if such housing facility is located within a single-family
17 zoned residential neighborhood or is not properly zoned as a multi-
18 unit housing structure, jail or correctional facility.

19 D. No person or entity shall knowingly establish or operate a
20 boarding house or group home, or otherwise knowingly rent or lease
21 rooms, for the residency of persons required to register pursuant to
22 the Sex Offenders Registration Act unless treatment services are
23 provided. Said facility must also be in a properly zoned area
24 determined by the local governing authority. For purposes of this

1 subsection, "boarding house or group home" means a dwelling that is
2 used for the residency of two or more unrelated persons.

3 E. No person or entity shall knowingly establish, lease,
4 operate, or own any structure or portion of a structure where
5 persons required to register pursuant to the Sex Offenders
6 Registration Act are allowed to reside together in violation of this
7 section or knowingly allow any other violation of this section.

8 F. Every person convicted of a first violation of subsection E
9 of this section shall be guilty of a misdemeanor and shall be
10 punished by a fine of not more than Five Hundred Dollars (\$500.00),
11 or by imprisonment in the county jail for not more than one (1)
12 year, or by both such fine and imprisonment. Any person convicted
13 of a second violation shall be guilty of a misdemeanor and shall be
14 punished by a fine of not more than Two Thousand Five Hundred
15 Dollars (\$2,500.00), or by imprisonment in the county jail for not
16 more than one (1) year, or by both such fine and imprisonment. Any
17 person convicted of a third or subsequent violation shall be guilty
18 of a Class B5 felony offense and shall be punished by a fine of not
19 less than Two Thousand Five Hundred Dollars (\$2,500.00) and not more
20 than Five Thousand Dollars (\$5,000.00), or by imprisonment in the
21 custody of the Department of Corrections for not more than five (5)
22 years, or by both such fine and imprisonment.

23 SECTION 180. AMENDATORY 21 O.S. 2021, Section 649.3, is
24 amended to read as follows:

1 Section 649.3. A. No person shall willfully harm, including
2 torture, torment, beat, mutilate, injure, disable, or otherwise
3 mistreat or kill a service animal that is used for the benefit of
4 any handicapped person in the state.

5 B. No person including, but not limited to, any municipality or
6 political subdivision of the state, shall willfully interfere with
7 the lawful performance of any service animal used for the benefit of
8 any handicapped person in the state.

9 C. Except as provided in subsection D of this section, any
10 person convicted of violating any of the provisions of this section
11 shall be guilty of a misdemeanor, punishable by the imposition of a
12 fine not exceeding One Thousand Dollars (\$1,000.00), or by
13 imprisonment in the county jail not exceeding one (1) year, or by
14 both such fine and imprisonment.

15 D. Any person who knowingly and willfully and without lawful
16 cause or justification violates the provisions of this section,
17 during the commission of a misdemeanor or felony, shall be guilty of
18 a Class B6 felony offense, punishable by the imposition of a fine
19 not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment
20 in the Department of Corrections not exceeding two (2) years, or by
21 both such fine and imprisonment.

22 E. Any person who encourages, permits or allows an animal owned
23 or kept by such person to fight, injure, disable or kill a service
24 animal used for the benefit of any handicapped person in this state,

1 or to interfere with a service animal in any place where the service
2 animal resides or is performing, shall, upon conviction, be guilty
3 of a misdemeanor punishable as provided in subsection C of this
4 section. In addition to the penalty imposed, the court shall order
5 the violator to make restitution to the owner of the service animal
6 for actual costs and expenses incurred as a direct result of any
7 injury, disability or death caused to the service animal, including
8 but not limited to costs of replacing and training any new service
9 animal when a service animal is killed, disabled or unable to
10 perform due to injury. For purpose of this subsection, when a
11 person informs the owner of an animal that the animal is a threat
12 and requests the owner to control or contain the animal and the
13 owner disregards the request, the owner shall be deemed to have
14 encouraged, permitted or allowed any resulting injury to or
15 interference with a service animal.

16 F. Notwithstanding any ordinance in effect as of the effective
17 date of this act, no municipality or political subdivision of the
18 state, or any official thereof, may enact or enforce any ordinance
19 or rule that requires any registration or licensing fee for any
20 service animal as defined in this section that is used for the
21 purpose of guiding or assisting a disabled person who has a sensory,
22 mental, or physical impairment. Any official violating the
23 provisions of this paragraph shall be guilty of a misdemeanor
24 punishable by a fine of not less than Fifty Dollars (\$50.00).

1 G. As used in this section, "service animal" means an animal
2 that is trained for the purpose of guiding or assisting a disabled
3 person who has a sensory, mental, or physical impairment.

4 SECTION 181. AMENDATORY 21 O.S. 2021, Section 650.4, as
5 amended by Section 1, Chapter 140, O.S.L. 2023 (21 O.S. Supp. 2024,
6 Section 650.4), is amended to read as follows:

7 Section 650.4. A. Every person who, without justifiable or
8 excusable cause and with intent to do bodily harm, commits any
9 assault, battery or assault and battery upon the person of a medical
10 care provider who is performing medical care duties, upon
11 conviction, is guilty of a Class B6 felony offense punishable by
12 imprisonment in the custody of the Department of Corrections for a
13 term not exceeding two (2) years, or by a fine not exceeding One
14 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment.

15 B. As used in this section, "medical care provider" means
16 doctors, residents, interns, nurses, nurses' aides, ambulance
17 attendants and operators, paramedics, emergency medical technicians,
18 laboratory technicians, radiologic technologists, physical
19 therapists, physician assistants, chaplains, volunteers,
20 pharmacists, nursing students, medical students, members of a
21 hospital security force, and any other employees working in or for a
22 health care facility or independent contractors in one of the listed
23 categories.

1 SECTION 182. AMENDATORY 21 O.S. 2021, Section 650.6, as
2 amended by Section 1, Chapter 136, O.S.L. 2023 (21 O.S. Supp. 2024,
3 Section 650.6), is amended to read as follows:

4 Section 650.6. A. Every person who commits any assault upon
5 any county commissioner, county clerk, county assessor, county
6 treasurer, or any officer of a state district or appellate court, or
7 the Workers' Compensation Court, including but not limited to
8 judges, bailiffs, court reporters, court clerks or deputy court
9 clerks, or upon any witnesses or juror, because of said person's
10 service in such capacity or within six (6) months of said person's
11 service in such capacity, shall be guilty of a misdemeanor
12 punishable by imprisonment in the county jail for not more than one
13 (1) year, by a fine not to exceed One Thousand Dollars (\$1,000.00),
14 or by both such imprisonment and fine.

15 B. Every person who commits any battery or assault and battery
16 upon any county commissioner, county clerk, county assessor, county
17 treasurer, or officer of a state district or appellate court, or the
18 Workers' Compensation Court, including but not limited to judges,
19 bailiffs, court reporters, court clerks or deputy court clerks, or
20 upon any witnesses or juror, because of said person's service in
21 such capacity or within six (6) months of said person's service in
22 such capacity, shall be guilty of a Class B6 felony offense
23 punishable by imprisonment in the custody of the Department of
24 Corrections for not more than five (5) years, by a fine of not more

1 than Five Thousand Dollars (\$5,000.00), or by both such imprisonment
2 and fine.

3 C. Every person who knowingly commits any assault, battery or
4 assault and battery upon a process server licensed in this state
5 while the person is in the performance of his or her duties shall,
6 upon conviction, be guilty of a misdemeanor punishable by
7 imprisonment in the county jail for not more than one (1) year, by a
8 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
9 imprisonment and fine.

10 SECTION 183. AMENDATORY 21 O.S. 2021, Section 650.7, is
11 amended to read as follows:

12 Section 650.7. A. As used in this section, "school employee"
13 means a teacher, principal, or any duly appointed person employed by
14 a school system or employees of a firm contracting with a school
15 system for any purpose, including any personnel not directly related
16 to the teaching process and school board members during school board
17 meetings.

18 B. Any person who, without justifiable or excusable cause,
19 commits any assault, battery, or assault and battery upon the person
20 of a school employee while such employee is in the performance of
21 any duties as a school employee or upon any student while such
22 student is participating in any school activity or attending classes
23 on school property during school hours shall, upon conviction, be
24 guilty of a misdemeanor. The convicted person shall be punished by

1 a term of imprisonment in the county jail for a period not exceeding
2 one (1) year, or by a fine not exceeding Two Thousand Dollars
3 (\$2,000.00), or by both such fine and imprisonment.

4 C. Any person who, without justifiable or excusable cause,
5 commits any aggravated battery or aggravated assault and battery
6 upon the person of a school employee while such employee is in the
7 performance of any duties as a school employee shall, upon
8 conviction, be guilty of a Class B6 felony offense punishable by a
9 term of imprisonment in the State Penitentiary for a period not
10 exceeding two (2) years, or by a fine not exceeding Five Thousand
11 Dollars (\$5,000.00), or by both such fine and imprisonment.

12 D. Every school site shall post in a prominent place a notice
13 having the following or similar language: "FELONY CHARGES MAY BE
14 FILED AGAINST ANY PERSON(S) COMMITTING AN AGGRAVATED ASSAULT OR
15 BATTERY UPON ANY SCHOOL EMPLOYEE."

16 E. For purposes of this section, "assault" shall be defined by
17 Section 641 of Title 21 of the Oklahoma Statutes, "battery" shall be
18 defined by Section 642 of Title 21 of the Oklahoma Statutes, and
19 "aggravated assault and battery" shall be defined by Section 646 of
20 Title 21 of the Oklahoma Statutes.

21 SECTION 184. AMENDATORY 21 O.S. 2021, Section 650.8, is
22 amended to read as follows:

23 Section 650.8. A. Every person who, without justifiable or
24 excusable cause, knowingly commits any assault, battery or assault

1 and battery upon the person of an employee of a facility maintained
2 by the Office of Juvenile Affairs, a facility maintained by a
3 private contractor pursuant to a contract with the Office of
4 Juvenile Affairs primarily for delinquent children, a juvenile
5 detention center, or a juvenile bureau, while the employee is in the
6 performance of his duties, shall upon conviction thereof be guilty
7 of a Class B6 felony offense.

8 B. This section shall not supersede any other act or acts, but
9 shall be cumulative thereto.

10 SECTION 185. AMENDATORY 21 O.S. 2021, Section 650.9, is
11 amended to read as follows:

12 Section 650.9. Every person in the custody of the state, a
13 county or city or a contractor of the state, a county or a city who
14 throws, transfers or in any manner places feces, urine, semen,
15 saliva or blood upon the person of an employee of the state, a
16 county or a city or an employee of a contractor of the state, a
17 county or a city shall, upon conviction thereof, be guilty of a
18 Class B6 felony offense.

19 SECTION 186. AMENDATORY 21 O.S. 2021, Section 650.11, is
20 amended to read as follows:

21 Section 650.11. A. Medical battery is a Class B6 felony
22 offense, upon conviction, punishable by imprisonment in the county
23 jail for a term of not more than one (1) year, or imprisonment in
24 the custody of the Department of Corrections for a term of not more

1 than four (4) years, and a fine in an amount not more than Five
2 Thousand Dollars (\$5,000.00). In addition, the defendant shall be
3 ordered to make restitution to the victim in an amount as determined
4 by the court.

5 B. For purposes of this section, "medical battery" means:

6 1. The defendant has been found guilty of practicing dentistry,
7 medicine, osteopathic medicine, or surgery, without a license or
8 authority as prohibited by the provisions of the State Dental Act,
9 the Oklahoma Allopathic Medical and Surgical Licensure and
10 Supervision Act, or the Oklahoma Osteopathic Medicine Act;

11 2. The treatment, or course of treatment, practiced in
12 violation of the provisions of the State Dental Act, the Oklahoma
13 Allopathic Medical and Surgical Licensure and Supervision Act, or
14 the Osteopathic Medicine Act resulted in the victim having permanent
15 physical injury or disfigurement;

16 3. The victim consented to such treatment, or course of
17 treatment, under a belief that the defendant was licensed and
18 authorized to diagnose and perform the treatment; and

19 4. The defendant willfully performed the act knowing that such
20 act was prohibited pursuant to law.

21 SECTION 187. AMENDATORY 21 O.S. 2021, Section 852.1, is
22 amended to read as follows:

23 Section 852.1. A. A person who is the parent, guardian, or
24 person having custody or control over a child as defined in Section

1 1-1-105 of Title 10A of the Oklahoma Statutes, commits child
2 endangerment when the person:

3 1. Knowingly permits physical or sexual abuse of a child;

4 2. Knowingly permits a child to be present at a location where
5 a controlled dangerous substance is being manufactured or attempted
6 to be manufactured as defined in Section 2-101 of Title 63 of the
7 Oklahoma Statutes;

8 3. Knowingly permits a child to be present in a vehicle when
9 the person knows or should have known that the operator of the
10 vehicle is impaired by or is under the influence of alcohol or
11 another intoxicating substance; or

12 4. Is the driver, operator, or person in physical control of a
13 vehicle in violation of Section 11-902 of Title 47 of the Oklahoma
14 Statutes while transporting or having in the vehicle such child or
15 children.

16 However, it is an affirmative defense to this paragraph if the
17 person had a reasonable apprehension that any action to stop the
18 physical or sexual abuse or deny permission for the child to be in
19 the vehicle with an intoxicated person would result in substantial
20 bodily harm to the person or the child.

21 Nothing in this subsection shall prohibit the prosecution of a
22 person pursuant to the provisions of Section 11-902 or 11-904 of
23 Title 47 of the Oklahoma Statutes.

1 B. The provisions of this section shall not apply to any
2 parent, guardian or other person having custody or control of a
3 child for the sole reason that the parent, guardian or other person
4 in good faith selects and depends upon spiritual means or prayer for
5 the treatment or cure of disease or remedial care for such child.
6 This subsection shall in no way limit or modify the protections
7 afforded said child in Section 852 of this title or Section 1-4-904
8 of Title 10A of the Oklahoma Statutes.

9 C. Any person convicted of violating any provision of this
10 section shall be guilty of a Class B6 felony offense punishable by
11 imprisonment in the custody of the Department of Corrections for a
12 term of not more than four (4) years, or by a fine not exceeding
13 Five Thousand Dollars (\$5,000.00), or by both such fine and
14 imprisonment.

15 SECTION 188. AMENDATORY 21 O.S. 2021, Section 437, is
16 amended to read as follows:

17 Section 437. Any person who willfully by any means whatever,
18 assists any prisoner confined in any prison to escape therefrom, is
19 punishable as follows:

20 1. If such prisoner was confined upon a charge or conviction of
21 a felony, such person shall be guilty of a Class C1 felony offense
22 punishable by imprisonment ~~in the State Penitentiary not exceeding~~
23 ~~ten (10) years~~ as provided for in subsections B through E of Section
24 20L of this title.

1 2. If such prisoner was confined otherwise than upon a charge
2 or conviction of a felony, such person shall be guilty of a Class D3
3 felony offense punishable by imprisonment in the county jail not
4 exceeding one (1) year as provided for in subsections B through F of
5 Section 20P of this title, or by fine, not exceeding Five Hundred
6 Dollars (\$500.00), or both.

7 SECTION 189. AMENDATORY 21 O.S. 2021, Section 438, is
8 amended to read as follows:

9 Section 438. Any person who carries or sends into any prison
10 anything useful to aid any prisoner in making his escape, with
11 intent thereby to facilitate the escape of any prisoner confined
12 therein, is punishable as follows:

13 1. If such prisoner was confined upon any charge or conviction
14 of felony, the person shall be guilty of a Class C1 felony offense
15 punishable by imprisonment in the State Penitentiary not exceeding
16 ten (10) years as provided for in subsections B through E of Section
17 20L of this title.

18 2. If such prisoner was confined otherwise than upon a charge
19 or conviction of felony, the person shall be guilty of a Class D3
20 felony offense punishable by imprisonment in the county jail not
21 exceeding one (1) year as provided for in subsections B through F of
22 Section 20P of this title, or by a fine of Five Hundred Dollars
23 (\$500.00), or both.
24

SECTION 190. AMENDATORY 21 O.S. 2021, Section 440, is amended to read as follows:

Section 440. A. Any person who shall knowingly feed, lodge, clothe, arm, equip in whole or in part, harbor, aid, assist or conceal in any manner any person guilty of any felony, or outlaw, or fugitive from justice, or any person seeking to escape arrest for any felony committed within this state or any other state or territory, shall be guilty of a Class C1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a period not exceeding ten (10) years~~ as provided for in subsections B through E of Section 20L of this title.

B. It shall be unlawful for any person who has reason to believe that a sex offender is in violation of the registration requirements of the Sex Offenders Registration Act and who has the intent to assist the sex offender in eluding arrest, to do any of the following:

1. Withhold information from, or fail to notify, a law enforcement agency about the noncompliance of the sex offender with the registration requirements of the Sex Offenders Registration Act, and, if known, the whereabouts of the offender;

2. Harbor, attempt to harbor, or assist another person in harboring or attempting to harbor, the sex offender;

3. Conceal, or attempt to conceal, or assist another person in concealing or attempting to conceal, the sex offender; or

1 4. Provide information to a law enforcement agency regarding
2 the sex offender that the person knows to be false information.

3 C. Any person convicted of violating the provisions of
4 subsection B of this section shall be guilty of a misdemeanor
5 punishable by a fine of not less than Five Hundred Dollars
6 (\$500.00), or by imprisonment in the county jail for a term not to
7 exceed one (1) year, or by both such fine and imprisonment.

8 SECTION 191. AMENDATORY 21 O.S. 2021, Section 455, is
9 amended to read as follows:

10 Section 455. A. Every person who willfully prevents or
11 attempts to prevent any person from giving testimony or producing
12 any record, document or other object, who has been duly summoned or
13 subpoenaed or endorsed on the criminal information or juvenile
14 petition as a witness, or who makes a report of abuse or neglect
15 pursuant to Section 1-2-101 of Title 10A of the Oklahoma Statutes or
16 Section 10-104 of Title 43A of the Oklahoma Statutes, or who is a
17 witness to any reported crime, or threatens or procures physical or
18 mental harm through force or fear with the intent to prevent any
19 witness from appearing in court to give his or her testimony or
20 produce any record, document or other object, or to alter his or her
21 testimony is, upon conviction, guilty of a Class C1 felony offense
22 ~~punishable by not less than one (1) year nor more than ten (10)~~
23 ~~years in the custody of the Department of Corrections by~~
24

1 imprisonment as provided for in subsections B through E of Section
2 20L of this title.

3 B. Every person who threatens physical harm through force or
4 fear or causes or procures physical harm to be done to any person or
5 harasses any person or causes a person to be harassed because of
6 testimony given by such person in any civil or criminal trial or
7 proceeding, or who makes a report of abuse or neglect pursuant to
8 Section 1-2-101 of Title 10A of the Oklahoma Statutes or Section 10-
9 104 of Title 43A of the Oklahoma Statutes, is, upon conviction,
10 guilty of a Class C1 felony offense punishable ~~by not less than one~~
11 ~~(1) year nor more than ten (10) years in the custody of the~~
12 ~~Department of Corrections~~ by imprisonment as provided for in
13 subsections B through E of Section 20L of this title.

14 SECTION 192. AMENDATORY 21 O.S. 2021, Section 540A, is
15 amended to read as follows:

16 Section 540A. A. Any operator of a motor vehicle who has
17 received a visual and audible signal, a red light and a siren from a
18 peace officer driving a motor vehicle showing the same to be an
19 official police, sheriff, highway patrol or state game ranger
20 vehicle directing the operator to bring the vehicle to a stop and
21 who willfully increases the speed or extinguishes the lights of the
22 vehicle in an attempt to elude such peace officer, or willfully
23 attempts in any other manner to elude the peace officer, or who does
24 elude such peace officer, is guilty of a misdemeanor. The peace

1 officer, while attempting to stop a violator of this section, may
2 communicate a request for the assistance of other peace officers
3 from any office, department or agency. Any peace officer within
4 this state having knowledge of such request is authorized to render
5 such assistance in stopping the violator and may effect an arrest
6 under this section upon probable cause. Violation of this
7 subsection shall constitute a misdemeanor and shall be punishable by
8 not more than one (1) year imprisonment in the county jail or by a
9 fine of not less than One Hundred Dollars (\$100.00) nor more than
10 Two Thousand Dollars (\$2,000.00) or by both such fine and
11 imprisonment. A second or subsequent violation of this subsection
12 shall be punishable by not more than one (1) year in the county jail
13 or by a fine of not less than Five Hundred Dollars (\$500.00) nor
14 more than Five Thousand Dollars (\$5,000.00) or both such fine and
15 imprisonment.

16 B. Any person who violates the provisions of subsection A of
17 this section in such manner as to endanger any other person shall be
18 deemed guilty of a Class C1 felony offense punishable by
19 ~~imprisonment in the State Penitentiary for a term of not less than~~
20 ~~one (1) year nor more than five (5) years~~ as provided for in
21 subsections B through E of Section 20L of this title, or by a fine
22 of not less than One Thousand Dollars (\$1,000.00) nor more than Five
23 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

24

1 C. 1. Any person who causes an accident, while eluding or
2 attempting to elude an officer, resulting in great bodily injury to
3 any other person while driving or operating a motor vehicle within
4 this state and who is in violation of the provisions of subsection A
5 of this section may be charged with a violation of the provisions of
6 this subsection. Any person who is convicted of a violation of the
7 provisions of this subsection shall be deemed guilty of a Class C1
8 felony offense punishable by imprisonment ~~in a state correctional~~
9 ~~institution for not less than one (1) year and not more than five~~
10 ~~(5) years,~~ as provided for in subsections B through E of Section 20L
11 of this title, and a fine of not more than Five Thousand Dollars
12 (\$5,000.00).

13 2. As used in this subsection, "great bodily injury" means
14 bodily injury which creates a substantial risk of death or which
15 causes serious, permanent disfigurement or protracted loss or
16 impairment of the function of any bodily member or organ.

17 SECTION 193. AMENDATORY 21 O.S. 2021, Section 662, is
18 amended to read as follows:

19 Section 662. Any person guilty of fighting any duel, although
20 no death or wound ensues, shall be guilty of a Class C1 felony
21 offense punishable by imprisonment ~~in the State Penitentiary not~~
22 ~~exceeding ten (10) years~~ as provided for in subsections B through E
23 of Section 20L of this title.

24

SECTION 194. AMENDATORY 21 O.S. 2021, Section 843.4, is amended to read as follows:

Section 843.4. A. As used in this section, "exploitation of an elderly person or disabled adult" means:

1. Knowingly, by deception or intimidation, obtaining or using, or endeavoring to obtain or use, an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who:

a. stands in a position of trust and confidence with the elderly person or disabled adult, or

b. has a business relationship with the elderly person or disabled adult, or

2. Obtaining or using, endeavoring to obtain or use, or conspiring with another to obtain or use an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who knows or reasonably should know that the elderly person or disabled adult lacks the capacity to consent.

1 B. 1. If the funds, assets, or property involved in the
2 exploitation of the elderly person or disabled adult are valued at
3 One Hundred Thousand Dollars (\$100,000.00) or more, the violator
4 commits a Class C1 felony offense punishable by imprisonment ~~in the~~
5 ~~custody of the Department of Corrections for a term not more than~~
6 ~~fifteen (15) years~~ as provided for in subsections B through E of
7 Section 20L of this title, and by a fine in an amount not exceeding
8 Ten Thousand Dollars (\$10,000.00).

9 2. If the funds, assets, or property involved in the
10 exploitation of the elderly person or disabled adult are valued at
11 less than One Hundred Thousand Dollars (\$100,000.00), the violator
12 commits a Class C2 felony offense punishable by imprisonment ~~in the~~
13 ~~custody of the Department of Corrections for a term not more than~~
14 ~~ten (10) years~~ as provided for in subsections B through F of Section
15 20M of this title and by a fine in an amount not exceeding Ten
16 Thousand Dollars (\$10,000.00).

17 C. For purposes of this section, "elderly person" means any
18 person sixty-two (62) years of age or older.

19 SECTION 195. AMENDATORY 21 O.S. 2021, Section 1404, is
20 amended to read as follows:

21 Section 1404. A. Any person who willfully and maliciously
22 attempts to set fire to or burn or attempts by use of any explosive
23 device or substance to destroy in whole or in part, or causes to be
24 burned or destroyed, or attempts to counsel or procure the burning

1 or destruction of any building or property mentioned in Sections
2 1401, 1402 or 1403 of this title shall be guilty of arson in the
3 fourth degree, a Class C2 felony offense, and upon conviction
4 thereof shall be punished by a fine not to exceed Five Thousand
5 Dollars (\$5,000.00), or be confined in the State Penitentiary for
6 not more than ten (10) years as provided for in subsections B
7 through F of Section 20M of this title, or both.

8 B. The placing or distributing of any flammable, explosive or
9 combustible material or substance or any device in any building or
10 property mentioned in Sections 1401, 1402 or 1403 of this title, in
11 an arrangement or preparation with intent to eventually willfully
12 and maliciously set fire to or burn or to procure the setting fire
13 to or burning of same, shall for the purposes of this section
14 constitute an attempt to burn such building or property, and shall
15 be guilty of arson in the fourth degree, a Class C1 felony offense,
16 and upon conviction thereof shall be punished by a fine not to
17 exceed Five Thousand Dollars (\$5,000.00), or be confined ~~in the~~
18 ~~State Penitentiary for not more than ten (10) years~~ as provided for
19 in subsections B through E of Section 20L of this title, or both.

20 ~~C. Arson in the fourth degree is a felony.~~

21 SECTION 196. AMENDATORY 21 O.S. 2021, Section 1435, as
22 amended by Section 1, Chapter 245, O.S.L. 2022 (21 O.S. Supp. 2024,
23 Section 1435), is amended to read as follows:
24

1 Section 1435. A. Every person who breaks and enters the
2 dwelling house of another, in which there is at the time no human
3 being present, or any commercial building or any part of any
4 building, room, booth, tent, railroad car or other structure or
5 erection in which any property is kept or breaks into or forcibly
6 opens, any coin-operated or vending machine or device with intent to
7 steal any property therein or to commit any felony, is guilty of
8 burglary in the second degree, a Class C1 felony offense, punishable
9 by imprisonment as provided for in subsections B through E of
10 Section 20L of this title.

11 B. Every person who breaks and enters, climbs under, or uses
12 any jack stands or any other item to raise any automobile, truck,
13 trailer or vessel of another, in which any property is kept, with
14 intent to:

- 15 1. Steal any property therein;
- 16 2. Steal any property attached thereto; or
- 17 3. Commit any felony,

18 is guilty of burglary in the third degree, a Class D1 felony
19 offense, punishable by imprisonment as provided for in subsections B
20 through F of Section 20N of this title.

21 C. As used in subsection B of this section, the term "property
22 attached thereto" includes, but is not limited to, tires, wheels,
23 and catalytic converters.

1 SECTION 197. AMENDATORY 21 O.S. 2021, Section 1708, is
2 amended to read as follows:

3 Section 1708. When it appears upon such trial, that such
4 larceny was committed by stealing in the night time, from the person
5 of another, the offender shall be guilty of a Class C1 felony
6 offense punishable by imprisonment in the State Penitentiary not
7 exceeding ten (10) years as provided for in subsections B through E
8 of Section 20L of this title.

9 SECTION 198. AMENDATORY 47 O.S. 2021, Section 6-302, is
10 amended to read as follows:

11 Section 6-302. Any person who makes any false affidavit, or
12 knowingly swears or affirms falsely to any matter or thing required
13 by the terms of this chapter to be sworn to or affirmed, is guilty
14 of perjury, a Class C1 felony offense, and upon conviction shall be
15 punishable by fine or imprisonment ~~as other persons committing~~
16 ~~perjury are punishable~~ as provided for in subsections B through E of
17 Section 20L of Title 21 of the Oklahoma Statutes.

18 SECTION 199. AMENDATORY 63 O.S. 2021, Section 2-503.1f,
19 is amended to read as follows:

20 Section 2-503.1f. A. No person shall, for the purpose of
21 evading the reporting requirements set forth in 31 U.S.C., Section
22 5311, 31 C.F.R., Part 103, Title 6 or Sections 2-101 through 2-608
23 of Title 63 of the Oklahoma Statutes, or other federal laws
24 pertaining to money laundering:

1 1. Cause or attempt to cause the failure to file a report
2 required under Title 6 or Title 63 of the Oklahoma Statutes, or
3 federal monetary reporting requirements under law; or

4 2. Cause or attempt to cause the filing of a report required
5 under Title 6 or Title 63 of the Oklahoma Statutes, or federal
6 monetary reporting requirements under law, that contains a material
7 omission or misstatement of fact.

8 B. Any person convicted of violating the provisions of this
9 section shall be guilty of a Class C1 felony offense punishable by
10 imprisonment as provided for in subsections B through E of Section
11 20L of Title 21 of the Oklahoma Statutes.

12 SECTION 200. AMENDATORY 2 O.S. 2021, Section 11-10, is
13 amended to read as follows:

14 Section 11-10. A. 1. Except for necessary repairs to
15 anhydrous ammonia equipment conducted by a registered distributor,
16 supplier, dealer, or the owner of the equipment or designee of the
17 owner, it shall be unlawful for any person to tamper with or attempt
18 to tamper with any anhydrous ammonia pipeline, equipment, container,
19 or storage device.

20 2. Any person violating this provision shall, upon conviction
21 thereof, be guilty of a Class D1 felony offense punishable by
22 ~~imprisonment in the State Penitentiary for a term not exceeding five~~
23 ~~(5) years~~ as provided for in subsections B through F of Section 20N
24 of Title 21 of the Oklahoma Statutes, by a fine of not more than

1 Five Thousand Dollars (\$5,000.00), or both such fine and
2 imprisonment.

3 B. Theft or attempted theft of any amount of anhydrous ammonia
4 shall be a Class C2 felony offense punishable, upon conviction
5 thereof, by imprisonment ~~for not less than two (2) years nor more~~
6 ~~than ten (10) years in the State Penitentiary~~ as provided for in
7 subsections B through F of Section 20M of Title 21 of the Oklahoma
8 Statutes, by a fine not exceeding Twenty-five Thousand Dollars
9 (\$25,000.00), or by both such fine and imprisonment.

10 C. Any person who commits or attempts theft of anhydrous
11 ammonia or who unlawfully tampers with or attempts to unlawfully
12 tamper with any anhydrous ammonia pipeline, equipment, container, or
13 storage device, and as a result of unlawful conduct is injured shall
14 be barred from commencing any civil action against the following
15 persons:

16 1. Any owners of anhydrous ammonia or anhydrous ammonia
17 pipeline, equipment, containers, or storage devices;

18 2. Any persons responsible for the installation, repair, or
19 operation of anhydrous ammonia pipeline, equipment, containers, or
20 storage devices;

21 3. Any person lawfully selling, transporting, transferring, or
22 delivering anhydrous ammonia or anhydrous ammonia equipment,
23 containers, or storage devices;

24

1 4. Any persons purchasing or storing anhydrous ammonia for
2 agricultural purposes; or

3 5. Any persons operating anhydrous ammonia equipment or
4 pipeline or using anhydrous ammonia for agricultural purposes.

5 D. For purposes of this section, "tampering" means any
6 unauthorized adjustment, opening, removal, transfer, alteration,
7 change, or interference with any part of the anhydrous ammonia
8 pipeline, equipment, container, or storage device.

9 SECTION 201. AMENDATORY 4 O.S. 2021, Section 268, is
10 amended to read as follows:

11 Section 268. A. Any person who shall with intent to defraud,
12 brand or misbrand, mark or mismark any neat domestic animal, not his
13 own; or shall intentionally brand over a previous brand or shall cut
14 out or obliterate a previous mark or brand on any neat domestic
15 animal, not his own, shall be guilty of a Class C2 felony offense
16 and upon conviction thereof shall be punished by imprisonment in the
17 State Penitentiary for a term not less than three (3) years nor more
18 than ten (10) years or by imprisonment in the county jail for one
19 (1) year or by a fine not less than Five Hundred Dollars (\$500.00)
20 nor more than One Thousand Dollars (\$1,000.00).

21 B. For purposes of this section:

22 1. "Domestic animal" means cattle, equinae, sheep, goat, hog,
23 poultry and exotic livestock; and
24

1 2. "Exotic livestock" means commercially raised exotic
2 livestock including animals of the families bovidae, cervidae and
3 antilocapridae or birds of the ratite group.

4 SECTION 202. AMENDATORY 17 O.S. 2021, Section 6.1, is
5 amended to read as follows:

6 Section 6.1. A. Any person who has been determined by the
7 Commission to have violated any provision of any rule, regulation or
8 order issued pursuant to the provisions of the Commission related to
9 pipeline safety shall be liable for a civil penalty of not more than
10 Two Hundred Thousand Dollars (\$200,000.00) for each day that the
11 violation continues. The maximum civil penalty shall not exceed Two
12 Million Dollars (\$2,000,000.00) for any related series of
13 violations.

14 B. The amount of the penalty shall be assessed by the
15 Commission pursuant to the provisions of subsection A of this
16 section, after notice and hearing. In determining the amount of the
17 penalty, the Commission shall include but not be limited to
18 consideration of the nature, circumstances and gravity of the
19 violation and, with respect to the person found to have committed
20 the violation, the degree of culpability, the effect on ability of
21 the person to continue to do business, and any show of good faith in
22 attempting to achieve compliance with the provisions of the rules
23 and regulations of the Commission.

1 All penalties collected pursuant to the provisions of this
2 section shall be deposited into the Pipeline Enforcement Fund.

3 C. Any person who willfully and knowingly injures or destroys,
4 or attempts to injure or destroy, any pipeline transportation
5 system, upon conviction, shall be guilty of a Class C2 felony
6 offense and shall be subject for each offense to a fine of not more
7 than Twenty-five Thousand Dollars (\$25,000.00), or imprisonment for
8 a term not to exceed fifteen (15) years, or both such fine and
9 imprisonment.

10 SECTION 203. AMENDATORY 19 O.S. 2021, Section 641, is
11 amended to read as follows:

12 Section 641. If any county treasurer or other officer or person
13 charged with the collection, receipt, safekeeping, transfer or
14 disbursement of the public money, or any part thereof, belonging to
15 the state or to any county, precinct, district, city, town or school
16 district of the state shall convert to the officer's or person's own
17 use or to the use of any other person, body corporate or other
18 association, in any way whatever, any of such public money, or any
19 other funds, property, bonds, securities, assets or effects of any
20 kind received, controlled or held by such officer or person by
21 virtue of such office or public trust for safekeeping, transfer or
22 disbursement, or in any other way or manner, or for any other
23 purpose; or shall use the same by way of investment in any kind of
24 security, stocks, loan property, land or merchandise, or in any

1 other manner or form whatever; or shall loan the same, with or
2 without interest, to any person, firm or corporation, except when
3 authorized by law; or if any person shall advise, aid, or in any
4 manner knowingly participate in such act, such county treasurer, or
5 other officer or person shall be guilty of an embezzlement. Upon
6 conviction thereof, such county treasurer or other officer or person
7 shall be guilty of a Class C2 felony offense and shall be punished
8 by imprisonment as provided for in subsection C of Section 1451 of
9 Title 21 of the Oklahoma Statutes subsections B through F of Section
10 20M of Title 21 of the Oklahoma Statutes.

11 SECTION 204. AMENDATORY 21 O.S. 2021, Section 265, is
12 amended to read as follows:

13 Section 265. Any person who gives or offers any bribe to any
14 executive officer, with intent to influence him in respect to any
15 act, decision, vote, opinion, or other proceedings of such officer,
16 shall be guilty of a Class C2 felony offense punishable by
17 imprisonment in the State Penitentiary, not exceeding ten (10) years
18 as provided for in subsections B through F of Section 20M of this
19 title, or by a fine not exceeding Five Thousand Dollars
20 (\$5,000.00)~~+~~, or both.

21 SECTION 205. AMENDATORY 21 O.S. 2021, Section 266, is
22 amended to read as follows:

23 Section 266. Any executive officer or person elected or
24 appointed to executive office who asks, receives or agrees to

1 receive any bribe upon any agreement or understanding that his vote,
2 opinion or action upon any matter then pending, or which may by law
3 be brought before him in his official capacity, shall be influenced
4 thereby, shall be guilty of a Class C2 felony offense punishable by
5 imprisonment ~~in the State Penitentiary not exceeding ten (10) years~~
6 as provided for in subsections B through F of Section 20M of this
7 title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
8 or both; and in addition thereto, any such person forfeits office
9 and is forever disqualified from holding any public office under the
10 laws of the state.

11 SECTION 206. AMENDATORY 21 O.S. 2021, Section 282, is
12 amended to read as follows:

13 Section 282. A. It shall be unlawful for any person or group
14 of persons to:

15 1. Willfully and knowingly enter or remain in any posted,
16 cordoned off, or otherwise restricted area of a building or grounds
17 where the Governor, any member of the immediate family of the
18 Governor, the Lieutenant Governor, or other state official being
19 provided protection by the Department of Public Safety is or will be
20 temporarily visiting;

21 2. Willfully and knowingly enter or remain in any posted,
22 cordoned off, or otherwise restricted area of a building or grounds
23 the use of which is restricted in conjunction with an event
24 designated as a special event of national or state significance;

1 3. Willfully and knowingly, enter with the intent to impede or
2 to disrupt the orderly conduct of government business or official
3 functions in or within close proximity to any building or grounds,
4 as described in paragraph 1 or 2 of this subsection, or to engage in
5 disorderly or disruptive conduct in or within close proximity to any
6 building or grounds, as described in paragraph 1 or 2 of this
7 subsection, which results in the impeding or disruption of the
8 orderly conduct of government business or official functions;

9 4. Willfully and knowingly obstruct or to impede ingress or
10 egress to or from any building or grounds, as described in paragraph
11 1 or 2 of this subsection; or

12 5. Willfully and knowingly engage in any act or acts of
13 physical violence against any person or property in any building or
14 grounds, as described in paragraph 1 or 2 of this subsection.

15 B. Violation of this section and attempts or conspiracies to
16 commit such violations shall, upon conviction, be ~~punishable by:~~

17 1. A Class C2 felony offense punishable by a fine of One
18 Thousand Dollars (\$1,000.00), or imprisonment ~~for not more than ten~~
19 ~~(10) years with the Department of Corrections~~ as provided for in
20 subsections B through F of Section 20M of this title, or by both
21 fine and imprisonment, if:

22 a. the person, during and in relation to the offense,
23 uses or carries a deadly or dangerous weapon or
24 firearm, or

1 b. the offense results in great bodily injury, as defined
2 by Section 646 of ~~Title 21 of the Oklahoma Statutes~~
3 this title, to any other person; or

4 2. A Class D3 felony offense punishable by a fine of Five
5 Hundred Dollars (\$500.00), or imprisonment in the county jail for
6 ~~not more than one (1) year~~ as provided for in subsections B through
7 F of Section 20P of this title, or by both fine and imprisonment, in
8 any other case.

9 C. Violation of this section, and attempts or conspiracies to
10 commit such violations, shall be prosecuted by the district attorney
11 in the district court having jurisdiction of the place where the
12 offense occurred.

13 D. As used in this section, the term "other person for whom the
14 Oklahoma Highway Patrol Division of the Department of Public Safety
15 is charged with providing protection" means any person the Oklahoma
16 Highway Patrol - Executive Security Division is authorized to
17 protect pursuant to Section 2-101 or Section 2-105.3a of Title 47 of
18 the Oklahoma Statutes when the person has not declined protection.

19 SECTION 207. AMENDATORY 21 O.S. 2021, Section 301, is
20 amended to read as follows:

21 Section 301. Any person who willfully and by force or fraud
22 prevents the State Legislature or either of the houses composing it,
23 or any of the members thereof, from meeting or organizing shall be
24 guilty of a Class C2 felony offense punishable by imprisonment ~~in~~

1 ~~the State Penitentiary not less than five (5) years nor more than~~
2 ~~ten (10) years~~ as provided for in subsections B through F of Section
3 20M of this title, or by a fine of not less than Five Hundred
4 Dollars (\$500.00) nor more than Two Thousand Dollars (\$2,000.00), or
5 both.

6 SECTION 208. AMENDATORY 21 O.S. 2021, Section 303, is
7 amended to read as follows:

8 Section 303. Every person who willfully and by force or fraud
9 compels or attempts to compel the State Legislature, or either of
10 the houses composing it, to adjourn or disperse shall be guilty of a
11 Class C2 felony offense punishable by imprisonment ~~in the State~~
12 ~~Penitentiary not less than five (5) years nor more than ten (10)~~
13 ~~years~~ as provided for in subsections B through F of Section 20M of
14 this title, or by a fine of not less than Five Hundred Dollars
15 (\$500.00), nor more than Two Thousand Dollars (\$2,000.00), or both.

16 SECTION 209. AMENDATORY 21 O.S. 2021, Section 305, is
17 amended to read as follows:

18 Section 305. Any person who willfully compels or attempts to
19 compel either of the houses composing the Legislature to pass, amend
20 or reject any bill or resolution, or to grant or refuse any
21 petition, or to perform or omit to perform any other official act,
22 shall be guilty of a Class C2 felony offense punishable by
23 imprisonment ~~in the State Penitentiary not less than five (5) years~~
24 ~~nor more than ten (10) years~~ as provided for in subsections B

1 through F of Section 20M of this title, or by a fine of not less
2 than Five Hundred Dollars (\$500.00) nor more than Two Thousand
3 Dollars (\$2,000.00), or both.

4 SECTION 210. AMENDATORY 21 O.S. 2021, Section 308, is
5 amended to read as follows:

6 Section 308. Any person who gives or offers to give a bribe to
7 any member of the Legislature, or attempts directly or indirectly,
8 by menace, deceit, suppression of truth or any other corrupt means,
9 to influence a member in giving or withholding his vote, or in not
10 attending the house of which he is a member, or any committee
11 thereof, shall be guilty of a Class C2 felony offense punishable by
12 imprisonment ~~in the State Penitentiary not exceeding ten (10) years~~
13 as provided for in subsections B through F of Section 20M of this
14 title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
15 or both.

16 SECTION 211. AMENDATORY 21 O.S. 2021, Section 309, is
17 amended to read as follows:

18 Section 309. Any member of either of the houses composing the
19 Legislature, who asks, receives or agrees to receive any bribe upon
20 any understanding that his official vote, opinion, judgment or
21 action shall be influenced thereby, or shall be given in any manner
22 or upon any particular side of any question or matter upon which he
23 may be required to act in his official capacity, or who gives, or
24 offers or promises to give any official vote in consideration that

1 another member of the Legislature shall give any such vote, either
2 upon the same or another question, is guilty of a Class C2 felony
3 offense punishable by imprisonment ~~in the State Penitentiary not~~
4 ~~exceeding ten (10) years~~ as provided for in subsections B through F
5 of Section 20M of this title, or by a fine not exceeding Five
6 Thousand Dollars (\$5,000.00), or both.

7 SECTION 212. AMENDATORY 21 O.S. 2021, Section 350, is
8 amended to read as follows:

9 Section 350. Any person who enters any fort, magazine, arsenal,
10 armory, arsenal yard or encampment and seizes or takes away any
11 arms, ammunition, military stores or supplies belonging to the
12 people of this state, and every person who enters any such place
13 with intent so to do, shall be guilty of a Class C2 felony offense
14 punishable by imprisonment ~~in the State Penitentiary not exceeding~~
15 ~~ten (10) years~~ as provided for in subsections B through F of Section
16 20M of this title.

17 SECTION 213. AMENDATORY 21 O.S. 2021, Section 374, is
18 amended to read as follows:

19 Section 374. Any person in this state, who shall carry or cause
20 to be carried, or publicly display any red flag or other emblem or
21 banner, indicating disloyalty to the Government of the United States
22 or a belief in anarchy or other political doctrines or beliefs,
23 whose objects are either the disruption or destruction of organized
24 government, or the defiance of the laws of the United States or of

1 the State of Oklahoma, shall be deemed guilty of a Class C2 felony
2 offense, and upon conviction shall be punished by imprisonment ~~in~~
3 ~~the Penitentiary of the State of Oklahoma for a term not exceeding~~
4 ~~ten (10) years~~ as provided for in subsections B through F of Section
5 20M of this title, or by a fine not exceeding One Thousand Dollars
6 (\$1,000.00) or by both such imprisonment and fine.

7 SECTION 214. AMENDATORY 21 O.S. 2021, Section 380, is
8 amended to read as follows:

9 Section 380. A. Any fiduciary who, with a corrupt intent and
10 without the consent of his beneficiary, intentionally or knowingly
11 solicits, accepts, or agrees to accept any bribe from another person
12 with the agreement or understanding that the bribe as defined by law
13 will influence the conduct of the fiduciary in relation to the
14 affairs of his beneficiary, upon conviction, is guilty of a Class C2
15 felony offense punishable by imprisonment ~~in a state correctional~~
16 ~~institution for a term not more than ten (10) years~~ as provided for
17 in subsections B through F of Section 20M of this title, or by a
18 fine not to exceed Five Thousand Dollars (\$5,000.00) or an amount
19 fixed by the court not to exceed twice the value of the benefit
20 gained from the bribe, or by both said imprisonment and fine.

21 B. Any person who offers, confers, or agrees to confer any
22 bribe the acceptance of which is an offense pursuant to the
23 provisions of subsection A of this section, upon conviction, is
24 guilty of a Class C2 felony offense punishable by imprisonment ~~in a~~

1 ~~state correctional institution for a term not more than ten (10)~~
2 ~~years~~ as provided for in subsections B through F of Section 20M of
3 this title, or by a fine not to exceed Five Thousand Dollars
4 (\$5,000.00), or both.

5 C. As used in subsection A of this section:

6 1. "Beneficiary" means any person for whom a fiduciary is
7 acting;

8 2. "Fiduciary" means:

9 a. an agent or employee, or

10 b. a trustee, guardian, custodian, administrator,
11 executor, conservator, receiver, or similar fiduciary,
12 or

13 c. a lawyer, physician, accountant, appraiser, or other
14 professional advisor, or

15 d. an officer, director, partner, manager, or other
16 participant in the direction of the affairs of a
17 corporation or association.

18 SECTION 215. AMENDATORY 21 O.S. 2021, Section 380.1, is
19 amended to read as follows:

20 Section 380.1. A person commits the offense of commercial
21 bribery involving an insured depository institution or credit union
22 when the person gives, offers, promises, confers or agrees to confer
23 any benefit to any employee, agent or fiduciary without the consent
24 of the employer or principal and with intent to influence such

1 person's conduct in relation to the affairs of the employer or
2 principal.

3 Any person convicted of commercial bribery involving an insured
4 depository institution shall be guilty of a misdemeanor punishable
5 by imprisonment in the county jail for a term not more than one (1)
6 year; or, if there was intent to defraud, the violator, upon
7 conviction, shall be guilty of a Class C2 felony offense punishable
8 by imprisonment ~~in the Department of Corrections for a term not more~~
9 ~~than ten (10) years~~ as provided for in subsections B through F of
10 Section 20M of this title.

11 SECTION 216. AMENDATORY 21 O.S. 2021, Section 382, is
12 amended to read as follows:

13 Section 382. Every executive, legislative, county, municipal,
14 judicial, or other public officer, or any employee of the State of
15 Oklahoma or any political subdivision thereof, including peace
16 officers and any other law enforcement officer, or any person
17 assuming to act as such officer, who corruptly accepts or requests a
18 gift or gratuity, or a promise to make a gift, or a promise to do an
19 act beneficial to such officer, or that judgment shall be given in
20 any particular manner, or upon a particular side of any question,
21 cause or proceeding, which is or may be by law brought before him in
22 his official capacity, or as a consideration for any speech, work,
23 or service in connection therewith, or that in such capacity he
24 shall make any particular nomination or appointment, shall forfeit

1 his office, be forever disqualified to hold any public office,
2 trust, or appointment under the laws of this state, and be guilty of
3 a Class C2 felony offense punishable by imprisonment ~~in the State~~
4 ~~Penitentiary not exceeding ten (10) years~~ as provided for in
5 subsections B through F of Section 20M of this title, or by a fine
6 not exceeding Five Thousand Dollars (\$5,000.00) and imprisonment in
7 jail not exceeding one (1) year.

8 SECTION 217. AMENDATORY 21 O.S. 2021, Section 383, is
9 amended to read as follows:

10 Section 383. Any person who gives or offers to give a bribe to
11 any judicial officer, juror, referee, arbitrator, umpire or
12 assessor, or to any person who may be authorized by law or agreement
13 of parties interested to hear or determine any question or
14 controversy, with intent to influence his vote, opinion or decision
15 upon any matter or question which is or may be brought before him
16 for decision, is guilty of a Class C2 felony offense punishable by
17 imprisonment ~~in the State Penitentiary not exceeding ten (10) years~~
18 as provided for in subsections B through F of Section 20M of this
19 title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
20 or both.

21 SECTION 218. AMENDATORY 21 O.S. 2021, Section 388, is
22 amended to read as follows:

23 Section 388. Every person who attempts to influence a juror, or
24 any person summoned or drawn as a juror, or chosen as arbitrator or

1 appointed a referee, in respect to his or her verdict, or decision
2 of any cause or matter pending, or about to be brought before him or
3 her, either:

4 1. By means of any communication oral or written had with him
5 or her, except in the regular course of proceedings upon the trial
6 of the cause;

7 2. By means of any book, paper, or instrument, exhibited
8 otherwise than in the regular course of proceedings, upon the trial
9 of the cause;

10 3. By means of any threat or intimidation; or

11 4. By means of any assurance or promise of any pecuniary or
12 other advantage,

13 is guilty of a Class C2 felony offense punishable by a fine not to
14 exceed Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the~~
15 ~~State Penitentiary not to exceed ten (10) years~~ as provided for in
16 subsections B through F of Section 20M of this title, or by both
17 such fine and imprisonment.

18 SECTION 219. AMENDATORY 21 O.S. 2021, Section 421, is
19 amended to read as follows:

20 Section 421. A. If two or more persons conspire, either:

21 1. To commit any crime; or

22 2. Falsely and maliciously to indict another for any crime, or
23 to procure another to be charged or arrested for any crime; or
24

1 3. Falsely to move or maintain any suit, action or proceeding;

2 or

3 4. To cheat and defraud any person of any property by any means
4 which are in themselves criminal, or by any means which, if
5 executed, would amount to a cheat or to obtaining money or property
6 by false pretenses; or

7 5. To commit any act injurious to the public health, to public
8 morals, or to trade or commerce, or for the perversion or
9 obstruction of justice or the due administration of the laws,
10 they are guilty of a conspiracy.

11 B. Except in cases where a different punishment is prescribed
12 by law the punishment for conspiracy shall be a misdemeanor unless
13 the conspiracy is to commit a felony.

14 C. Conspiracy to commit a felony shall be a Class C2 felony
15 offense and is punishable by payment of a fine not exceeding Five
16 Thousand Dollars (\$5,000.00), or by imprisonment ~~in the State~~
17 ~~Penitentiary for a period not exceeding ten (10) years~~ as provided
18 for in subsections B through F of Section 20M of this title, or by
19 both such fine and imprisonment.

20 SECTION 220. AMENDATORY 21 O.S. 2021, Section 422, is
21 amended to read as follows:

22 Section 422. If two or more persons, being out of this state,
23 conspire to commit any act against the peace of this state, the
24 commission or attempted commission of which, within this state,

1 would be treason against the state, they shall be guilty of a Class
2 C2 felony offense punishable by imprisonment ~~in the State~~
3 ~~Penitentiary not exceeding ten (10) years~~ as provided for in
4 subsections B through F of Section 20M of this title.

5 SECTION 221. AMENDATORY 21 O.S. 2021, Section 424, is
6 amended to read as follows:

7 Section 424. If two or more persons conspire either to commit
8 any offense against the State of Oklahoma, any county, school
9 district, municipality or subdivision thereof, or to defraud the
10 State of Oklahoma, any county, school district, municipality or
11 subdivision thereof, in any manner or for any purpose, and if one or
12 more of such parties do any act to effect the object of the
13 conspiracy, all the parties to such conspiracy shall be guilty of a
14 Class C2 felony offense punishable by a fine of not more than
15 Twenty-five Thousand Dollars (\$25,000.00), or imprisonment ~~for not~~
16 ~~more than ten (10) years~~ as provided for in subsections B through F
17 of Section 20M of this title, or by both such fine and imprisonment.

18 SECTION 222. AMENDATORY 21 O.S. 2021, Section 540B, is
19 amended to read as follows:

20 Section 540B. A peace officer may set up one or more roadblocks
21 to apprehend any person riding upon or within a motor vehicle
22 traveling upon a highway, street, turnpike, or area accessible to
23 motoring public, when the officer has probable cause to believe such
24 person is committing or has committed:

1 1. A violation of Section 540A of this title;

2 2. Escape from the lawful custody of any peace officer;

3 3. A felony under the laws of this state or the laws of any
4 other jurisdiction.

5 A roadblock is defined as a barricade, sign, standing motor
6 vehicle, or similar obstacle temporarily placed upon or adjacent to
7 a public street, highway, turnpike or area accessible to the
8 motoring public, with one or more peace officers in attendance
9 thereof directing each operator of approaching motor vehicles to
10 stop or proceed.

11 Any operator of a motor vehicle approaching such roadblock has a
12 duty to stop at the roadblock unless directed otherwise by a peace
13 officer in attendance thereof and the willful violation hereof shall
14 constitute a separate offense from any other offense committed. Any
15 person who willfully attempts to avoid such roadblock or in any
16 manner willfully fails to stop at such roadblock or who willfully
17 passes by or through such roadblock without receiving permission
18 from a peace officer in attendance thereto is guilty of a Class C2
19 felony offense and shall be punished by imprisonment ~~in the State~~
20 ~~Penitentiary for not less than one (1) year, nor more than five (5)~~
21 ~~years~~ as provided for in subsections B through F of Section 20M of
22 this title, or by a fine not exceeding Five Thousand Dollars
23 (\$5,000.00), or by both such fine and imprisonment.

1 SECTION 223. AMENDATORY 21 O.S. 2021, Section 578, is
2 amended to read as follows:

3 Section 578. Any person who fraudulently produces an infant,
4 falsely pretending it to have been born of any parent whose child
5 would be entitled to inherit any real estate or to receive a share
6 of any personal estate, with intent to intercept the inheritance of
7 any such real estate, or the distribution of any such personal
8 estate, from any person lawfully entitled thereto, shall be guilty
9 of a Class C2 felony offense punishable by imprisonment ~~in the State~~
10 ~~Penitentiary not exceeding ten (10) years as provided for in~~
11 subsections B through F of Section 20M of this title.

12 SECTION 224. AMENDATORY 21 O.S. 2021, Section 752, is
13 amended to read as follows:

14 Section 752. Every person who with design to disable himself
15 from performance of any legal duty, existing or anticipated,
16 inflicts upon himself any injury whereby he is so disabled, is
17 guilty of maiming, a Class C2 felony offense.

18 SECTION 225. AMENDATORY 21 O.S. 2021, Section 759, is
19 amended to read as follows:

20 Section 759. Any person guilty of maiming another, as defined
21 in Section 751 of this title, shall be guilty of a Class C2 felony
22 offense punishable by imprisonment ~~in the custody of the Department~~
23 ~~of Corrections not exceeding life~~ as provided for in subsections B
24 through F of Section 20M of this title, or by a fine not exceeding

1 One Thousand Dollars (\$1,000.00), or both such fine and
2 imprisonment.

3 SECTION 226. AMENDATORY 21 O.S. 2021, Section 941, is
4 amended to read as follows:

5 Section 941. Except as provided in the Oklahoma Charity Games
6 Act, every person who opens, or causes to be opened, or who
7 conducts, whether for hire or not, or carries on either poker,
8 roulette, craps or any banking or percentage, or any gambling game
9 played with dice, cards or any device, for money, checks, credits,
10 or any representatives of value, or who either as owner or employee,
11 whether for hire or not, deals for those engaged in any such game,
12 shall be guilty of a Class C2 felony offense, and upon conviction
13 thereof, shall be punished by a fine of not less than Five Hundred
14 Dollars (\$500.00), nor more than Two Thousand Dollars (\$2,000.00),
15 and by imprisonment ~~in the State Penitentiary for a term of not less~~
16 ~~than one (1) year nor more than ten (10) years~~ as provided for in
17 subsections B through F of Section 20M of this title.

18 SECTION 227. AMENDATORY 21 O.S. 2021, Section 946, is
19 amended to read as follows:

20 Section 946. Any house, room or place where any of the games
21 prohibited by Section 941 of this title are opened, conducted or
22 carried on, or where persons congregate to play at any such games is
23 a public nuisance and the keepers and managers of any such nuisance,
24 and persons aiding or assisting any such keepers or managers in

1 keeping or managing any such nuisance shall be guilty of a Class C2
2 felony offense and, upon conviction, shall be punished by a fine of
3 not less than Five Hundred Dollars (\$500.00) nor more than Ten
4 Thousand Dollars (\$10,000.00), or by imprisonment in the State
5 ~~Penitentiary for a term of not less than one (1) year nor more than~~
6 ~~ten (10) years~~ as provided for in subsections B through F of Section
7 20M of this title.

8 SECTION 228. AMENDATORY 21 O.S. 2021, Section 948, is
9 amended to read as follows:

10 Section 948. Any state, district, city, town, county or
11 township officer who shall engage or participate in, or who shall
12 assist or encourage any other person or persons in any kind of
13 illegal gambling, whether the same be by cards, dice, dominoes,
14 billiards or any game of chance or a gambling device, by betting
15 money, property or other things of value in such game of chance, or
16 gambling device, such officer shall be deemed guilty of a Class C2
17 felony offense, and upon conviction shall be punished by a fine of
18 not less than Five Hundred Dollars (\$500.00) nor more than Ten
19 Thousand Dollars (\$10,000.00), or by imprisonment in the State
20 ~~Penitentiary for a term of not less than one (1) year nor more than~~
21 ~~ten (10) years~~ as provided for in subsections B through F of Section
22 20M of this title, and such judgment of conviction shall carry with
23 it an immediate removal from office and a disqualification to hold
24 any office of profit or trust in the State of Oklahoma.

1 SECTION 229. AMENDATORY 21 O.S. 2021, Section 982, is
2 amended to read as follows:

3 Section 982. A. Commercial gambling is:

4 1. Operating or receiving all or part of the earnings of a
5 gambling place;

6 2. Receiving, recording or forwarding bets or offers to bet or,
7 with intent to receive, record or forward bets or offers to bet,
8 possessing facilities to do so;

9 3. For gain, becoming a custodian of anything of value bet or
10 offered to be bet;

11 4. Conducting a lottery or with intent to conduct a lottery
12 possessing facilities to do so;

13 5. Setting up for use or collecting the proceeds of any
14 gambling device; or

15 6. Alone or with others, owning, controlling, managing or
16 financing a gambling business.

17 B. Any person found guilty of commercial gambling shall be
18 guilty of a Class C2 felony offense and punished by imprisonment ~~for~~
19 ~~not more than ten (10) years~~ as provided for in subsections B
20 through F of Section 20M of this title, or a fine of not more than
21 Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and
22 imprisonment.

23 SECTION 230. AMENDATORY 21 O.S. 2021, Section 991, is
24 amended to read as follows:

1 Section 991. A. Except as provided for in the Oklahoma Horse
2 Racing Act, it shall be unlawful for any person, association, or
3 corporation:

4 1. To bet or wager upon the result of any trial of speed or
5 power of endurance of animals or beasts; or

6 2. To occupy any room, shed, tenement or building, or any part
7 thereof, or to occupy any place upon any grounds with books,
8 apparatus, or paraphernalia for the purpose of recording or
9 registering bets or wagers or of selling pools, or making books or
10 mutuals upon the result of any trial of speed or power of endurance
11 of animals or beasts; or

12 3. Being the owner or lessee or occupant of any room, tent,
13 tenement, shed, booth, or building, or part thereof at any place
14 knowingly to permit the same to be used or occupied to keep,
15 exhibit, or employ any device or apparatus for the purpose of
16 recording or registering such bets or wagers or the selling or
17 making of such books, pools or mutuals, or to become the custodian
18 or depository for gain, hire or reward of any money, property or
19 thing of value, bet or wagered or to be wagered or bet upon the
20 result of any trial of speed or power of endurance of animals or
21 beasts; or

22 4. To receive, register, record, forward or purport or pretend
23 to forward to or for any racetrack within or without this state, any
24 money, thing or consideration of value offered for the purpose of

1 being bet or wagered upon the result of any trial of speed or power
2 of endurance of any animal or beast; or

3 5. To occupy any place, or building or part thereof with books,
4 papers, apparatus, or paraphernalia for the purpose of receiving or
5 pretending to receive or for recording or for registering or for
6 forwarding or pretending or attempting to forward in any manner
7 whatever, any money, thing or consideration of value, bet or wagered
8 or to be bet or wagered by any person, or to receive or offer to
9 receive any money, thing, or consideration of value bet or to be bet
10 upon the result of any trial of speed or power of endurance of any
11 animal or beast; or

12 6. To aid or assist or abet at any racetrack or other place in
13 any manner in any of the acts forbidden by this section.

14 B. Any person, association, or corporation convicted of
15 violating the provisions of paragraph 1 of subsection A of this
16 section shall be guilty of a Class D3 felony offense and shall be
17 fined not less than Two Hundred Dollars (\$200.00) nor more than Five
18 Hundred Dollars (\$500.00) and be imprisoned ~~not more than ninety~~
19 ~~(90) days~~ as provided for in subsections B through F of Section 20P
20 of this title. Any person, association, or corporation convicted of
21 violating any provision of paragraphs 2, 3, 4, 5 or 6 of subsection
22 A of this section shall be guilty of a Class C2 felony offense and
23 shall be fined not more than Ten Thousand Dollars (\$10,000.00), or
24 be imprisoned ~~for a period of not more than ten (10) years~~ as

1 provided for in subsections B through F of Section 20M of this
2 title, or both said fine and imprisonment.

3 C. Any personal property used for the purpose of violating any
4 of the provisions of this section shall be disposed of as provided
5 for in Section 1261 of Title 22 of the Oklahoma Statutes.

6 SECTION 231. AMENDATORY 21 O.S. 2021, Section 996.3, is
7 amended to read as follows:

8 Section 996.3. A. It is unlawful for any person to use the
9 term "prize" or "gift" or other similar term in any manner that
10 would be untrue or misleading.

11 B. It is unlawful to notify any person by any means, as a part
12 of an advertising plan or program, that the person has won a prize
13 and that as a condition of receiving such prize the person must pay
14 any money or rent any goods or services.

15 C. It is unlawful to notify any person by any means that the
16 person will receive a gift and that as a condition of receiving the
17 gift the person must pay any money, or purchase, lease or rent any
18 goods or services, if any one or more of the following exists:

19 1. The shipping charge, depending on the method of shipping
20 used, exceeds:

- 21 a. the average cost of postage or the average charge of a
22 delivery service in the business of delivering goods
23 of like size, weight, and kind for shippers other than
24

1 the offeror of the gift for the geographic area in
2 which the gift is being distributed, or

3 b. the exact amount for shipping paid to an independent
4 supplier, who is in the business of shipping goods for
5 shippers other than the offeror of the gift.

6 2. The handling charge:

7 a. is not reasonable, or

8 b. exceeds the actual cost of handling, or

9 c. exceeds the greater of Three Dollars (\$3.00) in any
10 transaction or eighty percent (80%) of the actual cost
11 of the gift item to the offeror or its agent, or

12 d. in the case of a merchandise retailer, exceeds the
13 actual amount for handling paid to an independent
14 supplier, who is in the business of handling goods for
15 businesses other than the offeror of the gift.

16 3. Any goods or services which must be purchased or leased by
17 the offeree of the gift in order to obtain the gift could have been
18 purchased through the same marketing channel in which the gift was
19 offered for a lower price without the gift items at or proximate to
20 the time the gift was offered.

21 4. The majority of the gift offeror's sales or leases within
22 the preceding year, through the marketing channel in which the gift
23 is offered or through in-person sales at retail outlets, of the type
24 of goods or services which must be purchased or leased in order to

1 obtain the gift item was made in conjunction with the offer of a
2 gift. This paragraph does not apply to a gift offer made by a
3 retail merchant in conjunction with the sale or lease through mail
4 order of goods or services if:

- 5 a. the goods or services are of a type unlike any other
6 type of goods or services sold or leased by the retail
7 merchant at any time during the period beginning six
8 (6) months before and continuing six (6) months after
9 the gift offer,
- 10 b. the gift offer does not extend for a period more than
11 two (2) months, and
- 12 c. the gift offer is not untrue or misleading in any
13 manner.

14 5. The gift offeror represents that the offeree has been
15 specially selected in any manner unless the representation is true.

16 D. The provisions of subsection C of this section shall not
17 apply to the sale or purchase, or solicitation or representation in
18 connection therewith, of goods from a catalog or of books,
19 recordings, videocassettes, periodicals and similar goods through a
20 membership group or club which is regulated by the Federal Trade
21 Commission trade regulation rule concerning use of negative option
22 plans by sellers in commerce or through a contractual plan or
23 arrangement such as a continuity plan, subscription arrangement, or
24 a single sale or purchase series arrangement under which the seller

1 ships goods to a consumer who has consented in advance to receive
2 such goods and the recipient of such goods is given the opportunity,
3 after examination of the goods, to receive a full refund of charges
4 for the goods, or unused portion thereof, upon return of the goods,
5 or unused portion thereof, undamaged.

6 E. Each violation of the provisions of this section shall be an
7 unlawful practice pursuant to the provisions of the Oklahoma
8 Consumer Protection Act, Section 751 et seq. of Title 15 of the
9 Oklahoma Statutes.

10 F. Any person who violates the provisions of this section
11 shall, upon conviction, be guilty of a Class C2 felony offense and
12 shall be punished by imprisonment as provided for in subsections B
13 through F of Section 20M of this title.

14 SECTION 232. AMENDATORY 21 O.S. 2021, Section 1416, is
15 amended to read as follows:

16 Section 1416. Any person mentioned in Section 1412 of this
17 title, who delivers to another any merchandise for which any bill of
18 lading, receipt or voucher has been issued, unless such receipt or
19 voucher bore upon its face the words "Not negotiable", plainly
20 written or stamped, or unless such receipt is surrendered to be
21 canceled at the time of delivery or unless, in the case of partial
22 delivery, a memorandum thereof is endorsed upon such receipt or
23 voucher, shall be punishable as follows:

1 1. If the value of the property is less than One Thousand
2 Dollars (\$1,000.00), the person shall be guilty of a misdemeanor
3 punishable by imprisonment in the county jail not to exceed one (1)
4 year, or by a fine not to exceed One Thousand Dollars (\$1,000.00),
5 or by both such imprisonment and fine;

6 2. If the value of the property is One Thousand Dollars
7 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
8 (\$2,500.00), the person shall be guilty of a Class D3 felony offense
9 punishable by imprisonment ~~in the custody of the Department of~~
10 ~~Corrections not to exceed two (2) years, or in the county jail not~~
11 ~~to exceed one (1) year~~ as provided for in subsections B through F of
12 Section 20P of this title, or by a fine not to exceed One Thousand
13 Dollars (\$1,000.00), or by both such imprisonment and fine;

14 3. If the value of the property is Two Thousand Five Hundred
15 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
16 (\$15,000.00), the person shall be guilty of a Class D1 felony
17 offense punishable by imprisonment ~~in the custody of the Department~~
18 ~~of Corrections not to exceed five (5) years, or in the county jail~~
19 ~~not to exceed one (1) year~~ as provided for in subsections B through
20 F of Section 20N of this title, or by a fine not to exceed One
21 Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;
22 and

23 4. If the value of the property is Fifteen Thousand Dollars
24 (\$15,000.00) or more, the person shall be guilty of a Class C2

1 felony offense punishable by imprisonment ~~in the custody of the~~
2 ~~Department of Corrections not to exceed eight (8) years as provided~~
3 for in subsections B through F of Section 20M of this title, or by a
4 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
5 imprisonment and fine.

6 SECTION 233. AMENDATORY 21 O.S. 2021, Section 1451, as
7 amended by Section 1, Chapter 63, O.S.L. 2024 (21 O.S. Supp. 2024,
8 Section 1451), is amended to read as follows:

9 Section 1451. A. Embezzlement is the fraudulent appropriation
10 of property of any person or legal entity, legally obtained, to any
11 use or purpose not intended or authorized by its owner, or the
12 secretion of the property with the fraudulent intent to appropriate
13 it to such use or purpose, under any of the following circumstances:

14 1. Where the property was obtained by being entrusted to that
15 person for a specific purpose, use, or disposition and shall
16 include, but not be limited to, any funds "held in trust" for any
17 purpose;

18 2. Where the property was obtained by virtue of a power of
19 attorney being granted for the sale or transfer of the property;

20 3. Where the property is possessed or controlled for the use of
21 another person;

22 4. Where the property is to be used for a public or benevolent
23 purpose;

1 5. Where any person diverts any money appropriated by law from
2 the purpose and object of the appropriation;

3 6. Where any person fails or refuses to pay over to the state,
4 or appropriate authority, any tax or other monies collected in
5 accordance with state law, and who appropriates the tax or monies to
6 the use of that person, or to the use of any other person not
7 entitled to the tax or monies;

8 7. Where the property is possessed for the purpose of
9 transportation, without regard to whether packages containing the
10 property have been broken;

11 8. Where any person removes crops from any leased or rented
12 premises with the intent to deprive the owner or landlord interested
13 in the land of any of the rent due from that land, or who
14 fraudulently appropriates the rent to that person or any other
15 person; or

16 9. Where the property is possessed or controlled by virtue of a
17 lease or rental agreement, and the property is willfully or
18 intentionally not returned within five (5) days after the expiration
19 of the agreement or forty-eight (48) hours for heavy equipment.

20 Embezzlement does not require a distinct act of taking, but only
21 a fraudulent appropriation, conversion or use of property.

22 B. Except as provided in subsection C of this section,
23 embezzlement shall be punished as follows:
24

1 1. If the value of the property embezzled is less than One
2 Thousand Dollars (\$1,000.00), any person convicted shall be guilty
3 of a misdemeanor punishable by a fine not exceeding One Thousand
4 Dollars (\$1,000.00), by imprisonment in the county jail for a term
5 not to exceed one (1) year or, at the discretion of the court, by
6 imprisonment in the county jail for one or more nights or weekends
7 pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, or
8 by both such fine and imprisonment;

9 2. If the value of the property embezzled is One Thousand
10 Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred
11 Dollars (\$2,500.00), any person convicted shall be guilty of a Class
12 D3 felony offense punishable by imprisonment ~~in the custody of the~~
13 ~~Department of Corrections for a term not to exceed two (2) years or~~
14 ~~in the county jail for a term not to exceed one (1) year~~ as provided
15 for in subsections B through F of Section 20P of this title, shall
16 be subject to a fine not exceeding Five Thousand Dollars
17 (\$5,000.00), and ordered to pay restitution to the victim as
18 provided in Section 991f of Title 22 of the Oklahoma Statutes;

19 3. If the value of the property embezzled is Two Thousand Five
20 Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand
21 Dollars (\$15,000.00), any person convicted shall be guilty of a
22 Class D1 felony offense punishable by imprisonment ~~in the custody of~~
23 ~~the Department of Corrections for a term not to exceed five (5)-~~
24 ~~years~~ as provided for in subsections B through F of Section 20N of

1 this title, shall be subject to a fine not exceeding Five Thousand
2 Dollars (\$5,000.00), and ordered to pay restitution to the victim as
3 provided in Section 991f of Title 22 of the Oklahoma Statutes; or

4 4. If the value of the property embezzled is Fifteen Thousand
5 Dollars (\$15,000.00) or more, any person convicted shall be guilty
6 of a Class C2 felony offense punishable by imprisonment ~~in the~~
7 ~~custody of the Department of Corrections for a term not to exceed~~
8 ~~eight (8) years~~ as provided for in subsections B through F of
9 Section 20M of this title, subject to a fine not exceeding Ten
10 Thousand Dollars (\$10,000.00), and ordered to pay restitution to the
11 victim as provided in Section 991f of Title 22 of the Oklahoma
12 Statutes.

13 For purposes of this subsection, a series of offenses may be
14 aggregated into one offense when they are the result of the
15 formulation of a plan or scheme or the setting up of a mechanism
16 which, when put into operation, results in the taking or diversion
17 of money or property on a recurring basis. When all acts result
18 from a continuing course of conduct, they may be aggregated into one
19 crime. Acts forming an integral part of the first taking which
20 facilitate subsequent takings, or acts taken in preparation of
21 several takings which facilitate subsequent takings, are relevant to
22 determine the intent of the party to commit a continuing crime.

23 C. Any county or state officer, deputy or employee of such
24 officer, who shall divert any money appropriated by law from the

1 purpose and object of the appropriation shall, upon conviction, be
2 guilty of a Class C2 felony offense punishable by imprisonment ~~in~~
3 ~~the custody of the Department of Corrections for a term not less~~
4 ~~than one (1) year nor more than ten (10) years~~ as provided for in
5 subsections B through F of Section 20M of this title, and a fine
6 equal to triple the amount of money so embezzled and ordered to pay
7 restitution to the victim as provided in Section 991f of Title 22 of
8 the Oklahoma Statutes. The fine shall operate as a judgment lien at
9 law on all estate of the party so convicted and sentenced, and shall
10 be enforced by execution or other process for the use of the person
11 whose money or other funds or property were embezzled. In all cases
12 the fine, so operating as a judgment lien, shall be released or
13 entered as satisfied only by the person in interest.

14 D. Any executor, administrator, trustee, beneficiary or other
15 person benefiting from, acting in a fiduciary capacity for, or
16 otherwise administering a probate, intestate, or trust estate,
17 whether the trust is inter vivos or testamentary, upon conviction of
18 embezzlement from the estate shall not receive any portion, share,
19 gift or otherwise benefit from the estate.

20 SECTION 234. AMENDATORY 21 O.S. 2021, Section 1531, is
21 amended to read as follows:

22 Section 1531. Any person who falsely personates another, and in
23 such assumed character:
24

1 1. Marries or pretends to marry, or to sustain the marriage
2 relation toward another, with or without the connivance of such
3 other person; or

4 2. Becomes bail or surety for any party, in any proceeding
5 whatever, before any court or officer authorized to take such bail
6 or surety; or

7 3. Subscribes, verifies, publishes, acknowledges or proves, in
8 the name of another person, any written instrument, with intent that
9 the same may be delivered or used as true; or

10 4. Does any other act whereby, if it were done by the person
11 falsely personated, he might in any event become liable to any suit
12 or prosecution, or to pay any sum of money, or to incur any charge,
13 forfeiture or penalty, or whereby any benefit might accrue to the
14 party personating, or to any other person⁺,

15 shall be guilty of a Class C2 felony offense punishable by
16 imprisonment ~~in the State Penitentiary not exceeding ten (10) years~~
17 as provided for in subsections B through F of Section 20M of this
18 title.

19 SECTION 235. AMENDATORY 21 O.S. 2021, Section 1532, is
20 amended to read as follows:

21 Section 1532. Any person who falsely personates another, and in
22 such assumed character receives any money or property, that knowing
23 it is intended to be delivered to the individual so personated, with
24

1 intent to convert the same to his own use, or to that of another
2 person who is not entitled thereto, shall be punishable as follows:

3 1. If the value of the money or property is less than One
4 Thousand Dollars (\$1,000.00), the person shall be guilty of a
5 misdemeanor punishable by imprisonment in the county jail not to
6 exceed one (1) year, or by a fine not to exceed One Thousand Dollars
7 (\$1,000.00), or by both such imprisonment and fine;

8 2. If the value of the money or property is One Thousand
9 Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred
10 Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony
11 offense punishable by imprisonment ~~in the custody of the Department~~
12 ~~of Corrections not to exceed two (2) years, or in the county jail~~
13 ~~not to exceed one (1) year~~ as provided for in subsections B through
14 F of Section 20P of this title, or by a fine not to exceed Five
15 Thousand Dollars (\$5,000.00), or by both such imprisonment and fine;

16 3. If the value of the money or property is Two Thousand Five
17 Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand
18 Dollars (\$15,000.00), the person shall be guilty of a Class D1
19 felony offense punishable by imprisonment ~~in the custody of the~~
20 ~~Department of Corrections not to exceed five (5) years, or in the~~
21 ~~county jail not to exceed one (1) year~~ as provided for in
22 subsections B through F of Section 20N of this title, or by a fine
23 not to exceed Five Thousand Dollars (\$5,000.00), or by both such
24 imprisonment and fine; and

1 4. If the value of the money or property is Fifteen Thousand
2 Dollars (\$15,000.00) or more, the person shall be guilty of a Class
3 C2 felony offense punishable by imprisonment ~~in the custody of the~~
4 ~~Department of Corrections not to exceed eight (8) years as provided~~
5 for in subsections B through F of Section 20M of this title, or by a
6 fine not to exceed Ten Thousand Dollars (\$10,000.00), or by both
7 such imprisonment and fine.

8 SECTION 236. AMENDATORY 21 O.S. 2021, Section 1533, is
9 amended to read as follows:

10 Section 1533. A. Except as provided in subsection B of this
11 section, every person who falsely personates any public officer,
12 civil or military, any firefighter, any law enforcement officer, any
13 emergency medical technician or other emergency medical care
14 provider, or any private individual having special authority by law
15 to perform any act affecting the rights or interests of another, or
16 who assumes, without authority, any uniform or badge by which such
17 officers or persons are usually distinguished, and in such assumed
18 character does any act whereby another person is injured, defrauded,
19 harassed, vexed or annoyed, upon conviction, is guilty of a
20 misdemeanor punishable by imprisonment in the county jail not
21 exceeding six (6) months, or by a fine not exceeding Two Thousand
22 Dollars (\$2,000.00), or by both such fine and imprisonment.

23 B. Every person who falsely personates any public officer or
24 any law enforcement officer in connection with or relating to any

1 sham legal process shall, upon conviction, be guilty of a Class D3
2 felony offense, punishable by imprisonment ~~in the custody of the~~
3 ~~Department of Corrections for not more than two (2) years as~~
4 provided for in subsections B through F of Section 20P of this
5 title, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or
6 both such fine and imprisonment.

7 C. Every person who falsely asserts authority of law not
8 provided for by federal or state law in connection with any sham
9 legal process shall, upon conviction, be guilty of a Class D3 felony
10 offense, punishable by imprisonment ~~in the custody of the Department~~
11 ~~of Corrections for not more than two (2) years as provided for in~~
12 subsections B through F of Section 20P of this title, or a fine not
13 exceeding Five Thousand Dollars (\$5,000.00), or both such fine and
14 imprisonment.

15 D. Every person who, while acting falsely in asserting
16 authority of law, attempts to intimidate or hinder a public official
17 or law enforcement officer in the discharge of official duties by
18 means of threats, harassment, physical abuse, or use of sham legal
19 process shall, upon conviction, be guilty of a Class D3 felony
20 offense punishable by imprisonment ~~in the custody of the Department~~
21 ~~of Corrections for not more than two (2) years as provided for in~~
22 subsections B through F of Section 20P of this title, or a fine not
23 exceeding Five Thousand Dollars (\$5,000.00), or both such fine and
24 imprisonment.

1 E. Any person who, without authority under federal or state
2 law, acts as a supreme court justice, a district court judge, an
3 associate district judge, a special judge, a magistrate, a clerk of
4 the court or deputy, a notary public, a juror or other official
5 holding authority to determine a controversy or adjudicate the
6 rights or interests of others, or signs a document in such capacity,
7 shall, upon conviction, be guilty of a Class D3 felony offense
8 ~~punishable by imprisonment in the custody of the Department of~~
9 ~~Corrections for not more than two (2) years as provided for in~~
10 subsections B through F of Section 20P of this title, or a fine not
11 exceeding Five Thousand Dollars (\$5,000.00), or both such fine and
12 imprisonment.

13 F. Every person who uses any motor vehicle or motor-driven
14 cycle usually distinguished as a law enforcement vehicle or equips
15 any motor vehicle or motor-driven cycle with any spot lamps, audible
16 sirens, or flashing lights, in violation of Section 12-217, 12-218
17 or 12-227 of Title 47 of the Oklahoma Statutes, or in any other
18 manner uses any motor vehicle or motor-driven cycle:

19 1. Which, by markings that conform to or imitate the markings
20 required or authorized in subsection B of Section 151 of Title 47 of
21 the Oklahoma Statutes and used by the Oklahoma Highway Patrol
22 Division of the Department of Public Safety, conveys to any person
23 the impression or appearance that it is a vehicle of the Oklahoma
24 Highway Patrol shall, upon conviction, be guilty of a misdemeanor

1 punishable by imprisonment in the county jail for not more than one
2 (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00),
3 or both fine and imprisonment; provided, nothing in this paragraph
4 shall be construed to prohibit the use of such a vehicle for
5 exhibitions, club activities, parades, and other functions of public
6 interest and which is not used on the public roads, streets, and
7 highways for regular transportation; or

8 2. For the purpose of falsely personating a law enforcement
9 officer and who in such assumed character commits any act whereby
10 another person is injured, defrauded, harassed, vexed or annoyed
11 shall, upon conviction, be guilty of a Class C2 felony offense
12 ~~punishable by imprisonment in the custody of the Department of~~
13 ~~Corrections not exceeding ten (10) years as provided for in~~
14 subsections B through F of Section 20M of this title, or by a fine
15 not exceeding Ten Thousand Dollars (\$10,000.00), or by both such
16 fine and imprisonment.

17 G. 1. Any person who displays or causes to be displayed the
18 words "State Police" alone or in conjunction with any other word or
19 words on any motor vehicle, badge, clothing, identification card, or
20 any other object or document with the intent to communicate peace
21 officer or investigating authority shall, upon conviction, be guilty
22 of a misdemeanor punishable by a fine not exceeding One Thousand
23 Dollars (\$1,000.00). This paragraph shall not apply to any officer
24 with statewide investigatory or law enforcement authority.

1 2. Any person who displays or causes to display such words as
2 provided in this subsection for the purpose of falsely personating a
3 law enforcement officer and as such commits any act whereby another
4 person is injured, defrauded, harassed, vexed or annoyed shall, upon
5 conviction, be guilty of a Class D1 felony offense punishable by
6 ~~imprisonment in the custody of the Department of Corrections not~~
7 ~~exceeding ten (10) years~~ as provided for in subsections B through F
8 of Section 20N of this title, or by a fine not exceeding Ten
9 Thousand Dollars (\$10,000.00), or by both such fine and
10 imprisonment.

11 H. As used in this section:

12 1. "Sham legal process" means the issuance, display, delivery,
13 distribution, reliance on as lawful authority, or other use of an
14 instrument that is not lawfully issued, whether or not the
15 instrument is produced for inspection or actually exists, and
16 purports to do any of the following:

17 a. to be a summons, subpoena, judgment, arrest warrant,
18 search warrant, or other order of a court recognized
19 by the laws of this state, a law enforcement officer
20 commissioned pursuant to state or federal law or the
21 law of a federally recognized Indian tribe, or a
22 legislative, executive, or administrative agency
23 established by state or federal law or the law of a
24 federally recognized Indian tribe,

1 b. to assert jurisdiction or authority over or determine
2 or adjudicate the legal or equitable status, rights,
3 duties, powers, or privileges of any person or
4 property, or

5 c. to require or authorize the search, seizure,
6 indictment, arrest, trial, or sentencing of any person
7 or property; and

8 2. "Lawfully issued" means adopted, issued, or rendered in
9 accordance with the applicable statutes, rules, regulations, and
10 ordinances of the United States, a state, or a political subdivision
11 of a state.

12 I. It shall not be a defense to a prosecution under subsection
13 B, C, D or E of this section that:

14 1. The recipient of the sham legal process did not accept or
15 believe in the authority falsely asserted in the sham legal process;

16 2. The person violating subsection B, C, D or E of this section
17 does not believe in the jurisdiction or authority of this state or
18 of the United States government; or

19 3. The office the person violating subsection B, C, D or E of
20 this section purports to hold does not exist or is not an official
21 office recognized by state or federal law.

22 SECTION 237. AMENDATORY 21 O.S. 2021, Section 1533.2, is
23 amended to read as follows:

1 Section 1533.2. A. It is unlawful for any person to willfully
2 and knowingly obtain, or attempt to obtain, another person's
3 personal, financial or other information of a financial institution
4 by means of any false or fraudulent statement made to any officer,
5 employee, agent or customer of such financial institution.

6 B. It is unlawful for any person to willfully and knowingly
7 present any false or fraudulent document or information, or any
8 document or information obtained or used without lawful consent or
9 authority, to any officer, employee, agent or another customer of
10 such financial institution to obtain, or attempt to obtain, another
11 person's personal, financial or other information from a financial
12 institution or to commit any crime.

13 C. Any person violating any provision of this section shall,
14 upon conviction, be guilty of a Class C2 felony offense punishable
15 by imprisonment ~~in the Department of Corrections for a term of not~~
16 ~~more than ten (10) years~~ as provided for in subsections B through F
17 of Section 20M of this title. In addition, the court may order
18 restitution to be paid by the defendant to every customer whose
19 information was obtained or otherwise utilized in violation of this
20 provision.

21 SECTION 238. AMENDATORY 21 O.S. 2021, Section 1541.2, is
22 amended to read as follows:

23 Section 1541.2. A. If the value of the money, property or
24 valuable thing referred to in Section 1541.1 of this title is:

1 1. One Thousand Dollars (\$1,000.00) or more but less than Two
2 Thousand Five Hundred Dollars (\$2,500.00), the person shall be
3 guilty of a Class D3 felony offense punishable by imprisonment ~~in~~
4 ~~the custody of the Department of Corrections for a term not to~~
5 ~~exceed two (2) years or in the county jail for a term not to exceed~~
6 ~~one (1) year~~ as provided for in subsections B through F of Section
7 20P of this title, or by a fine not to exceed Five Thousand Dollars
8 (\$5,000.00), or by both such fine and imprisonment;

9 2. Two Thousand Five Hundred Dollars (\$2,500.00) or more but
10 less than Fifteen Thousand Dollars (\$15,000.00), the person shall be
11 guilty of a Class D1 felony offense punishable by imprisonment ~~in~~
12 ~~the custody of the Department of Corrections for a term not to~~
13 ~~exceed five (5) years or in the county jail for a term not to exceed~~
14 ~~one (1) year~~ as provided for in subsections B through F of Section
15 20N of this title, or by a fine not to exceed Five Thousand Dollars
16 (\$5,000.00), or by both such imprisonment and fine; or

17 3. Fifteen Thousand Dollars (\$15,000.00) or more, the person
18 shall be guilty of a Class C2 felony offense punishable by
19 imprisonment ~~in the custody of the Department of Corrections for a~~
20 ~~term not to exceed eight (8) years~~ as provided for in subsections B
21 through F of Section 20M of this title, or by a fine not to exceed
22 Five Thousand Dollars (\$5,000.00), or by both such imprisonment and
23 fine.

1 B. Any person convicted pursuant to this section shall also be
2 ordered to pay restitution to the victim as provided in Section 991f
3 of Title 22 of the Oklahoma Statutes.

4 SECTION 239. AMENDATORY 21 O.S. 2021, Section 1541.3, is
5 amended to read as follows:

6 Section 1541.3. A. Any person making, drawing, uttering or
7 delivering two or more false or bogus checks, drafts or orders, as
8 defined by Section 1541.4 of this title, the total sum of which is
9 Two Thousand Dollars (\$2,000.00) or more, even though each separate
10 instrument is written for less than One Thousand Dollars
11 (\$1,000.00), all in pursuance of a common scheme or plan to cheat
12 and defraud shall be deemed guilty of a felony and shall be punished
13 as follows:

14 1. If the total sum of two or more false or bogus checks,
15 drafts or orders is Two Thousand Dollars (\$2,000.00) or more but
16 less than Two Thousand Five Hundred Dollars (\$2,500.00), the person
17 shall be guilty of a Class D3 felony offense and shall be punished
18 by imprisonment in the custody of the Department of Corrections for
19 a term not to exceed two (2) years or in the county jail for a term
20 not to exceed one (1) year as provided for in subsections B through
21 F of Section 20P of this title, or by a fine not to exceed Five
22 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment;

23 2. If the total sum of two or more false or bogus checks,
24 drafts or orders is Two Thousand Five Hundred Dollars (\$2,500.00) or

1 more but less than Fifteen Thousand Dollars (\$15,000.00), the person
2 shall be guilty of a Class D1 felony offense and shall be punished
3 by imprisonment in the custody of the Department of Corrections for
4 a term not to exceed five (5) years or in the county jail for a term
5 not to exceed one (1) year as provided for in subsections B through
6 F of Section 20N of this title, or by a fine not to exceed Five
7 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment;
8 or

9 3. If the total sum of two or more false or bogus checks,
10 drafts or orders is Fifteen Thousand Dollars (\$15,000.00) or more,
11 the person shall be guilty of a Class C2 felony offense and shall be
12 punished by imprisonment in the custody of the Department of
13 Corrections for a term not to exceed eight (8) years as provided for
14 in subsections B through F of Section 20M of this title, or by a
15 fine not to exceed Five Thousand Dollars (\$5,000.00), or by both
16 such fine and imprisonment.

17 B. If the total sum of two or more false or bogus checks,
18 drafts or orders is Five Hundred Dollars (\$500.00) or more but less
19 than Two Thousand Dollars (\$2,000.00), the person shall, upon
20 conviction, be guilty of a misdemeanor punishable by imprisonment in
21 the county jail for a term not to exceed one (1) year or, at the
22 discretion of the court, by imprisonment in the county jail for one
23 or more nights or weekends pursuant to Section 991a-2 of Title 22 of
24 the Oklahoma Statutes, shall be subject to a fine of not more than

1 Five Thousand Dollars (\$5,000.00), and ordered to pay restitution to
2 the victim as provided in Section 991f of Title 22 of the Oklahoma
3 Statutes.

4 SECTION 240. AMENDATORY 21 O.S. 2021, Section 1577, is
5 amended to read as follows:

6 Section 1577. A. Every person who sells, exchanges or delivers
7 for any consideration any forged or counterfeited promissory note,
8 check, bill, draft, or other evidence of debt, or engagement for the
9 payment of money absolutely, or upon any contingency, knowing the
10 same to be forged or counterfeited, with intent to have the same
11 uttered or passed, or who offers any such note or other instrument
12 for sale, exchange or delivery for any consideration, with the like
13 knowledge and intent, or who receives any such note or other
14 instrument upon a sale, exchange or delivery for any consideration
15 with the like knowledge and intent, is punishable as follows:

16 1. If the value of the instrument is less than One Thousand
17 Dollars (\$1,000.00), the person shall be guilty of misdemeanor
18 forgery punishable by imprisonment in the county jail for a term not
19 to exceed one (1) year, or by a fine not to exceed One Thousand
20 Dollars (\$1,000.00), or by both such imprisonment and fine;

21 2. If the value of the instrument is One Thousand Dollars
22 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
23 (\$2,500.00), the person shall be guilty of felony forgery, a Class
24 D3 felony offense, punishable by imprisonment ~~in the custody of the~~

1 ~~Department of Corrections for a term not to exceed two (2) years or~~
2 ~~in the county jail not to exceed one (1) year~~ as provided for in
3 subsections B through F of Section 20P of this title, or by a fine
4 not to exceed One Thousand Dollars (\$1,000.00), or by both such
5 imprisonment and fine;

6 3. If the value of the instrument is Two Thousand Five Hundred
7 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
8 (\$15,000.00), the person shall be guilty of felony forgery, a Class
9 D1 felony offense, punishable by imprisonment ~~in the custody of the~~
10 ~~Department of Corrections for a term not to exceed five (5) years or~~
11 ~~in the county jail for a term not to exceed one (1) year~~ as provided
12 for in subsections B through F of Section 20N of this title, or by a
13 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
14 imprisonment and fine; or

15 4. If the value of the instrument is Fifteen Thousand Dollars
16 (\$15,000.00) or more, the person shall be guilty of felony forgery,
17 a Class C2 felony offense, punishable by imprisonment ~~in the custody~~
18 ~~of the Department of Corrections for a term not to exceed eight (8)~~
19 ~~years~~ as provided for in subsections B through F of Section 20M of
20 this title, or by a fine not to exceed One Thousand Dollars
21 (\$1,000.00), or by both such imprisonment and fine.

22 B. For purposes of this section, a series of offenses may be
23 aggregated into one offense when they are the result of the
24 formulation of a plan or scheme or the setting up of a mechanism

1 which, when put into operation, results in the taking or diversion
2 of money or property on a recurring basis. When all acts result
3 from a continuing course of conduct, they may be aggregated into one
4 crime. Acts forming an integral part of the first taking which
5 facilitate subsequent takings, or acts taken in preparation of
6 several takings which facilitate subsequent takings, are relevant to
7 determine the intent of the party to commit a continuing crime.

8 SECTION 241. AMENDATORY 21 O.S. 2021, Section 1578, is
9 amended to read as follows:

10 Section 1578. A. Every person who, with intent to defraud, has
11 in his or her possession any forged, altered or counterfeit
12 negotiable note, bill, draft or other evidence of debt issued or
13 purporting to have been issued by any corporation or company duly
14 authorized for that purpose by the laws of this state or of any
15 other state, government or country, the forgery of which is
16 hereinbefore declared to be punishable, knowing the same to be
17 forged, altered or counterfeited, with intent to utter the same as
18 true or as false, or to cause the same to be so uttered, is
19 punishable as follows:

20 1. If the value of the instrument is less than One Thousand
21 Dollars (\$1,000.00), the person shall be guilty of misdemeanor
22 forgery punishable by imprisonment in the county jail for a term not
23 to exceed one (1) year, or by a fine not to exceed One Thousand
24 Dollars (\$1,000.00), or by both such imprisonment and fine;

1 2. If the value of the instrument is One Thousand Dollars
2 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
3 (\$2,500.00), the person shall be guilty of felony forgery, a Class
4 D3 felony offense, punishable by imprisonment ~~in the custody of the~~
5 ~~Department of Corrections for a term not to exceed two (2) years or~~
6 ~~in the county jail for a term not to exceed one (1) year~~ as provided
7 for in subsections B through F of Section 20P of this title, or by a
8 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
9 imprisonment and fine;

10 3. If the value of the instrument is Two Thousand Five Hundred
11 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
12 (\$15,000.00), the person shall be guilty of felony forgery, a Class
13 D1 felony offense, punishable by imprisonment ~~in the custody of the~~
14 ~~Department of Corrections for a term not to exceed five (5) years or~~
15 ~~in the county jail for a term not to exceed one (1) year~~ as provided
16 for in subsections B through F of Section 20N of this title, or by a
17 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
18 imprisonment and fine; or

19 4. If the value of the instrument is Fifteen Thousand Dollars
20 (\$15,000.00) or more, the person shall be guilty of felony forgery,
21 a Class C2 felony offense, punishable by imprisonment ~~in the custody~~
22 ~~of the Department of Corrections for a term not to exceed eight (8)~~
23 ~~years~~ as provided for in subsections B through F of Section 20M of
24

1 this title, or by a fine not to exceed One Thousand Dollars
2 (\$1,000.00), or by both such imprisonment and fine.

3 B. For purposes of this section, a series of offenses may be
4 aggregated into one offense when they are the result of the
5 formulation of a plan or scheme or the setting up of a mechanism
6 which, when put into operation, results in the taking or diversion
7 of money or property on a recurring basis. When all acts result
8 from a continuing course of conduct, they may be aggregated into one
9 crime. Acts forming an integral part of the first taking which
10 facilitate subsequent takings, or acts taken in preparation of
11 several takings which facilitate subsequent takings, are relevant to
12 determine the intent of the party to commit a continuing crime.

13 SECTION 242. AMENDATORY 21 O.S. 2021, Section 1579, is
14 amended to read as follows:

15 Section 1579. A. Every person who has in his or her possession
16 any forged or counterfeited instrument, the forgery of which is
17 hereinbefore declared to be punishable, other than such as are
18 enumerated in the last section, knowing the same to be forged,
19 counterfeited or falsely altered with intent to injure or defraud by
20 uttering the same to be true, or as false, or by causing the same to
21 be uttered, is punishable as follows:

22 1. If the value of the instrument is less than One Thousand
23 Dollars (\$1,000.00), the person shall be guilty of misdemeanor
24 forgery punishable by imprisonment in the county jail for a term not

1 to exceed one (1) year, or by a fine not to exceed One Thousand
2 Dollars (\$1,000.00), or by both such imprisonment and fine;

3 2. If the value of the instrument is One Thousand Dollars
4 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
5 (\$2,500.00), the person shall be guilty of felony forgery, a Class
6 D3 felony offense, punishable by imprisonment ~~in the custody of the~~
7 ~~Department of Corrections for a term not to exceed two (2) years or~~
8 ~~in the county jail for a term not to exceed one (1) year~~ as provided
9 for in subsections B through F of Section 20P of this title, or by a
10 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
11 imprisonment and fine;

12 3. If the value of the instrument is Two Thousand Five Hundred
13 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
14 (\$15,000.00), the person shall be guilty of felony forgery, a Class
15 D1 felony offense, punishable by imprisonment ~~in the custody of the~~
16 ~~Department of Corrections for a term not to exceed five (5) years or~~
17 ~~in the county jail for a term not to exceed one (1) year~~ as provided
18 for in subsections B through F of Section 20N of this title, or by a
19 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
20 imprisonment and fine; or

21 4. If the value of the instrument is Fifteen Thousand Dollars
22 (\$15,000.00) or more, the person shall be guilty of felony forgery,
23 a Class C2 felony offense, punishable by imprisonment ~~in the custody~~
24 ~~of the Department of Corrections for a term not to exceed eight (8)~~

1 ~~years~~ as provided for in subsections B through F of Section 20M of
2 this title, or by a fine not to exceed One Thousand Dollars
3 (\$1,000.00), or by both such imprisonment and fine.

4 B. For purposes of this section, a series of offenses may be
5 aggregated into one offense when they are the result of the
6 formulation of a plan or scheme or the setting up of a mechanism
7 which, when put into operation, results in the taking or diversion
8 of money or property on a recurring basis. When all acts result
9 from a continuing course of conduct, they may be aggregated into one
10 crime. Acts forming an integral part of the first taking which
11 facilitate subsequent takings, or acts taken in preparation of
12 several takings which facilitate subsequent takings, are relevant to
13 determine the intent of the party to commit a continuing crime.

14 SECTION 243. AMENDATORY 21 O.S. 2021, Section 1592, is
15 amended to read as follows:

16 Section 1592. A. Every person who, with intent to defraud,
17 utters or publishes as true any forged, altered or counterfeited
18 instrument or any counterfeit gold or silver coin, the forging,
19 altering or counterfeiting of which has previously been declared to
20 be punishable, knowing such instrument or coin to be forged, altered
21 or counterfeited, is punishable as follows:

22 1. If the value of the instrument is less than One Thousand
23 Dollars (\$1,000.00), the person shall be guilty of forgery as a
24 misdemeanor punishable by imprisonment in the county jail not to

1 exceed one (1) year, or by a fine not to exceed One Thousand Dollars
2 (\$1,000.00), or by both such imprisonment and fine;

3 2. If the value of the instrument is One Thousand Dollars
4 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
5 (\$2,500.00), the person shall be guilty of forgery ~~as,~~ a Class D3
6 felony offense, punishable by imprisonment ~~in the custody of the~~
7 ~~Department of Corrections not to exceed two (2) years, or in the~~
8 ~~county jail not to exceed one (1) year~~ as provided for in
9 subsections B through F of Section 20P of this title, or by a fine
10 not to exceed One Thousand Dollars (\$1,000.00), or by both such
11 imprisonment and fine;

12 3. If the value of the instrument is Two Thousand Five Hundred
13 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
14 (\$15,000.00), the person shall be guilty of forgery ~~as,~~ a Class D1
15 felony offense, punishable by imprisonment ~~in the custody of the~~
16 ~~Department of Corrections not to exceed five (5) years, or in the~~
17 ~~county jail not to exceed one (1) year~~ as provided for in
18 subsections B through F of Section 20N of this title, or by a fine
19 not to exceed One Thousand Dollars (\$1,000.00), or by both such
20 imprisonment and fine; and

21 4. If the value of the instrument is Fifteen Thousand Dollars
22 (\$15,000.00) or more, the person shall be guilty of forgery ~~as,~~ a
23 Class C2 felony offense, punishable by imprisonment ~~in the custody~~
24 ~~of the Department of Corrections not to exceed eight (8) years~~ as

1 provided for in subsections B through F of Section 20M of this
2 title, or by a fine not to exceed One Thousand Dollars (\$1,000.00),
3 or by both such imprisonment and fine.

4 B. For purposes of this section, a series of offenses may be
5 aggregated into one offense when they are the result of the
6 formulation of a plan or scheme or the setting up of a mechanism
7 which, when put into operation, results in the taking or diversion
8 of money or property on a recurring basis. When all acts result
9 from a continuing course of conduct, they may be aggregated into one
10 crime. Acts forming an integral part of the first taking which
11 facilitate subsequent takings, or acts taken in preparation of
12 several takings which facilitate subsequent takings, are relevant to
13 determine the intent of the party to commit a continuing crime.

14 SECTION 244. AMENDATORY 21 O.S. 2021, Section 1632, is
15 amended to read as follows:

16 Section 1632. Any officer, agent or clerk of any corporation,
17 or of any persons proposing to organize a corporation or to increase
18 the capital stock of any corporation, who knowingly exhibits any
19 false, forged or altered book, paper, voucher, security or other
20 instrument of evidence to any public officer or board authorized by
21 law to examine the organization of such corporation, or to
22 investigate its affairs, or to allow an increase of its capital with
23 intent to deceive such officer or board in respect thereto, shall be
24 guilty of a Class C2 felony offense punishable by imprisonment ~~in~~

1 ~~the State Penitentiary not exceeding ten (10) years, and not less~~
2 ~~than three (3) years~~ as provided for in subsections B through F of
3 Section 20M of this title.

4 SECTION 245. AMENDATORY 21 O.S. 2021, Section 1635, is
5 amended to read as follows:

6 Section 1635. Any director, officer, agent or member of any
7 corporation or joint stock association, who, with intent to defraud,
8 destroys, alters, mutilates or falsifies any of the books, papers,
9 writings or securities belonging to such corporation or association,
10 or makes or concurs in making any false entry, or omits or concurs
11 in omitting to make any material entry in any book of accounts, or
12 other record or document kept by such corporation or association,
13 shall be guilty of a Class C2 felony offense punishable by
14 imprisonment ~~in the State Penitentiary not exceeding ten (10) years~~
15 ~~and not less than three (3) years, or by imprisonment in a county~~
16 ~~jail not exceeding one (1) year~~ as provided for in subsections B
17 through F of Section 20M of this title, or by a fine not exceeding
18 Five Hundred Dollars (\$500.00), or by both such fine and
19 imprisonment.

20 SECTION 246. AMENDATORY 21 O.S. 2021, Section 1702, is
21 amended to read as follows:

22 Section 1702. One who finds lost property under circumstances
23 which gives him knowledge or means of inquiry as to the true owner,
24 and who appropriates such property to his own use, or to the use of

1 another person who is not entitled thereto, without having first
2 made such effort to find the owner and restore the property to him
3 as the circumstances render reasonable and just, is guilty of
4 larceny punishable as follows:

5 1. If the value of the property is less than One Thousand
6 Dollars (\$ 1,000.00), the person shall be guilty of a misdemeanor
7 punishable by imprisonment in the county jail not to exceed one (1)
8 year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or
9 by both such imprisonment and fine;

10 2. If the value of the property is One Thousand Dollars
11 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
12 (\$2,500.00), the person shall be guilty of a Class D3 felony offense
13 ~~punishable by imprisonment in the custody of the Department of~~
14 ~~Corrections not to exceed two (2) years, or in the county jail not~~
15 ~~to exceed one (1) year as provided for in subsections B through F of~~
16 Section 20P of this title, or by a fine not to exceed One Thousand
17 Dollars (\$1,000.00), or by both such imprisonment and fine;

18 3. If the value of the property is Two Thousand Five Hundred
19 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
20 (\$15,000.00), the person shall be guilty of a Class D1 felony
21 offense ~~punishable by imprisonment in the custody of the Department~~
22 ~~of Corrections not to exceed five (5) years, or in the county jail~~
23 ~~not to exceed one (1) year as provided for in subsections B through~~
24 F of Section 20N of this title, or by a fine not to exceed One

1 Thousand Dollars (\$1,000.00), or by both such imprisonment and fine;
2 and

3 4. If the value of the property is Fifteen Thousand Dollars
4 (\$15,000.00) or more, the person shall be guilty of a Class C2
5 felony offense punishable by imprisonment ~~in the custody of the~~
6 ~~Department of Corrections not to exceed eight (8) years~~ as provided
7 for in subsections B through F of Section 20M of this title, or by a
8 fine not to exceed One Thousand Dollars (\$1,000.00), or by both such
9 imprisonment and fine.

10 SECTION 247. AMENDATORY 21 O.S. 2021, Section 1705, as
11 amended by Section 1, Chapter 158, O.S.L. 2024 (21 O.S. Supp. 2024,
12 Section 1705), is amended to read as follows:

13 Section 1705. A. Grand larceny is a felony punishable as
14 follows:

15 1. If the value of the property is less than One Thousand
16 Dollars (\$1,000.00), the person shall be punished by imprisonment in
17 the county jail for a term not to exceed one (1) year or by
18 incarceration in the county jail for one or more nights or weekends
19 pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at
20 the option of the court, or by a fine not to exceed One Thousand
21 Dollars (\$1,000.00), or by both such imprisonment and fine;

22 2. If the property is one or more firearms, the property is
23 taken from the person of another, or the value of the property is
24 One Thousand Dollars (\$1,000.00) or more but less than Two Thousand

1 Five Hundred Dollars (\$2,500.00), the person shall be guilty of a
2 Class D3 felony offense and shall be punished by imprisonment in the
3 ~~custody of the Department of Corrections for a term not to exceed~~
4 ~~five (5) years or in the county jail for a term not to exceed one~~
5 ~~(1) year~~ as provided for in subsections B through F of Section 20P
6 of this title, or by a fine not to exceed Two Thousand Five Hundred
7 Dollars (\$2,500.00), or by both such imprisonment and fine;

8 3. In the event the value of the property is Two Thousand Five
9 Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand
10 Dollars (\$15,000.00), the person shall be guilty of a Class D1
11 felony offense and shall be punished by imprisonment in the custody
12 ~~of the Department of Corrections for a term not to exceed five (5)~~
13 ~~years or in the county jail for a term not to exceed one (1) year~~ as
14 provided for in subsections B through F of Section 20N of this
15 title, or by a fine not to exceed One Thousand Dollars (\$1,000.00),
16 or by both such imprisonment and fine; or

17 4. If the value of the property is Fifteen Thousand Dollars
18 (\$15,000.00) or more, the person shall be guilty of a Class C2
19 felony offense and shall be punished by imprisonment in the custody
20 ~~of the Department of Corrections for a term not to exceed eight (8)~~
21 ~~years~~ as provided for in subsections B through F of Section 20M of
22 this title, or by a fine not to exceed One Thousand Dollars
23 (\$1,000.00), or by both such imprisonment and fine.

1 B. The person shall also be ordered to pay restitution to the
2 victim as provided in Section 991f of Title 22 of the Oklahoma
3 Statutes.

4 SECTION 248. AMENDATORY 21 O.S. 2021, Section 1707, is
5 amended to read as follows:

6 Section 1707. When it appears upon a trial for grand larceny
7 that the larceny alleged was committed in any dwelling house or
8 vessel, the offender shall be guilty of a Class C2 felony offense
9 punishable by imprisonment ~~in the State Penitentiary not exceeding~~
10 ~~eight (8) years~~ as provided for in subsections B through F of
11 Section 20M of this title.

12 SECTION 249. AMENDATORY 21 O.S. 2021, Section 1713, is
13 amended to read as follows:

14 Section 1713. A. Every person who buys or receives, in any
15 manner, upon any consideration, personal property of a value of One
16 Thousand Dollars (\$1,000.00) or more that has been stolen,
17 embezzled, obtained by false pretense or robbery, knowing or having
18 reasonable cause to believe the same to have been stolen, embezzled,
19 obtained by false pretense, or robbery, or who conceals, withholds,
20 or aids in concealing or withholding such property from the owner
21 shall, upon conviction, be guilty of a felony punishable as follows:

22 1. If the value of the personal property is One Thousand
23 Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred
24 Dollars (\$2,500.00), the person shall be guilty of a Class D3 felony

1 offense and shall be punished by imprisonment in the custody of the
2 Department of Corrections for a term not to exceed two (2) years or
3 in the county jail for a term not to exceed one (1) year as provided
4 for in subsections B through F of Section 20P of this title, or by a
5 fine not to exceed Five Hundred Dollars (\$500.00), or by both such
6 fine and imprisonment;

7 2. If the value of the personal property is Two Thousand Five
8 Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand
9 Dollars (\$15,000.00), the person shall be guilty of a Class D1
10 felony offense and shall be punished by imprisonment in the custody
11 of the Department of Corrections for a term not to exceed five (5)
12 years or in the county jail for a term not to exceed one (1) year as
13 provided for in subsections B through F of Section 20N of this
14 title, or by a fine not to exceed Five Hundred Dollars (\$500.00), or
15 by both such fine and imprisonment; or

16 3. If the value of the personal property is Fifteen Thousand
17 Dollars (\$15,000.00) or more, the person ~~may~~ shall be guilty of a
18 Class C2 felony offense and shall be punished by imprisonment in the
19 custody of the Department of Corrections for a term not to exceed
20 eight (8) years as provided for in subsections B through F of
21 Section 20M of this title, or by a fine not to exceed Five Hundred
22 Dollars (\$500.00), or by both such imprisonment and fine.

23 B. If the personal property that has been stolen, embezzled,
24 obtained by false pretense or robbery has a value of less than One

1 Thousand Dollars (\$1,000.00), the person shall, upon conviction, be
2 guilty of a misdemeanor punishable by imprisonment in the county
3 jail for a term not to exceed six (6) months.

4 C. Every person who, without making reasonable inquiry, buys,
5 receives, conceals, withholds, or aids in concealing or withholding
6 any property which has been stolen, embezzled, obtained by false
7 pretense or robbery, or otherwise feloniously obtained, under such
8 circumstances as should cause such person to make reasonable inquiry
9 to ascertain that the person from whom such property was bought or
10 received had the legal right to sell or deliver it shall be presumed
11 to have bought or received such property knowing it to have been so
12 stolen or wrongfully obtained. This presumption may, however, be
13 rebutted by proof.

14 SECTION 250. AMENDATORY 21 O.S. 2021, Section 1713.1, is
15 amended to read as follows:

16 Section 1713.1. Every person who buys or receives, in any
17 manner, upon any consideration, any construction equipment or farm
18 equipment of any value whatsoever that has been stolen, embezzled,
19 obtained by false pretense or robbery, knowing or having reasonable
20 cause to believe the same to have been stolen, embezzled, obtained
21 by false pretense, or robbery, or who conceals, withholds, or aids
22 in concealing or withholding such construction equipment or farm
23 equipment from the owner, shall be guilty of a Class C2 felony
24 offense punishable by imprisonment ~~in the State Penitentiary for a~~

1 ~~term of not more than ten (10) years~~ as provided for in subsections
2 B through F of Section 20M of this title, or by a fine in an amount
3 that is equal to three times the value of the property that was
4 stolen but not more than Five Hundred Thousand Dollars
5 (\$500,000.00), or by both such fine and imprisonment and may be
6 ordered to pay restitution pursuant to Section 991f of Title 22 of
7 the Oklahoma Statutes.

8 SECTION 251. AMENDATORY 21 O.S. 2021, Section 1716, as
9 amended by Section 1, Chapter 32, O.S.L. 2022 (21 O.S. Supp. 2024,
10 Section 1716), is amended to read as follows:

11 Section 1716. A. Any person in this state who shall steal any
12 horse, jackass, jennet, mule, cow, hog or implement of husbandry as
13 defined in Section 1-125 of Title 47 of the Oklahoma Statutes shall,
14 upon conviction, be guilty of a Class C2 felony offense punishable
15 by imprisonment in the custody of the Department of Corrections for
16 a term of not less than three (3) years nor more than ten (10)
17 years, or by a fine in an amount that is equal to three times the
18 value of animals and machinery that were stolen but not more than
19 Five Hundred Thousand Dollars (\$500,000.00), or by both such fine
20 and imprisonment. Each head of cattle stolen may constitute a
21 separate offense and may be punishable as a separate violation.

22 B. Any person in this state who shall steal any dog, sheep or
23 goat shall, upon conviction, be guilty of a Class D3 felony offense
24 punishable by imprisonment ~~in the custody of the Department of~~

1 ~~Corrections for a term of not less than six (6) months nor more than~~
2 ~~three (3) years~~ as provided for in subsections B through F of
3 Section 20P of this title, or by a fine in an amount that is equal
4 to three times the value of the animals that were stolen but not
5 more than Five Hundred Thousand Dollars (\$500,000.00), or by both
6 such fine and imprisonment.

7 C. The word "horse" as used in this section includes all
8 animals of the equine species, and the word "cow" includes all
9 animals of the bovine species.

10 D. Persons convicted of violating the provisions of subsection
11 A of this section shall be registered by the Oklahoma Department of
12 Agriculture, Food, and Forestry in the Livestock Offender Registry
13 created in Section 2-16.1 of Title 2 of the Oklahoma Statutes.

14 E. The county in which the offender is convicted shall submit a
15 certified copy of the judgment and sentence confirming the
16 conviction for entry in the Livestock Offender Registry to the
17 Oklahoma Department of Agriculture, Food, and Forestry or, if
18 designated by the Department, to a statewide livestock organization.
19 In lieu of sending a paper copy of the judgment and sentence
20 required by this subsection, the county may transmit the conviction
21 information by using an electronic method authorized by the Oklahoma
22 Department of Agriculture, Food, and Forestry.

23 SECTION 252. AMENDATORY 21 O.S. 2021, Section 1719.2, is
24 amended to read as follows:

1 Section 1719.2. A. Any person who shall take, steal or carry
2 away any exotic livestock, any person purchasing or receiving such
3 exotic livestock, knowing them to have been stolen, shall be deemed
4 guilty of grand larceny, a Class C2 felony offense, regardless of
5 the value thereof, and upon conviction thereof shall be punished by
6 imprisonment in the State Penitentiary not exceeding ten (10) years,
7 or by a fine not exceeding Twenty Thousand Dollars (\$20,000.00), or
8 by both such fine and imprisonment.

9 B. For purposes of this section the term "exotic livestock"
10 means commercially raised exotic livestock including animals of the
11 families bovidae, cervidae and antilocapridae or birds of the ratite
12 group.

13 SECTION 253. AMENDATORY 21 O.S. 2021, Section 1720, is
14 amended to read as follows:

15 Section 1720. Any person in this state who shall steal an
16 aircraft, automobile or other automotive driven vehicle,
17 construction equipment or farm equipment, shall be guilty of a Class
18 D1 felony offense, and, upon conviction, shall be punished by
19 ~~imprisonment in the custody of the Department of Corrections for a~~
20 ~~term not exceeding five (5) years~~ as provided for in subsections B
21 through F of Section 20N of this title if the value of the vehicle
22 is less than Fifty Thousand Dollars (\$50,000.00), or ~~for a term of~~
23 ~~not less than three (3) years, nor more than ten (10) years~~ shall be
24 guilty of a Class C2 felony offense and shall be punished by

1 imprisonment as provided for in subsections B through F of Section
2 20M of this title if the value of the vehicle is Fifty Thousand
3 Dollars (\$50,000.00) or greater, or by a fine in an amount that is
4 equal to three times the value of the property that was stolen but
5 not more than Five Hundred Thousand Dollars (\$500,000.00), or by
6 both such fine and imprisonment ~~and~~. In addition, the person shall
7 be ordered to pay restitution pursuant to Section 991f of Title 22
8 of the Oklahoma Statutes.

9 SECTION 254. AMENDATORY 21 O.S. 2021, Section 1721, is
10 amended to read as follows:

11 Section 1721. Any person who shall unlawfully make or cause to
12 be made any connection with or in any way tap or cause to be tapped,
13 or drill or cause to be drilled a hole in any pipe or pipeline or
14 tank laid or used for the conduct or storage of crude oil, naphtha,
15 gas or casinghead gas, or any of the manufactured or natural
16 products thereof, with intent to deprive the owner thereof of any of
17 said crude oil, naphtha, gas, casinghead gas or any of the
18 manufactured or natural products thereof, shall be guilty of a Class
19 C2 felony offense, and upon conviction the person shall be punished
20 by forfeiture of the instrumentality of the crime and by a fine of
21 not less than One Hundred Dollars (\$100.00), and not more than Fifty
22 Thousand Dollars (\$50,000.00), or confinement in the State
23 Penitentiary for a term of not less than one (1) year nor more than
24 ten (10) years, or by both such fine and imprisonment.

SECTION 255. AMENDATORY 21 O.S. 2021, Section 1722, is amended to read as follows:

Section 1722. Any person who shall unlawfully take any crude oil or gasoline, or any product thereof, from any pipe, pipeline, tank, tank car, or other receptacle or container and any person who shall unlawfully take or cause to be taken any machinery, drilling mud, equipment or other materials necessary for the drilling or production of oil or gas wells, with intent to deprive the owner or lessee thereof of said crude oil, gas, gasoline, or any product thereof, machinery, drilling mud, equipment or other materials necessary for the drilling or production of oil or gas wells shall:

1. Be guilty of a misdemeanor if the value of said product so taken is less than One Thousand Dollars (\$1,000.00), and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for a term not to exceed sixty (60) days, or by both such fine and imprisonment;

2. Be guilty of a Class C2 felony offense if the value of such product so taken is One Thousand Dollars (\$1,000.00) or more and upon conviction thereof, shall be punished by forfeiture of the instrumentality of the crime and by a fine of not less than One Hundred Dollars (\$100.00), and not more than Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a

1 term in the range of one (1) year to ten (10) years, or by both such
2 fine and imprisonment.

3 SECTION 256. AMENDATORY 21 O.S. 2021, Section 1731, as
4 amended by Section 1, Chapter 176, O.S.L. 2024 (21 O.S. Supp. 2024,
5 Section 1731), is amended to read as follows:

6 Section 1731. A. Larceny of merchandise held for sale in
7 retail or wholesale establishments shall be punishable as follows:

8 1. For the first or second conviction, in the event the value
9 of the goods, edible meat, or other corporeal property which has
10 been taken is less than One Thousand Dollars (\$1,000.00), the person
11 shall be guilty of a misdemeanor punishable by imprisonment in the
12 county jail for a term not exceeding thirty (30) days, and by a fine
13 not less than Ten Dollars (\$10.00) nor more than Five Hundred
14 Dollars (\$500.00); provided, for the first or second conviction, in
15 the event more than one item of goods, edible meat, or other
16 corporeal property has been taken, punishment shall be by
17 imprisonment in the county jail for a term not to exceed thirty (30)
18 days, and by a fine not less than Fifty Dollars (\$50.00) nor more
19 than Five Hundred Dollars (\$500.00);

20 2. For a third or subsequent conviction, in the event the value
21 of the goods, edible meat, or other corporeal property which has
22 been taken is less than One Thousand Dollars (\$1,000.00), the person
23 shall be guilty of a misdemeanor and shall be punished by
24

1 imprisonment in the county jail for a term not to exceed one (1)
2 year, and by a fine not exceeding One Thousand Dollars (\$1,000.00);

3 3. In the event the value of the goods, edible meat, or other
4 corporeal property is One Thousand Dollars (\$1,000.00) or more but
5 less than Two Thousand Five Hundred Dollars (\$2,500.00), the person
6 shall be guilty of a Class D3 felony offense and shall be punished
7 by imprisonment ~~in the custody of the Department of Corrections for~~
8 ~~a term not to exceed two (2) years~~ as provided for in subsections B
9 through F of Section 20P of this title, and by a fine not to exceed
10 One Thousand Dollars (\$1,000.00);

11 4. In the event the value of the goods, edible meat, or other
12 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)
13 or more but less than Fifteen Thousand Dollars (\$15,000.00), the
14 person shall be guilty of a Class D1 felony offense and shall be
15 punished by imprisonment ~~in the custody of the Department of~~
16 ~~Corrections for a term not to exceed five (5) years~~ as provided for
17 in subsections B through F of Section 20N of this title, and by a
18 fine not to exceed One Thousand Dollars (\$1,000.00); or

19 5. In the event the value of the goods, edible meat, or other
20 corporeal property is Fifteen Thousand Dollars (\$15,000.00) or more,
21 the person shall be guilty of a Class C2 felony offense and shall be
22 punished by imprisonment ~~in the custody of the Department of~~
23 ~~Corrections for a term not to exceed eight (8) years~~ as provided for

1 in subsections B through F of Section 20M of this title, and by a
2 fine not to exceed One Thousand Dollars (\$1,000.00).

3 B. When three or more separate offenses under this section are
4 committed within a one-hundred-eighty-day period, the value of the
5 goods, edible meat, or other corporeal property involved in each
6 larceny offense may be aggregated to determine the total value for
7 purposes of determining the appropriate punishment under this
8 section.

9 C. In the event any person engages in conduct that is a
10 violation of this section in concert with at least one other
11 individual, such person shall be liable for the aggregate value of
12 all items taken by all individuals. Such person may also be subject
13 to the penalties set forth in Section 421 of this title, which shall
14 be in addition to any other penalties provided for by law.

15 D. Any person convicted pursuant to the provisions of this
16 section shall also be ordered to pay restitution to the victim as
17 provided in Section 991f of Title 22 of the Oklahoma Statutes.

18 SECTION 257. AMENDATORY 21 O.S. 2021, Section 1732, is
19 amended to read as follows:

20 Section 1732. A. Any person who, with intent to deprive or
21 withhold from the owner thereof the control of a trade secret, or
22 with an intent to appropriate a trade secret to his or her own use
23 or to the use of another:
24

1 ~~(a) steals~~ 1. Steals or embezzles an article representing a
2 trade secret~~;~~ or~~;~~

3 ~~(b) without~~ 2. Without authority makes or causes to be made a
4 copy of an article representing a trade secret,
5 shall be guilty of larceny under Section 1704 of this title and
6 shall be subject to punishment as provided for in Section 1705 of
7 this title. For purposes of determining whether such larceny is
8 grand larceny or petit larceny under this section, the value of the
9 trade secret and not the value of the article shall be controlling.

10 B. ~~(a)~~ 1. The word "article" means any object, material,
11 device, customer list, business records, or substance or copy
12 thereof, including any writing, record, recording, drawing, sample,
13 specimen, prototype, model, photograph, microorganism, blueprint,
14 information stored in any computer-related format, or map.

15 ~~(b)~~ 2. The word "representing" means describing, depleting,
16 containing, constituting, reflecting or recording.

17 ~~(c)~~ 3. The term "trade secret" means information, including a
18 formula, pattern, compilation, program, device, method, technique,
19 customer list, business records or process, that:

20 1.

21 a. derives independent economic value, actual or
22 potential, from not being generally known to, and not
23 being readily ascertainable by proper means by, other
24

persons who can obtain economic value from its disclosure or use~~+~~, and

~~2.~~

b. is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

~~(d)~~ 4. The word "copy" means any facsimile, replica, photograph or other reproduction of an article, including copying, transferring and e-mailing of computer data, and any note, drawing or sketch made of or from an article.

C. In a prosecution for a violation of this act, it shall be no defense that the person so charged returned or intended to return the article so stolen, embezzled or copied.

D. The provisions of this section shall not apply if the person acted in accordance with a written agreement with the person's employer that specified the manner in which disputes involving clients are to be resolved upon termination of the employer-employee relationship.

SECTION 258. AMENDATORY 21 O.S. 2021, Section 1778, is amended to read as follows:

Section 1778. Any person who unlawfully masks, alters or removes any light or signal, or willfully exhibits any false light or signal, with intent to bring any locomotive or any railway car or train of cars into danger, shall be guilty of a Class C2 felony offense punishable by imprisonment ~~in the State Penitentiary not~~

1 ~~exceeding ten (10) years and not less than three (3) years as~~
2 provided for in subsections B through F of Section 20M of this
3 title.

4 SECTION 259. AMENDATORY 21 O.S. 2021, Section 1779, is
5 amended to read as follows:

6 Section 1779. Every person who maliciously mutilates, tears,
7 defaces, obliterates, or destroys any written instrument being the
8 property of another, the false making of which would be forgery, is
9 punishable in the same manner as the forgery of such instrument is
10 made punishable.

11 1. If the value of the property is Fifteen Thousand Dollars
12 (\$15,000.00) or more, the person shall, upon conviction, be guilty
13 of a Class C2 felony offense and shall be punished by imprisonment
14 as provided for in subsections B through F of Section 20M of this
15 title.

16 2. If the value of the property is Two Thousand Five Hundred
17 Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars
18 (\$15,000.00), the person shall, upon conviction, be guilty of a
19 Class D1 felony offense and shall be punished by imprisonment as
20 provided for in subsections B through F of Section 20N of this
21 title.

22 3. If the value of the property is One Thousand Dollars
23 (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars
24 (\$2,500.00), the person shall, upon conviction, be guilty of a Class

1 D3 felony offense and shall be punished by imprisonment as provided
2 for in subsections B through F of Section 20P of this title.

3 SECTION 260. AMENDATORY 21 O.S. 2021, Section 1953, is
4 amended to read as follows:

5 Section 1953. A. It shall be unlawful to:

6 1. Willfully, and without authorization, gain or attempt to
7 gain access to and damage, modify, alter, delete, destroy, copy,
8 make use of, use malicious computer programs on, disclose or take
9 possession of a computer, computer system, computer network, data or
10 any other property;

11 2. Use a computer, computer system, computer network or any
12 other property as hereinbefore defined for the purpose of devising
13 or executing a scheme or artifice with the intent to defraud,
14 deceive, extort or for the purpose of controlling or obtaining
15 money, property, data, services or other thing of value by means of
16 a false or fraudulent pretense or representation;

17 3. Willfully exceed the limits of authorization and damage,
18 modify, alter, destroy, copy, delete, disclose or take possession of
19 a computer, computer system, computer network, data or any other
20 property;

21 4. Willfully and without authorization, gain or attempt to gain
22 access to a computer, computer system, computer network, data or any
23 other property;

1 5. Willfully and without authorization use or cause to be used
2 computer services;

3 6. Willfully and without authorization disrupt or cause the
4 disruption of computer services or deny or cause the denial of
5 access or other computer services to an authorized user of a
6 computer, computer system or computer network, other than an
7 authorized entity acting for a legitimate business purpose with the
8 effective consent of the owner;

9 7. Willfully and without authorization provide or assist in
10 providing a means of accessing a computer, computer system, data or
11 computer network in violation of this section;

12 8. Willfully use a computer, computer system, or computer
13 network to annoy, abuse, threaten, or harass another person;

14 9. Willfully use a computer, computer system, or computer
15 network to put another person in fear of physical harm or death; and

16 10. Willfully solicit another, regardless of any financial
17 consideration or exchange of property, of any acts described in
18 paragraphs 1 through 9 of this subsection.

19 B. Any person convicted of violating paragraph 1, 2, 3, 6, 7, 9
20 or 10 of subsection A of this section shall be guilty of a Class C2
21 felony offense punishable as provided in Section 1955 of this title.

22 C. Any person convicted of violating paragraph 4, 5 or 8 of
23 subsection A of this section shall be guilty of a misdemeanor.
24

1 D. Nothing in the Oklahoma Computer Crimes Act shall be
2 construed to prohibit the monitoring of computer usage of, or the
3 denial of computer or Internet access to, a child by a parent, legal
4 guardian, legal custodian, or foster parent. As used in this
5 subsection, "child" shall mean any person less than eighteen (18)
6 years of age.

7 E. Nothing in the Oklahoma Computer Crimes Act shall be
8 construed to prohibit testing by an authorized entity, the purpose
9 of which is to provide to the owner or operator of the computer,
10 computer system or computer network an evaluation of the security of
11 the computer, computer system or computer network against real or
12 imagined threats or harms.

13 SECTION 261. AMENDATORY 21 O.S. 2021, Section 1955, is
14 amended to read as follows:

15 Section 1955. A. Upon conviction of a felony under the
16 provisions of the Oklahoma Computer Crimes Act, ~~punishment the~~
17 person shall be guilty of a Class C2 felony offense and shall be
18 punished by a fine of not less than Five Thousand Dollars
19 (\$5,000.00) and not more than One Hundred Thousand Dollars
20 (\$100,000.00), or by confinement ~~in the State Penitentiary for a~~
21 ~~term of not more than ten (10) years~~ as provided for in subsections
22 B through F of Section 20M of this title, or by both such fine and
23 imprisonment.

1 B. Upon conviction of a misdemeanor under the provisions of the
2 Oklahoma Computer Crimes Act, punishment shall be by a fine of not
3 more than Five Thousand Dollars (\$5,000.00), or by imprisonment in
4 the county jail not to exceed thirty (30) days, or by both such fine
5 and imprisonment.

6 C. In addition to any other civil remedy available, the owner
7 or lessee of the computer, computer system, computer network,
8 computer program or data may bring a civil action against any person
9 convicted of a violation of the Oklahoma Computer Crimes Act for
10 compensatory damages, including any victim expenditure reasonably
11 and necessarily incurred by the owner or lessee to verify that a
12 computer system, computer network, computer program or data was or
13 was not altered, damaged, deleted, disrupted or destroyed by the
14 access. In any action brought pursuant to this subsection the court
15 may award reasonable attorneys fees to the prevailing party.

16 SECTION 262. AMENDATORY 22 O.S. 2021, Section 17, is
17 amended to read as follows:

18 Section 17. A. Every person who has been charged, convicted,
19 has pled guilty or has pled nolo contendere to any crime,
20 hereinafter referred to as the defendant, or any other person with
21 the cooperation of the defendant, who contracts to receive, or have
22 any other person or entity receive, any proceeds or profits from any
23 source, as a direct or indirect result of the crime or sentence, or
24 the notoriety which the crime or sentence has conferred upon the

1 defendant, shall forfeit the proceeds or profits as provided in this
2 section; provided, however, proceeds or profits from a contract
3 relating to the depiction or discussion of the defendant's crime
4 shall not be subject to forfeiture unless an integral part of the
5 work is a depiction or discussion of the defendant's crime or an
6 impression of the defendant's thoughts, opinions, or emotions
7 regarding the crime. All parties to a contract described in this
8 section are required to pay to the district court wherein the
9 criminal charges were filed any proceeds or thing of value which
10 pursuant to the contract is to be paid to the defendant or to
11 another person or entity. The district court shall make deposit of
12 proceeds received pursuant to this section and direct the county
13 treasurer to make the deposit of those funds in an escrow account
14 for the benefit of and payable to victims of the crime or the legal
15 representative of any victim of the crime committed by the defendant
16 or to repay a public defender office for legal representation during
17 a criminal proceeding. There is hereby created a lien upon any sum
18 of money or other thing of value payable to anyone pursuant to any
19 contract described in this section, for the purpose of enforcing the
20 forfeiture obligation established herein, which lien may be
21 foreclosed in the same manner as statutory tax liens created by
22 Oklahoma law. Any person who contracts without fully providing for
23 such forfeiture in compliance with the provisions of this section
24 shall be guilty of a Class C2 felony offense and, upon conviction,

1 shall be punished by a fine of not less than Ten Thousand Dollars
2 (\$10,000.00) and not to exceed three times the value of the proceeds
3 of the contract, or by imprisonment ~~not exceeding ten (10) years in~~
4 ~~the custody of the Department of Corrections~~ as provided for in
5 subsections B through F of Section 20M of Title 21 of the Oklahoma
6 Statutes, or both such fine and imprisonment.

7 B. Payments from the escrow account shall be used, in the
8 following order of priority, to satisfy any judgment rendered in
9 favor of a victim or a victim's legal representative, to pay
10 restitution, fines, court costs, and other payments, reparations or
11 reimbursements ordered by the court at the time of sentencing
12 including repayments to a public defender office for legal
13 representation of the defendant and to pay every cost and expense of
14 incarceration and treatment authorized by law as a cost of the
15 defendant.

16 C. A victim or the legal representative of a victim must file a
17 civil action, in a court of competent jurisdiction, to recover money
18 against the defendant or the defendant's legal representative within
19 seven (7) years of the filing of the criminal charges against the
20 defendant. The victims and the legal representative of a victim of
21 the crime shall have a priority interest in any proceeds or profits
22 received pursuant to the provisions of this section. If no victim
23 or legal representative of a victim has filed a civil suit within
24 seven (7) years from the filing of the criminal charges against the

1 defendant, any money in the escrow account shall be paid over in the
2 following order of priority:

3 1. For restitution;

4 2. For any fine and court costs;

5 3. For other payments ordered in the sentence;

6 4. For the costs and expenses of incarceration; and

7 any remaining money to the Victims' Compensation Revolving Fund.

8 Upon disposition of charges favorable to the defendant, any money in
9 the escrow account shall be paid over to the defendant.

10 D. The district court wherein the criminal charges were filed
11 shall, once every six (6) months for seven (7) years from the date
12 any money is deposited with the court, publish a notice in at least
13 one (1) newspaper of general circulation in each county of the state
14 in accordance with the provisions on publication of notices found in
15 Sections 101 et seq. of Title 25 of the Oklahoma Statutes, notifying
16 any eligible victim or legal representative of an eligible victim
17 that monies are available to satisfy judgments pursuant to this
18 section.

19 SECTION 263. AMENDATORY 27A O.S. 2021, Section 2-5-116,
20 is amended to read as follows:

21 Section 2-5-116. A. Any person who knowingly and willfully:

22 1. Violates any applicable provision of the Oklahoma Clean Air
23 Act or any rule or standard promulgated thereunder;

1 2. Violates any order issued or permit condition prescribed
2 pursuant to the Oklahoma Clean Air Act;

3 3. Violates any emission limitation or any substantive
4 provision or condition of any permit;

5 4. Makes any false material statement, representation, or
6 certification in, or omits material information from, or knowingly
7 alters, conceals, or fails to file or maintain any notice,
8 application, record, report, plan or other document, except for
9 monitoring data, required pursuant to the Oklahoma Clean Air Act to
10 be either filed or maintained;

11 5. Fails to notify or report as required by the Oklahoma Clean
12 Air Act, rules promulgated thereunder or orders or permits issued
13 pursuant thereto; or

14 6. Fails to install any monitoring device or method required to
15 be maintained or followed pursuant to the Oklahoma Clean Air Act;
16 shall, upon conviction, be guilty of a misdemeanor and be punished
17 by a fine not to exceed Twenty-five Thousand Dollars (\$25,000.00)
18 per day of violation or for not more than one (1) year imprisonment
19 in the county jail, or both such fine and imprisonment.

20 B. Any person who knowingly and willfully:

21 1. Violates any applicable provision of the Oklahoma Clean Air
22 Act or any rule promulgated thereunder, or any order of the
23 Department or any emission limitation or substantive provision or
24

condition of any permit, and who knows at the time that he thereby places another in danger of death or serious bodily injury;

2. Tamper with or renders inaccurate any monitoring device; or

3. Falsifies any monitoring information required to be maintained or submitted to the Department pursuant to the Oklahoma Clean Air Act~~7~~,1

shall, upon conviction, be guilty of a Class C2 felony offense and subject to a fine of not more than Two Hundred Fifty Thousand Dollars (\$250,000.00)1, or for not more than ten (10) years imprisonment, or both such fine and imprisonment.

SECTION 264. AMENDATORY 27A O.S. 2021, Section 2-6-206, is amended to read as follows:

Section 2-6-206. A. Whenever there are reasonable grounds to believe that there has been a violation of any of the provisions of the Oklahoma Pollutant Discharge Elimination System Act, any permit, any rule, or any order of the Executive Director, the Executive Director shall have the authority and powers to proceed as specified in the Administrative Procedures Act unless otherwise provided herein. Provided, however, that provisions of this section for written notice, enforcement hearing, and administrative orders shall not be conditions precedent for the Department to seek action in the district court as provided by the Oklahoma Pollutant Discharge Elimination System Act or other applicable provisions of law.

1 B. The Oklahoma Pollutant Discharge Elimination System Act
2 shall not in any way impair or in any way affect a person's right to
3 recover damages for pollution in a court of competent jurisdiction.
4 Any person having any interest connected with the geographic area or
5 waters or water system affected, including but not limited to any
6 aesthetic, recreational, health, environmental, pecuniary or
7 property interest, which interest is or may be adversely affected,
8 shall have the right to intervene as a party in any administrative
9 proceeding before the Department, or in any civil proceeding,
10 relating to violations of the Oklahoma Pollutant Discharge
11 Elimination System Act or rules, permits or orders issued hereunder.

12 C. Whenever on the basis of any information available, the
13 Department finds that any person or entity regulated by the
14 Department is in violation of any act, rule, order, permit,
15 condition or limitation implementing the Oklahoma Pollutant
16 Discharge Elimination System Act, or any previously issued discharge
17 permit, the Executive Director shall issue an order requiring such
18 person or entity to comply with such provision or requirement,
19 commence appropriate administrative enforcement proceedings, or
20 bring a civil action. Provided, however, the issuance of a
21 compliance order or suspension or revocation of a permit shall not
22 be considered a condition precedent to the accrual or imposition of
23 penalties or fines in any administrative, civil or criminal
24 proceeding.

1 D. A copy of any order issued pursuant to this section shall be
2 sent immediately to the violator. In any case in which an order or
3 notice to a violator is issued to a corporation, a copy of such
4 order shall be served on any appropriate corporate officers.

5 Any order issued pursuant to this section shall state with
6 reasonable specificity the nature of the violation, and shall
7 specify a time for compliance not to exceed thirty (30) days in the
8 case of a violation of an interim compliance schedule or operation
9 and maintenance requirement and not to exceed a reasonable time in
10 the case of a violation of a final deadline, taking into account the
11 seriousness of the violation and any good faith efforts to comply
12 with applicable requirements. Any order or notice issued by the
13 Executive Director may be served in any manner allowed by Oklahoma
14 Rules of Civil Procedures applicable to a civil summons.

15 E. Whenever on the basis of any information available the
16 Executive Director finds that any person regulated by the Department
17 has violated any of the provisions of the Oklahoma Pollutant
18 Discharge Elimination System Act, or any permit, rule, order or
19 condition or limitation implementing any of such sections, or
20 previously issued discharge permit or related order, the Executive
21 Director may, after providing notice and opportunity for an
22 enforcement hearing to the alleged violator, assess an
23 administrative fine of not more than Ten Thousand Dollars
24 (\$10,000.00) per day of violation, for each day during which the

1 violation continues. The total amount of such fine shall not exceed
2 One Hundred Twenty-five Thousand Dollars (\$125,000.00) per
3 violation. In determining the amount of any penalty assessed under
4 this subsection, the Executive Director shall take into account the
5 nature, circumstances, extent and gravity of the violation, or
6 violations, and, with respect to the violator, ability to pay, any
7 prior history of such violations, the degree of culpability,
8 economic benefit savings, if any, resulting from the violation, and
9 such other matters as justice may require. For purposes of this
10 subsection, a single operational upset which leads to simultaneous
11 violations of more than one pollutant parameter shall be treated as
12 a single violation. Enforcement hearings shall be conducted in
13 accordance with the procedures set out in the Administrative
14 Procedures Act.

15 F. 1. The Executive Director is authorized to commence a civil
16 action for appropriate relief, including a permanent or temporary
17 injunction, for any violation for which he is authorized to issue a
18 compliance order under subsection C of this section.

19 2. Any person who violates any provision of the Oklahoma
20 Pollutant Discharge Elimination System Act, or any permit condition
21 or limitation implementing any of such provisions in a permit issued
22 under the Oklahoma Pollutant Discharge Elimination System Act, or
23 any requirement imposed in a pretreatment program approved under the
24 Oklahoma Pollutant Discharge Elimination System Act, and any person

1 who violates any order issued by the Executive Director under
2 subsection C of this section, shall be subject to a civil penalty
3 not to exceed Ten Thousand Dollars (\$10,000.00) per day for each
4 violation. In determining the amount of the civil penalty the court
5 shall consider the seriousness of the violation or violations, the
6 economic benefit, if any, resulting from the violation, any history
7 of such violations, any good faith efforts to comply with the
8 applicable requirements, the economic impact of the penalty on the
9 violator and such other matters as justice may require. For
10 purposes of this subsection, a single operational upset which leads
11 to simultaneous violations of more than one pollutant parameter
12 shall be treated as a single violation.

13 3. Any action pursuant to this subsection may be brought in the
14 district court for the district in which the property or defendant
15 is located or defendant resides or is doing business, and such court
16 shall have jurisdiction to restrain such violation and to require
17 compliance.

18 4. The prior revocation of a permit shall not be a condition
19 precedent to the filing of a civil action under the Oklahoma
20 Pollutant Discharge Elimination System Act.

21 G. 1. Any person who:

22 a. negligently violates any provision of the Oklahoma
23 Pollutant Discharge Elimination System Act, or any
24 order issued by the Executive Director hereunder, or

1 any permit condition or limitation in a permit issued
2 or any requirement imposed in a pretreatment program
3 authorized pursuant to the Oklahoma Pollutant
4 Discharge Elimination System Act, or

5 b. negligently introduces into the waters of the state or
6 a treatment works discharging into the waters of the
7 state any pollutant or hazardous substance which such
8 person knew or reasonably should have known could
9 cause personal injury or property damage or, other
10 than in compliance with all applicable federal, state
11 or local requirements or permits, which causes such
12 treatment work to violate any effluent limitation or
13 condition in a permit issued to the treatment works
14 pursuant to the Oklahoma Pollutant Discharge
15 Elimination System Act,

16 shall, upon conviction, be guilty of a Class D3 felony offense and
17 shall be punished by a fine of not less than Two Thousand Five
18 Hundred Dollars (\$2,500.00) nor more than Twenty-five Thousand
19 Dollars (\$25,000.00) per day of violation, or by imprisonment ~~in the~~
20 ~~county jail for not more than one (1) year~~ as provided for in
21 subsections B through F of Section 20P of Title 21 of the Oklahoma
22 Statutes, or by both such fine and imprisonment. If a conviction of
23 a person is for a violation committed after a first conviction of
24 such person under this paragraph, punishment shall be a fine of not

1 more than Fifty Thousand Dollars (\$50,000.00) per day of violation,
2 or by imprisonment ~~in the State Penitentiary for not more than two~~
3 ~~(2) years~~ as provided for in subsections B through F of Section 20P
4 of Title 21 of the Oklahoma Statutes, or by both.

5 2. Any person who:

- 6 a. knowingly violates any provision of the Oklahoma
7 Pollutant Discharge Elimination System Act, or any
8 order issued by the Executive Director hereunder, or
9 any permit condition or limitation in a permit issued
10 or any requirement imposed in a pretreatment program
11 authorized pursuant to the Oklahoma Pollutant
12 Discharge Elimination System Act, or
- 13 b. knowingly introduces into the waters of the state or a
14 treatment works discharging into the waters of the
15 state any pollutant or hazardous substance which such
16 person knew or reasonably should have known could
17 cause personal injury or property damage or, other
18 than in compliance with all applicable federal, state
19 or local requirements or permits, which causes such
20 treatment work to violate any effluent limitation or
21 condition in a permit issued to the treatment works
22 under the Oklahoma Pollutant Discharge Elimination
23 System Act,

1 shall, upon conviction, be guilty of a Class D1 felony offense and
2 shall be punished by a fine of not less than Five Thousand Dollars
3 (\$5,000.00) nor more than Fifty Thousand Dollars (\$50,000.00) per
4 day of violation, or by imprisonment ~~in the county jail for not more~~
5 ~~than one (1) year or in the State Penitentiary for not more than~~
6 ~~three (3) years~~ as provided for in subsections B through F of
7 Section 20N of Title 21 of the Oklahoma Statutes, or by both. If a
8 conviction of a person is for a violation committed after a first
9 conviction of such person under this paragraph, punishment shall be
10 a fine of not more than One Hundred Thousand Dollars (\$100,000.00)
11 per day of violation, or by imprisonment ~~in the State Penitentiary~~
12 ~~for not more than six (6) years~~ as provided for in subsections B
13 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
14 both.

15 3. a. Any person who knowingly violates any provision of the
16 Oklahoma Pollutant Discharge Elimination System Act,
17 or any permit condition or limitation in a permit
18 issued hereunder by the Executive Director, and who
19 knows at that time that he thereby places another
20 person in imminent danger of death or serious bodily
21 injury, shall, upon conviction, be guilty of a Class
22 C2 felony offense and shall be subject to a fine of
23 not more than Two Hundred Fifty Thousand Dollars
24 (\$250,000.00), or imprisonment in the State

1 Penitentiary for not more than fifteen (15) years, or
2 both. A person which is an organization shall, upon
3 conviction of violating this subparagraph, be subject
4 to a fine of not more than One Million Dollars
5 (\$1,000,000.00). If a conviction of a person is for a
6 violation committed after a first conviction of such
7 person under this paragraph, the maximum punishment
8 shall be doubled with respect to both fine and
9 imprisonment.

10 b. For the purpose of subparagraph a of this paragraph:

11 (1) in determining whether a defendant who is an
12 individual knew that his conduct placed another
13 person in imminent danger of death or serious
14 bodily injury, a person shall be responsible only
15 for actual awareness or actual belief that he
16 possessed, and knowledge possessed by a person
17 other than the defendant but not by the defendant
18 himself may not be attributed to the defendant;
19 provided however that in proving the defendant's
20 possession of actual knowledge, circumstantial
21 evidence may be used, including evidence that the
22 defendant took affirmative steps to shield
23 himself from relevant information,
24

1 (2) it is an affirmative defense to prosecution under
2 this subsection that the conduct charged was
3 consented to by the person endangered and that
4 the danger and conduct charged were reasonably
5 foreseeable hazards of an occupation, business,
6 profession or of a medical treatment or medical
7 or scientific experimentation conducted by
8 professionally approved methods and such other
9 person had been made aware of the risks involved
10 prior to giving consent, and such defense may be
11 established under this subparagraph by a
12 preponderance of the evidence.

13 4. Any person who knowingly makes any false material statement,
14 representation, or certification in any application, record, report,
15 plan, or other document filed or required to be maintained under the
16 Oklahoma Pollutant Discharge Elimination System Act or who knowingly
17 falsifies, tampers with, or renders inaccurate any monitoring device
18 or method required to be maintained under the Oklahoma Pollutant
19 Discharge Elimination System Act, shall, upon conviction, be guilty
20 of a Class D1 felony offense and shall be punished by a fine of not
21 more than Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~for~~
22 ~~not more than two (2) years, or by both~~ as provided for in
23 subsections B through F of Section 20N of Title 21 of the Oklahoma
24 Statutes. If a conviction of a person is for a violation committed

1 after a first conviction of such person under this paragraph,
2 punishment shall be by a fine of not more than Twenty Thousand
3 Dollars (\$20,000.00) per day of violation, or by imprisonment ~~for~~
4 ~~not more than four (4) years~~ as provided for in subsections B
5 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
6 both.

7 5. For purposes of this subsection, a single operational upset
8 which leads to simultaneous violations of more than one pollutant
9 parameter shall be treated as a single violation.

10 H. Whenever, on the basis of information available to him, the
11 Department finds that an owner or operator of any source is
12 introducing a pollutant into a treatment works in violation of the
13 Oklahoma Pollutant Discharge Elimination System Act or any
14 requirement, rule, permit or order issued under the Oklahoma
15 Pollutant Discharge Elimination System Act, the Department shall
16 notify the owner or operator of such treatment works of such
17 violation. If the owner or operator of the treatment works does not
18 commence appropriate enforcement action within thirty (30) days of
19 the date of such notification, the Department may commence a civil
20 action for appropriate relief, including but not limited to a
21 permanent or temporary injunction, against the owner or operator of
22 such treatment works. In any such civil action the Department shall
23 join the owner or operator of such source as a party to the action.
24 Such action shall be brought in the district court in the county in

1 which the treatment works is located. Such court shall have
2 jurisdiction to restrain such violation and to require the owner or
3 operator of the treatment works and the owner or operator of the
4 source to take such action as may be necessary to come into
5 compliance with the Oklahoma Pollutant Discharge Elimination System
6 Act. Nothing in this subsection shall be construed to limit or
7 prohibit any other authority the Department may have under this
8 section.

9 I. 1. Any person against whom an administrative compliance or
10 penalty order is issued under this section may obtain review of such
11 order by filing a petition for review in district court pursuant to
12 the Administrative Procedures Act. Such court shall not set aside
13 or remand such order unless there is not substantial evidence in the
14 administrative record, taken as a whole, to support the finding of a
15 violation or unless the assessment of the penalty constitutes an
16 abuse of discretion and shall not impose additional civil penalties
17 for the same violation unless the assessment of the penalty
18 constitutes an abuse of discretion. No stay of an administrative
19 penalty order shall be granted until the amount of penalty assessed
20 has been deposited with the reviewing district court pending
21 resolution of the petition for review.

22 2. If any person fails to pay an assessment of an
23 administrative penalty:
24

1 a. after the order making the assessment has become
2 final, or

3 b. after a court in an action brought under paragraph 1
4 of this subsection has entered a final judgment in
5 favor of the Department, as the case may be,

6 the Department may commence or may request the Attorney General to
7 bring a civil action in an appropriate district court to recover the
8 amount assessed plus interest at currently prevailing rates from the
9 date of the final order or the date of the final judgment, as the
10 case may be. In such an action, the validity, amount, and
11 appropriateness of such penalty shall not be subject to review.

12 3. Any person who fails to pay on a timely basis the amount of
13 an assessment of an administrative or civil penalty shall be
14 required to pay, in addition to such amount and interest, attorneys
15 fees and costs for collection proceeding and quarterly nonpayment
16 penalty for each quarter during which such failure to pay persists.
17 Such nonpayment penalty shall be in an amount equal to twenty
18 percent (20%) of the aggregate amount of such person's penalties and
19 nonpayment penalties which are unpaid as of the beginning of such
20 quarter.

21 SECTION 265. AMENDATORY 29 O.S. 2021, Section 3-201, is
22 amended to read as follows:

1 Section 3-201. A. All things being equal, veterans of World
2 War II, the Korean, the Vietnam and Persian Gulf Wars shall be
3 appointed as game wardens when vacancies occur.

4 B. All persons appointed game wardens shall be peace officers
5 and have the full powers of peace officers of the State of Oklahoma
6 in the enforcement of the provisions of this Code and are authorized
7 to:

8 1. Enforce all state laws on Department-owned or Department-
9 managed lands;

10 2. Enforce all other laws of this state;

11 3. Make arrests for wildlife conservation violations and
12 nonconservation-related crimes with the same power and authority as
13 sheriffs are vested with and in cooperation with other law
14 enforcement officers and agencies;

15 4. Take into possession any and all protected wildlife, or any
16 part thereof, killed, taken, shipped or in any possession contrary
17 to the law, and the wildlife or parts thereof may be disposed of as
18 determined by the Director or any court of competent jurisdiction;

19 5. Make a complaint and cause proceedings to be commenced
20 against any person for violation of any of the laws for the
21 protection and propagation of wildlife, with the sanction of the
22 prosecuting or district attorney of the county in which the
23 proceedings are brought, and shall not be required to give security
24 for costs;

1 6. Be an authorized agent of the Commission or Department under
2 Section 3-202 of this title in addition to duties as a game warden;
3 and

4 7. Assist in enforcement of the state fire laws, upon request
5 of the Oklahoma Department of Agriculture, Food, and Forestry.

6 C. 1. Pursuant to the provisions of this subsection, a game
7 warden may operate a vehicle owned or leased by the Department upon
8 a roadway during the hours of darkness without lighted headlamps,
9 clearance lamps, or other illuminating devices. As used in this
10 paragraph, "roadway" shall include any street or highway in this
11 state except an interstate highway, a limited access highway, a
12 state trunk highway, or any street or highway within the limits of
13 an incorporated area.

14 2. Pursuant to the provisions of this subsection, a game warden
15 may operate a vessel upon any waters of this state during the hours
16 of darkness without the illuminating devices required by Section
17 4207 of Title 63 of the Oklahoma Statutes.

18 3. A game warden may operate a vehicle or vessel without the
19 illuminating devices specified in this subsection only if the
20 operation:

21 a. is made in the performance of the duties of the game
22 warden pursuant to the provisions of the Code, and
23
24

1 b. (1) will aid in the accomplishment of a lawful arrest
2 for any violation of the Code or any rule or
3 regulation promulgated thereto, or

4 (2) will aid in ascertaining whether a violation of
5 the Code or any rule or regulation promulgated
6 thereto has been or is about to be committed.

7 D. Any person who refuses to stop a vehicle or boat when
8 requested to do so by a game warden in the performance of the duties
9 of the game warden is guilty of a misdemeanor and upon conviction is
10 punishable by a fine of not less than One Hundred Dollars (\$100.00)
11 nor more than Five Hundred Dollars (\$500.00).

12 E. Any game warden who solicits or accepts any bribe or money
13 or other thing of value in connection with the performance of duty
14 as a game warden shall be guilty of a Class C2 felony offense and,
15 upon conviction, shall be sentenced to a term ~~not less than two (2)~~
16 ~~years nor more than seven (7) years in the custody of the Department~~
17 ~~of Corrections~~ of imprisonment as provided for in subsections B
18 through F of Section 20M of Title 21 of the Oklahoma Statutes and
19 shall be summarily removed from office.

20 F. Pursuant to the provisions of subsection B of this section
21 and the Oklahoma Wildlife Conservation Code, a game warden shall not
22 have authority to use or place a game or wildlife camera on private
23 property without the permission of the owner or controller of the
24

1 property or pursuant to a warrant issued by a court of competent
2 jurisdiction.

3 SECTION 266. AMENDATORY 42 O.S. 2021, Section 153, is
4 amended to read as follows:

5 Section 153. ~~(1)~~ A. The trust funds created under Section 152
6 of this title shall be applied to the payment of said valid lienable
7 claims and no portion thereof shall be used for any other purpose
8 until all lienable claims due and owing or to become due and owing
9 shall have been paid.

10 ~~(2)~~ B. If the party receiving any money under Section 152 of
11 this title is an entity having the characteristics of limited
12 liability pursuant to law, such entity and the natural persons
13 having the legally enforceable duty for the management of the entity
14 shall be liable for the proper application of such trust funds and
15 subject to punishment under Section 1451 of Title 21 of the Oklahoma
16 Statutes; provided, however, if the value of the property embezzled
17 is Fifteen Thousand Dollars (\$15,000.00) or more, the party shall,
18 upon conviction, be guilty of a Class C2 felony offense and shall be
19 punished by imprisonment as provided for in subsections B through F
20 of Section 20M of Title 21 of the Oklahoma Statutes. If the value
21 of the property embezzled is not less than One Thousand Dollars
22 (\$1,000.00) nor more than Two Thousand Five Hundred Dollars
23 (\$2,500.00), the party shall, upon conviction, be guilty of a Class
24 D3 felony offense and shall be punished by imprisonment as provided

1 for in subsections B through F of Section 20P of Title 21 of the
2 Oklahoma Statutes. For purposes of this section, the natural
3 persons subject to punishment shall be the managing officers of a
4 corporation and the managers of a limited liability company.

5 ~~(3)~~ C. The existence of such trust funds shall not prohibit the
6 filing or enforcement of a labor, mechanic or materialmen's lien
7 against the affected real property by any lien claimant, nor shall
8 the filing of such a lien release the holder of such funds from the
9 obligations created under this section or Section 152 of this title.

10 SECTION 267. AMENDATORY 47 O.S. 2021, Section 4-108, is
11 amended to read as follows:

12 Section 4-108. Any person who shall knowingly make any false
13 statement of a material fact, either in his application for the
14 certificate of title herein provided for, or in any assignment
15 thereof, or who, with intent to procure or pass title to a motor
16 vehicle which he knows, or has reason to believe, has been stolen,
17 shall receive or transfer possession of the same from or to another,
18 or who shall have in his possession any motor vehicle which he knows
19 or has reason to believe has been stolen, and who is not an officer
20 of the law engaged at the time in the performance of his duty as
21 such officer, shall be deemed guilty of a Class C2 felony offense,
22 and upon conviction thereof shall be fined not less than One Hundred
23 Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00),
24 or imprisoned ~~in the State Penitentiary for a period of not less~~

1 ~~than one (1) year nor more than ten (10) years~~ as provided for in
2 subsections B through F of Section 20M of Title 21 of the Oklahoma
3 Statutes, or by both such fine and imprisonment, at the discretion
4 of the court. This provision shall not be exclusive of any other
5 penalties prescribed by an existing or future law for the larceny or
6 unauthorized taking of a motor vehicle.

7 SECTION 268. AMENDATORY 47 O.S. 2021, Section 4-109, as
8 amended by Section 36, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024,
9 Section 4-109), is amended to read as follows:

10 Section 4-109. Any person who shall alter or forge, or cause to
11 be altered or forged, any certificate of title issued by Service
12 Oklahoma, pursuant to the provisions of this act, or any assignment
13 thereof, or who shall hold or use any such certificate or
14 assignment, knowing the same to have been altered or forged, shall
15 be deemed guilty of a Class C2 felony offense, and upon conviction
16 thereof shall be liable to pay a fine of not less than Fifty Dollars
17 (\$50.00), nor more than Five Thousand Dollars (\$5,000.00), or to
18 imprisonment ~~in the custody of the Oklahoma Department of~~
19 ~~Corrections for a period of not less than one (1) year, nor more~~
20 ~~than ten (10) years~~ as provided for in subsections B through F of
21 Section 20M of Title 21 of the Oklahoma Statutes, or by both such
22 fine and imprisonment, at the discretion of the court.

23 SECTION 269. AMENDATORY 47 O.S. 2021, Section 7-612, is
24 amended to read as follows:

1 Section 7-612. A. It is a misdemeanor for any person:

2 1. To purchase a security verification form which bears altered
3 or fictitious information concerning the existence of security
4 required by the Compulsory Insurance Law;

5 2. To display or cause or permit to be displayed or to possess
6 a security verification form which the person knows bears altered or
7 fictitious information concerning the existence of security required
8 by the Compulsory Insurance Law; or

9 3. To display or cause or permit to be displayed or to possess
10 any security verification form that is counterfeit.

11 B. It is a Class C2 felony offense for anyone, other than an
12 insurer or insurance producer as defined by Section 1435.2 of Title
13 36 of the Oklahoma Statutes, to:

14 1. Create or otherwise manufacture a security verification form
15 or facsimile thereof, or to create, manufacture or possess an
16 engraved plate or other such device for the printing of security
17 verification forms; or

18 2. Issue or sell security verification forms.

19 C. 1. The violation of any of the provisions of subsection A
20 of this section shall constitute a misdemeanor punishable by a fine
21 of not less than Twenty-five Dollars (\$25.00), nor more than Two
22 Hundred Fifty Dollars (\$250.00) and by mandatory suspension of the
23 person's driving privilege for:

24 a. two (2) months, for a first offense,

1 b. six (6) months, for a second offense, or

2 c. one (1) year, for a third or subsequent offense.

3 The suspension imposed under this subsection shall not be modified.

4 2. The violation of any of the provisions of subsection B of
5 this section shall constitute a Class C2 felony offense punishable
6 by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or a term
7 of imprisonment ~~in the custody of the Department of Corrections not~~
8 ~~to exceed seven (7) years~~ as provided for in subsections B through F
9 of Section 20M of Title 21 of the Oklahoma Statutes, or by both such
10 fine and imprisonment.

11 D. The suspension required in subsection C of this section
12 shall remain in effect until payment is made of the fees provided
13 for in Section 6-212 of this title and proof of security is
14 furnished to the Department of Public Safety which complies with the
15 requirements of Section 7-601 of this title. Suspension under this
16 section shall be effective when notice is given pursuant to Section
17 2-116 of this title.

18 E. Any person whose driving privilege has been suspended
19 pursuant to the provisions of subsection C of this section shall
20 surrender to the Department his or her driver license within thirty
21 (30) days from the date of the suspension. Any owner failing to
22 surrender his or her driver license to the Department within such
23 time shall pay a fee of Fifty Dollars (\$50.00) which shall be in
24 addition to the fees provided for in Section 6-212 of this title.

1 SECTION 270. AMENDATORY 47 O.S. 2021, Section 592.9, as
2 amended by Section 17, Chapter 107, O.S.L. 2022 (47 O.S. Supp. 2024,
3 Section 592.9), is amended to read as follows:

4 Section 592.9. A. Rulemaking Power. The Oklahoma Used Motor
5 Vehicle, Dismantler, and Manufactured Housing Commission may adopt,
6 amend and repeal such rules as are necessary for the enforcement of
7 the provisions of the Oklahoma Crusher Act and consistent with its
8 provisions.

9 B. Criminal Penalties.

10 1. Any person who engages in the business of operating as a
11 crusher without first obtaining the license prescribed in the
12 Oklahoma Crusher Act or any person who receives, obtains or
13 possesses and crushes any vehicle or other property which the person
14 knows to be subject to an outstanding lien shall be guilty of a
15 misdemeanor and upon conviction thereof shall be punished by a fine
16 not in excess of One Thousand Dollars (\$1,000.00), by confinement in
17 the county jail for not more than six (6) months, or by both.

18 2. Any person who engages in the business of operating as a
19 crusher without first obtaining the license prescribed in the
20 Oklahoma Crusher Act and who receives, obtains or possesses any
21 vehicle or other property which he or she knows to be stolen shall
22 be guilty of a Class C2 felony offense of receiving, obtaining or
23 possessing stolen property and, upon conviction, shall be subject to
24 the penalties ~~which may be imposed for such crime~~ provided for in

1 subsections B through F of Section 20M of Title 21 of the Oklahoma
2 Statutes.

3 3. Any person selling a vehicle or other property to a crusher
4 who uses false or altered identification or makes a false
5 declaration of ownership or lien status as related to the provisions
6 of the Oklahoma Crusher Act shall be guilty of a Class C2 felony
7 offense, and upon conviction shall be punished by imprisonment ~~in~~
8 ~~the custody of the Department of Corrections for a term of not more~~
9 ~~than five (5) years, or in the county jail for a term of not more~~
10 ~~than one (1) year~~ as provided for in subsections B through F of
11 Section 20M of Title 21 of the Oklahoma Statutes, or by a fine not
12 exceeding One Thousand Dollars (\$1,000.00), or by both such fine and
13 imprisonment.

14 4. Any person who fails to repay a crusher the full amount
15 received from the sale of a vehicle or other property after being
16 officially notified by a peace officer or the Commission that the
17 vehicle or other property the person sold to the crusher was stolen
18 shall be guilty of a misdemeanor and upon conviction shall be
19 punished by imprisonment in the county jail for a term of not to
20 exceed six (6) months, or a fine not to exceed One Thousand Dollars
21 (\$1,000.00), or by both such fine and imprisonment.

22 C. Injunctive Action. The Commission may institute, in the
23 name of the State of Oklahoma ex rel. Oklahoma Used Motor Vehicle,
24 Dismantler, and Manufactured Housing Commission, any necessary

1 action to enjoin any person, firm, or corporation from engaging in
2 the business of a crusher without a license, or for any violations
3 of this act. An injunction shall issue without the requirement of a
4 bond of any kind from the state. The venue of any action authorized
5 by this section shall be in the county wherein the business activity
6 complained of is conducted.

7 SECTION 271. AMENDATORY 47 O.S. 2021, Section 1503, is
8 amended to read as follows:

9 Section 1503. A. Any person who knowingly and with intent that
10 a violation of this section be committed:

11 1. Owns, operates, or conducts a chop shop;

12 2. Transports any motor vehicle or motor vehicle part to or
13 from a location knowing it to be a chop shop; or

14 3. Sells, transfers, purchases, or receives any motor vehicle
15 or motor vehicle part either to or from a location knowing it to be
16 a chop shop,

17 upon conviction, is guilty of a Class C2 felony offense, punishable
18 by imprisonment ~~for not more than ten (10) years~~ as provided for in
19 subsections B through F of Section 20M of Title 21 of the Oklahoma
20 Statutes, or by a fine of not more than One Hundred Thousand Dollars
21 (\$100,000.00), or both such imprisonment and fine.

22 B. Any person who knowingly alters, counterfeits, defaces,
23 destroys, disguises, falsifies, forges, obliterates, or knowingly
24 removes a vehicle identification number, with the intent to

1 misrepresent the identity or prevent the identification of a motor
2 vehicle or motor vehicle part, upon conviction is guilty of a Class
3 C2 felony offense, punishable by imprisonment ~~for not more than ten~~
4 ~~(10) years~~ as provided for in subsections B through F of Section 20M
5 of Title 21 of the Oklahoma Statutes, or by a fine of not more than
6 One Hundred Thousand Dollars (\$100,000.00), or both such
7 imprisonment and fine.

8 C. 1. Any person who buys, disposes, sells, transfers, or
9 possesses a motor vehicle or motor vehicle part, with knowledge that
10 the vehicle identification number of the motor vehicle or motor
11 vehicle part has been altered, counterfeited, defaced, destroyed,
12 disguised, falsified, forged, obliterated, or removed, upon
13 conviction is guilty of a Class D1 felony offense, punishable by
14 imprisonment ~~for not more than five (5) years~~ as provided for in
15 subsections B through F of Section 20N of Title 21 of the Oklahoma
16 Statutes, or by a fine of not more than Fifty Thousand Dollars
17 (\$50,000.00), or by both such imprisonment and fine.

18 2. The provisions of paragraph 1 of this subsection shall not
19 apply to a motor vehicle scrap processor who, in the normal legal
20 course of business and in good faith, processes a motor vehicle or
21 motor vehicle part by crushing, compacting, or other similar
22 methods, provided that any vehicle identification number is not
23 removed from the motor vehicle or motor vehicle part prior to or
24 during any such processing.

1 3. The provisions of paragraph 1 of this subsection shall not
2 apply to any owner or authorized possessor of a motor vehicle or
3 motor vehicle part which has been recovered by law enforcement
4 authorities after having been stolen or where the condition of the
5 vehicle identification number of the motor vehicle or motor vehicle
6 part is known to or has been reported to law enforcement
7 authorities. It shall be presumed that law enforcement authorities
8 have knowledge of all vehicle identification numbers on a motor
9 vehicle or motor vehicle part which are altered, counterfeited,
10 defaced, disguised, falsified, forged, obliterated, or removed, when
11 law enforcement authorities deliver or return the motor vehicle or
12 motor vehicle part to its owner or authorized possessor after it has
13 been recovered by law enforcement authorities after having been
14 reported stolen.

15 D. A person commits an attempt when, with intent to commit a
16 violation proscribed by subsections A, B or C of this section, the
17 person does any act which constitutes a substantial step toward the
18 commission of the violation proscribed by subsections A, B or C of
19 this section, and upon conviction is guilty of a Class D1 felony
20 offense, punishable by imprisonment ~~for not more than five (5) years~~
21 as provided for in subsections B through F of Section 20N of Title
22 21 of the Oklahoma Statutes, or by a fine of not more than Fifty
23 Thousand Dollars (\$50,000.00), or by both such imprisonment and
24 fine.

1 E. A person commits conspiracy when, with an intent that a
2 violation proscribed by subsections A, B or C of this section be
3 committed, the person agrees with another to the commission of the
4 violation proscribed by subsections A, B or C of this section, and
5 upon conviction is guilty of Class D3 felony offense punishable by
6 imprisonment ~~for not more than two (2) years~~ as provided for in
7 subsections B through F of Section 20P of Title 21 of the Oklahoma
8 Statutes, or by a fine of not more than Twenty-five Thousand Dollars
9 (\$25,000.00), or by both such imprisonment and fine. No person may
10 be convicted of conspiracy under this section unless an act in
11 furtherance of such agreement is alleged and proved to have been
12 committed by that person or a coconspirator.

13 F. A person commits solicitation when, with intent that a
14 violation proscribed by subsections A, B or C of this section be
15 committed, the person commands, encourages, or requests another to
16 commit the violation proscribed by subsections A, B or C of this
17 section, and upon conviction is guilty of a Class D3 felony offense,
18 punishable by imprisonment ~~for not more than two (2) years~~ as
19 provided for in subsections B through F of Section 20P of Title 21
20 of the Oklahoma Statutes, or by a fine of not more than Ten Thousand
21 Dollars (\$10,000.00), or by both such imprisonment and fine.

22 G. A person commits aiding and abetting when, either before or
23 during the commission of a violation proscribed by subsections A, B
24 or C of this section, with the intent to promote or facilitate such

1 commission, the person aids, abets, agrees or attempts to aid
2 another in the planning or commission of the violation proscribed by
3 subsections A, B or C of this section, and upon conviction is guilty
4 of a Class D3 felony offense, punishable by imprisonment ~~for not~~
5 ~~more than one (1) year~~ as provided for in subsections B through F of
6 Section 20P of Title 21 of the Oklahoma Statutes, or by a fine of
7 not more than Five Thousand Dollars (\$5,000.00), or by both such
8 imprisonment and fine.

9 H. A person is an accessory after the fact who maintains,
10 assists, or gives any other aid to an offender while knowing or
11 having reasonable grounds to believe the offender to have committed
12 a violation under subsections A, B, C, D, E, F or G of this section,
13 and upon conviction is guilty of a Class D3 felony offense
14 punishable by imprisonment ~~for not more than one (1) year~~ as
15 provided for in subsections B through F of Section 20P of Title 21
16 of the Oklahoma Statutes, or by a fine of not more than Five
17 Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

18 I. No prosecution shall be brought, and no person shall be
19 convicted, of any violation under this section, where acts of the
20 person, otherwise constituting a violation were done in good faith
21 in order to comply with the laws or regulations of any state or
22 territory of the United States, or of the federal government of the
23 United States.

1 J. The sentence imposed upon a person convicted of any
2 violation of this section shall not be reduced to less than one (1)
3 year imprisonment for a second conviction of any violation, or less
4 than five (5) years for a third or subsequent conviction of any
5 violation of this section, and no sentence imposed upon a person for
6 a second or subsequent conviction of any violation of this section
7 shall be suspended, or reduced, until such person shall have served
8 the minimum period of imprisonment provided for herein. A person
9 convicted of a second or subsequent violation of this section shall
10 not be eligible for probation, parole, furlough or work release.

11 K. 1. In addition to any other punishment, a person who
12 violates this section, shall be ordered to make restitution to the
13 lawful owner or owners of the stolen motor vehicle or vehicles or
14 the stolen motor vehicle part or parts, or to the owner's insurer to
15 the extent that the owner has been compensated by the insurer, and
16 to any other person for any financial loss sustained as a result of
17 a violation of this section.

18 Financial loss shall include, but not be limited to, loss of
19 earnings, out-of-pocket and other expenses, repair and replacement
20 costs and claims payments. Lawful owner shall include an innocent
21 bona fide purchaser for value of a stolen motor vehicle or stolen
22 motor vehicle part who does not know that the motor vehicle or part
23 is stolen; or an insurer to the extent that such insurer has
24 compensated a bona fide purchaser for value.

1 2. The court shall determine the extent and method of
2 restitution. In an extraordinary case, the court may determine that
3 the best interests of the victim and justice would not be served by
4 ordering restitution. In any such case, the court shall make and
5 enter specific written findings on the record concerning the
6 extraordinary circumstances presented which militated against
7 restitution.

8 SECTION 272. AMENDATORY 51 O.S. 2021, Section 36.5, is
9 amended to read as follows:

10 Section 36.5. Every public officer or employee who, in taking
11 and subscribing to the oath or affirmation required by this act,
12 states as true any material matter which he knows to be false, shall
13 be guilty of the felony of perjury, a Class C2 felony offense, and
14 upon conviction be punished by imprisonment ~~in the state prison for~~
15 ~~not less than one (1) year nor more than fourteen (14) years as~~
16 provided for in subsections B through F of Section 20M of Title 21
17 of the Oklahoma Statutes, and in addition thereto, the person shall
18 forfeit any public office or employment held by the person.

19 SECTION 273. AMENDATORY 51 O.S. 2021, Section 36.6, is
20 amended to read as follows:

21 Section 36.6. Every public officer or employee having taken and
22 subscribed to the oath or affirmation required by this act and
23 having entered upon the duties of his office or employment, who,
24 while holding his office or while being so employed, advocates by

1 the medium of teaching, or justifies, directly or indirectly, or
2 becomes a member of or affiliated with the Communist Party or the
3 Cominform, or with any party or organization, political or
4 otherwise, known by him to advocate by the medium of teaching, or
5 justify, directly or indirectly, revolution, sedition, treason or a
6 program of sabotage, or the overthrow of the government of the
7 United States or of the State of Oklahoma or a change in the form of
8 government thereof by force, violence, or other unlawful means,
9 shall be guilty of a Class C2 felony offense and, upon conviction,
10 be punished by imprisonment ~~in the state prison for not less than~~
11 ~~one (1) year nor more than fourteen (14) years;~~ as provided for in
12 subsections B through F of Section 20M of Title 21 of the Oklahoma
13 Statutes, and in addition thereto, the person shall forfeit his or
14 her office or employment.

15 SECTION 274. AMENDATORY 52 O.S. 2021, Section 109, is
16 amended to read as follows:

17 Section 109. Any person who shall verify under oath any report,
18 map or drawing or other statement or document authorized or required
19 by the provisions of this act, or by any order, rule or regulation
20 of the Commission made under the provisions of this act to be filed
21 with the Commission or with the Secretary of the Commission, or with
22 any other officer, and who files or causes the same to be filed with
23 the Secretary of the Commission or other officer, which states or
24 contains any material matter which he knows to be false is guilty of

1 the felony of perjury, a Class C2 felony offense, and upon
2 conviction thereof shall be punished by imprisonment ~~in the State~~
3 ~~Penitentiary for not less than two (2) years, nor more than ten (10)~~
4 ~~years~~ as provided for in subsections B through F of Section 20M of
5 Title 21 of the Oklahoma Statutes.

6 SECTION 275. AMENDATORY 52 O.S. 2021, Section 118, is
7 amended to read as follows:

8 Section 118. Any member of the Commission, Proration Umpire,
9 assistant, deputy, agent or employee of the Proration Umpire,
10 Proration Attorney, or any agent or employee of the Commission who
11 asks, receives or agrees to receive any gift or gratuity upon any
12 agreement or understanding that his acts or conduct with respect to
13 (a) enforcing any provision of this act or of any order, rule, or
14 regulation of the Commission made under or in pursuance of this act,
15 or (b) the discharge of any duty by any such officer or person
16 imposed upon him by the provisions of this act, or by any order,
17 rule, or regulation of the Commission issued and promulgated under
18 the provisions of this act, shall be influenced thereby shall be
19 guilty of a Class C2 felony offense punishable by imprisonment ~~in~~
20 ~~the State Penitentiary not exceeding ten (10) years, and by a fine~~
21 ~~not exceeding Ten Thousand Dollars (\$10,000.00)~~ as provided for in
22 subsections B through F of Section 20M of Title 21 of the Oklahoma
23 Statutes.

SECTION 276. AMENDATORY 63 O.S. 2021, Section 2-407, is amended to read as follows:

Section 2-407. A. No person shall obtain or attempt to obtain any preparation excepted from the provisions of the Uniform Controlled Dangerous Substances Act pursuant to Section 2-313 of this title in a manner inconsistent with the provisions of paragraph 1 of subsection B of Section 2-313 of this title, or a controlled dangerous substance or procure or attempt to procure the administration of a controlled dangerous substance:

1. By fraud, deceit, misrepresentation, or subterfuge;

2. By the forgery of, alteration of, adding any information to or changing any information on a prescription or of any written order;

3. By the concealment of a material fact;

4. By the use of a false name or the giving of a false address;
or

5. By knowingly failing to disclose the receipt of a controlled dangerous substance or a prescription for a controlled dangerous substance of the same or similar therapeutic use from another practitioner within the previous thirty (30) days.

B. Except as authorized by this act, a person shall not manufacture, create, deliver, or possess with intent to manufacture, create, or deliver or possess a prescription form, an original prescription form, or a counterfeit prescription form. This shall

1 not apply to the legitimate manufacture or delivery of prescription
2 forms, or a person acting as an authorized agent of the
3 practitioner.

4 C. Information communicated to a physician in an effort
5 unlawfully to procure a controlled dangerous substance, or
6 unlawfully to procure the administration of any such drug, shall not
7 be deemed a privileged communication.

8 D. Any person who violates this section is guilty of a Class C2
9 felony offense punishable by imprisonment ~~for not more than ten (10)~~
10 ~~years~~ as provided for in subsections B through F of Section 20M of
11 Title 21 of the Oklahoma Statutes, by a fine of not more than Ten
12 Thousand Dollars (\$10,000.00), or by both such fine and
13 imprisonment. A second or subsequent offense under this section is
14 a felony punishable by imprisonment ~~for not less than four (4) years~~
15 ~~nor more than twenty (20) years~~ as provided for in subsections B
16 through F of Section 20M of Title 21 of the Oklahoma Statutes, by a
17 fine of not more than Twenty Thousand Dollars (\$20,000.00), or by
18 both such fine and imprisonment.

19 E. Convictions for second or subsequent violations of this
20 section shall not be subject to statutory provisions for suspended
21 sentences, deferred sentences, or probation.

22 F. Any person convicted of any offense described in this
23 section shall, in addition to any fine imposed, pay a special
24 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be

1 deposited into the Trauma Care Assistance Revolving Fund created in
2 Section 1-2530.9 of this title.

3 SECTION 277. AMENDATORY 63 O.S. 2021, Section 2-503.1,
4 is amended to read as follows:

5 Section 2-503.1. A. It is unlawful for any person knowingly or
6 intentionally to receive or acquire proceeds and to conceal such
7 proceeds, or engage in transactions involving proceeds, known to be
8 derived from any violation of the Uniform Controlled Dangerous
9 Substances Act, Section 2-101 et seq. of this title, or of any
10 statute of the United States relating to controlled dangerous
11 substances as defined by the Uniform Controlled Dangerous Substances
12 Act, Section 2-101 et seq. of this title. This subsection does not
13 apply to any transaction between an individual and the counsel of
14 the individual necessary to preserve the right to representation of
15 the individual, as guaranteed by the Oklahoma Constitution and by
16 the Sixth Amendment of the United States Constitution. However,
17 this exception does not create any presumption against or
18 prohibition of the right of the state to seek and obtain forfeiture
19 of any proceeds derived from a violation of the Uniform Controlled
20 Dangerous Substances Act, Section 2-101 et seq. of this title, or of
21 any statute of the United States relating to controlled dangerous
22 substances as defined by the Uniform Controlled Dangerous Substances
23 Act, Section 2-101 et seq. of this title.

1 B. It is unlawful for any person knowingly or intentionally to
2 give, sell, transfer, trade, invest, conceal, transport, or maintain
3 an interest in or otherwise make available anything of value which
4 that person knows is intended to be used for the purpose of
5 committing or furthering the commission of any violation of the
6 Uniform Controlled Dangerous Substances Act, Section 2-101 et seq.
7 of this title, or of any statute of the United States relating to
8 controlled dangerous substances as defined by the Uniform Controlled
9 Dangerous Substances Act, Section 2-101 et seq. of this title.

10 C. It is unlawful for any person knowingly or intentionally to
11 direct, plan, organize, initiate, finance, manage, supervise, or
12 facilitate the transportation or transfer of proceeds known to be
13 derived from any violation of the Uniform Controlled Dangerous
14 Substances Act, Section 2-101 et seq. of this title, or of any
15 statute of the United States relating to controlled dangerous
16 substances as defined by the Uniform Controlled Dangerous Substances
17 Act, Section 2-101 et seq. of this title.

18 D. It is unlawful for any person knowingly or intentionally to
19 conduct a financial transaction involving proceeds derived from a
20 violation of the Uniform Controlled Dangerous Substances Act,
21 Section 2-101 et seq. of this title, or of any statute of the United
22 States relating to controlled dangerous substances as defined by the
23 Uniform Controlled Dangerous Substances Act, Section 2-101 et seq.
24 of this title, when the transaction is designed in whole or in part

1 to conceal or disguise the nature, location, source, ownership, or
2 control of the proceeds known to be derived from a violation of the
3 Uniform Controlled Dangerous Substances Act, Section 2-101 et seq.
4 of this title, or of any statute of the United States relating to
5 controlled dangerous substances as defined by the Uniform Controlled
6 Dangerous Substances Act, Section 2-101 et seq. of this title, or to
7 avoid a transaction reporting requirement under state or federal
8 law.

9 E. Any person convicted of violating any of the provisions of
10 this section is guilty of a Class C2 felony offense and may be
11 punished by imprisonment ~~for not less than two (2) years nor more~~
12 ~~than ten (10) years~~ as provided for in subsections B through F of
13 Section 20M of Title 21 of the Oklahoma Statutes, or by a fine of
14 not more than Fifty Thousand Dollars (\$50,000.00), or by both said
15 imprisonment and fine.

16 SECTION 278. AMENDATORY 63 O.S. 2021, Section 2-503.1d,
17 is amended to read as follows:

18 Section 2-503.1d. A. No person shall sell, give, transfer,
19 trade, supply, or provide any money transmitter equipment, as
20 defined by the Oklahoma Financial Transaction Reporting Act, to any
21 person not licensed by the Oklahoma State Banking Commissioner. Any
22 person violating the provisions of this section shall be guilty upon
23 conviction of a misdemeanor, for a first offense, and a Class D1
24 felony offense for any second or subsequent offense. The

1 misdemeanor penalty shall be a fine not exceeding Three Thousand
2 Dollars (\$3,000.00), or imprisonment in the county jail not to
3 exceed one (1) year, or both such fine and imprisonment. The Class
4 D1 felony penalty shall be imprisonment ~~in the custody of the~~
5 ~~Department of Corrections for five (5) years~~ as provided for in
6 subsections B through F of Section 20N of Title 21 of the Oklahoma
7 Statutes, or a fine not exceeding Five Thousand Dollars (\$5,000.00),
8 or both such fine and imprisonment.

9 B. Any person who encourages, facilitates, or allows access to
10 any money transmitter equipment in any manner to facilitate any
11 violation of Section 2-503.1 of ~~Title 63 of the Oklahoma Statutes~~
12 this title shall be guilty of a Class C2 felony offense, upon
13 conviction, punishable as provided ~~in Section 8 of this act~~ for in
14 subsections B through F of Section 20M of Title 21 of the Oklahoma
15 Statutes.

16 SECTION 279. AMENDATORY 63 O.S. 2021, Section 2-503.1e,
17 is amended to read as follows:

18 Section 2-503.1e. A. Any person who knowingly or intentionally
19 uses a money services business, as defined by the Oklahoma Financial
20 Transaction Reporting Act, or an electronic funds transfer network
21 for any purpose in violation of Section 2-503.1 of ~~Title 63 of the~~
22 ~~Oklahoma Statutes~~ this title or Sections ~~1~~ 2-503.1a through ~~9~~ 2-
23 503.1i of this ~~act~~ title, or with intent to facilitate any violation
24 of the Uniform Controlled Dangerous Substances Act or any statute of

1 the United States relating to controlled substances, or to commit
2 any other crime shall be guilty, upon conviction, of a Class C2
3 felony offense and shall be punished by imprisonment as provided for
4 in subsections B through F of Section 20M of Title 21 of the
5 Oklahoma Statutes.

6 B. Any person who, by or through a money services business, as
7 defined in the Oklahoma Financial Transaction Reporting Act, or an
8 electronic funds transfer network, knowingly transmits, exchanges,
9 or processes any securities or negotiable instruments for any
10 purpose in violation of Section 2-503.1 of ~~Title 63 of the Oklahoma~~
11 ~~Statutes~~ this title or Sections ~~4~~ 2-503.1a through ~~9~~ 2-503.1i of
12 this ~~act~~ title shall be guilty, upon conviction, of a Class C2
13 felony offense and shall be punished by imprisonment as provided for
14 in subsections B through F of Section 20M of Title 21 of the
15 Oklahoma Statutes.

16 SECTION 280. AMENDATORY 63 O.S. 2021, Section 2-503.1g,
17 is amended to read as follows:

18 Section 2-503.1g. A. It shall be unlawful for any person to
19 structure, assist in structuring, attempt to structure, or attempt
20 to assist in structuring any transaction with one or more financial
21 or nonfinancial trades or businesses, to include any importation or
22 exportation of monetary instruments.

23 B. It shall be unlawful for any person to structure or assist
24 in structuring, or attempt to structure or assist in structuring any

1 transaction with one or more organizations that have a monetary
2 reporting requirement under federal law or under Title 6 or Sections
3 2-101 through 2-608 of Title 63 of the Oklahoma Statutes.

4 C. For purposes of this section, "structuring" means a person
5 who, acting alone, in conjunction with others, or on behalf of
6 others, conducts or attempts to conduct one or more transactions in
7 currency, in any amount, at one or more organizations that have a
8 monetary reporting requirement under federal law or under Title 6 or
9 Title 63 of the Oklahoma Statutes, on one or more days, for the
10 purpose of evading the reporting requirements of any federal law or
11 any provision of Title 6 or Title 63 of the Oklahoma Statutes
12 requiring reporting of financial transactions.

13 D. Any person violating the provisions of this section shall,
14 upon conviction, be guilty of a Class C2 felony offense punishable
15 by imprisonment as provided for in subsections B through F of
16 Section 20M of Title 21 of the Oklahoma Statutes.

17 SECTION 281. AMENDATORY 68 O.S. 2021, Section 218.1, is
18 amended to read as follows:

19 Section 218.1. A. Any person who shall knowingly give a false
20 or bogus check, as defined in this section, of a value less than
21 Five Hundred Dollars (\$500.00) in payment or remittance of any
22 taxes, fees, penalties, or interest levied pursuant to any state tax
23 law shall be, upon conviction, guilty of a misdemeanor punishable by
24 a fine not to exceed One Thousand Dollars (\$1,000.00), or by

1 imprisonment in the county jail for a term of not more than one (1)
2 year, or by both such fine and imprisonment. If the value of the
3 false or bogus check referred to in this subsection is Five Hundred
4 Dollars (\$500.00) or more, such person shall be, upon conviction,
5 guilty of a Class C2 felony offense punishable by a fine not to
6 exceed Five Thousand Dollars (\$5,000.00), or by imprisonment in the
7 State Penitentiary for a term of not more than ten (10) years as
8 provided for in subsections B through F of Section 20M of Title 21
9 of the Oklahoma Statutes, or by both such fine and imprisonment.

10 B. Any person who shall knowingly give two or more false or
11 bogus checks, the total sum of which is Five Hundred Dollars
12 (\$500.00) or more, even though each separate instrument is written
13 for less than Five Hundred Dollars (\$500.00), in payment or
14 remittance of any taxes, fees, penalties, or interest levied
15 pursuant to any state tax law shall be, upon conviction, guilty of a
16 Class C2 felony offense punishable by a fine not to exceed Five
17 Thousand Dollars (\$5,000.00) or by imprisonment ~~in the State~~
18 ~~Penitentiary for a term of not more than ten (10) years~~ as provided
19 for in subsections B through F of Section 20M of Title 21 of the
20 Oklahoma Statutes, or by both such fine and imprisonment.

21 C. For purposes of this section, the term "false or bogus check
22 or checks" shall include any check or order which is not honored on
23 account of insufficient funds of the maker to pay same, or because
24 the check or order was drawn on a closed account or on a nonexistent

1 account. The making, drawing, uttering or delivering of a check or
2 order, the payment of which is refused by the drawee, shall be prima
3 facie evidence of the knowledge of insufficient funds, a closed
4 account, or a nonexistent account with such bank or other depository
5 drawee. Said term shall not include any check or order not honored
6 on account of insufficient funds if the maker or drawer shall pay
7 the drawee thereof the amount due within five (5) days from the date
8 the same is presented for payment nor any check or order that is not
9 presented for payment within thirty (30) days after same is
10 delivered and accepted.

11 SECTION 282. AMENDATORY 68 O.S. 2021, Section 244, is
12 amended to read as follows:

13 Section 244. Any person, or member of any firm or association,
14 or any official, agent, or employee of any corporation, who shall
15 knowingly make false answer to any question which may be put to him
16 by the Tax Commission, touching the business, property, assets, or
17 effects of any such person, firm, association, or corporation, or
18 the valuation thereof, or the income or profits therefrom, or who
19 shall make or present any false affidavit concerning any list,
20 schedule, statement, report or return, or for any other purpose,
21 filed with said Tax Commission or required to be filed by this title
22 or by any state tax law, shall be guilty of the felony of perjury, a
23 Class C2 felony offense, and, upon conviction, shall be punished as
24

1 provided for in ~~Section 246 of this title~~ subsections B through F of
2 Section 20M of Title 21 of the Oklahoma Statutes.

3 SECTION 283. AMENDATORY 68 O.S. 2021, Section 246, is
4 amended to read as follows:

5 Section 246. Any person who shall knowingly verify, by oath,
6 affirmation, or declaration, any false report or false return or
7 other matter which is false, which by statute is required to be
8 verified by oath, affirmation, or declaration and filed with the Tax
9 Commission, shall be guilty, upon conviction, of the felony of
10 perjury, a Class C2 felony offense, and shall be punished by the
11 imposition of a fine of not less than Five Hundred Dollars (\$500.00)
12 or more than Five Thousand Dollars (\$5,000.00), or by imprisonment
13 ~~in the county jail for not less than ninety (90) days or more than~~
14 ~~one (1) year or by imprisonment in a state correctional institution~~
15 ~~for not less than ninety (90) days, or more than ten (10) years as~~
16 provided for in subsections B through F of Section 20M of Title 21
17 of the Oklahoma Statutes.

18 SECTION 284. AMENDATORY 68 O.S. 2021, Section 317, is
19 amended to read as follows:

20 Section 317. ~~(a)~~ A. Any person who shall, without the
21 authorization of the Tax Commission, make or manufacture, or who
22 shall falsely or fraudulently forge, counterfeit, reproduce, or
23 possess any stamps, impression, copy, facsimile, or other evidence
24 for the purpose of indicating the payment of the tax levied by the

1 Cigarette Stamp Tax Law, Sections 301 through 325, ~~Title 68 of the~~
2 ~~Oklahoma Statutes~~ of this title, prescribed for use in the
3 administration of this article, or who shall knowingly or by any
4 deceptive act use or pass, or tender as true, or affix, impress or
5 imprint, by use of any device, rubber stamp or by any other means,
6 on any package containing cigarettes, any unauthorized, false,
7 altered, forged, counterfeit or previously used stamps, impressions,
8 copies, facsimiles or other evidence of cigarette tax payment, shall
9 be guilty of a Class C2 felony offense, and upon conviction thereof
10 shall be punished by imprisonment ~~in the State Penitentiary for a~~
11 ~~term of not more than twenty (20) years~~ as provided for in
12 subsections B through F of Section 20M of Title 21 of the Oklahoma
13 Statutes, or by a fine of not more than Ten Thousand Dollars
14 (\$10,000.00), or by both such imprisonment and fine.

15 ~~(b)~~ B. Each person violating any other provision of this
16 article shall be guilty of a misdemeanor, and upon conviction
17 thereof shall be punished by imprisonment in the county jail for a
18 period of not more than twelve (12) months, or by a fine of not more
19 than Five Hundred Dollars (\$500.00), or by both such imprisonment
20 and fine.

21 SECTION 285. AMENDATORY 71 O.S. 2021, Section 1-301, as
22 amended by Section 12, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024,
23 Section 1-301), is amended to read as follows:
24

1 Section 1-301. It is unlawful and shall be deemed a Class C2
2 felony offense for a person to offer or sell a security in this
3 state unless:

4 1. The security is a federal covered security;

5 2. The security, transaction, or offer is exempted from
6 registration under Sections 1-201 through 1-203 of this title; or

7 3. The security is registered under this title.

8 SECTION 286. AMENDATORY 71 O.S. 2021, Section 1-308, as
9 amended by Section 19, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024,
10 Section 1-308), is amended to read as follows:

11 Section 1-308. A. In addition to all other applicable
12 registration provisions specified in this act, investment
13 certificate issuers are subject to the provisions of this section.
14 As used in this section:

15 1. "Investment certificate" means thrift certificates,
16 certificates of deposit, savings obligations and similar
17 certificates or obligations issued and sold by an investment
18 certificate issuer as defined in paragraph 2 of this subsection; and

19 2. "Investment certificate issuer" means any financial
20 institution or person, other than a federally or state chartered
21 bank, bank holding company, trust company or savings and loan
22 association, or any credit union, which accepts investor funds or
23 deposits in exchange for the issuance of investment certificates;
24 provided, however, the term "investment certificate issuer" shall

1 not include a financial institution or person which, as of November
2 1, 1985, issued only the following securities:

- 3 a. investment certificates exempt under the provisions of
4 Sections 1-201 through 1-203 of this title,
- 5 b. investment certificates registered by coordination
6 under Section 1-303 of this title, or
- 7 c. any other security as to which the Administrator, by
8 rule or order, finds that registration is not
9 necessary or appropriate for the protection of
10 investors.

11 Nothing contained in this act shall be construed as precluding
12 an investment certificate issuer from qualifying for and relying
13 upon any of the exemptions from the provisions of Sections 1-301 and
14 1-504 of this title as contained in Sections 1-201 through 1-203 of
15 this title.

16 B. In addition to other powers conferred by this act, the
17 Administrator shall have power to require an investment certificate
18 issuer to:

- 19 1. Cause its books and records to be made available at its
20 offices and to provide to the Department a trial balance within five
21 (5) days of the commencement of any examination. The books and
22 records shall be audited at least once each year by an independent
23 certified public accountant in accordance with generally accepted
24 auditing standards, and the report thereof, including financial

1 statements prepared in accordance with generally accepted accounting
2 principles, furnished to the Administrator in such form as he or she
3 may require;

4 2. Observe methods and standards, including classification
5 standards of loans, which the Administrator may prescribe by rule
6 adopted and promulgated pursuant to the Administrative Procedures
7 Act for determining the value of various types of assets;

8 3. Maintain its accounting systems and procedures in accordance
9 with such regulations as adopted and promulgated by the
10 Administrator pursuant to the Administrative Procedures Act;
11 provided, the accounting system required shall have due regard to
12 the size of the investment certificate issuer;

13 4. Charge off the whole or any part of an asset, the value of
14 which, at the time of the Administrator's action, has deteriorated
15 for reasons set forth by the Administrator by rule adopted and
16 promulgated pursuant to the Administrative Procedures Act; and

17 5. Write down an asset to market value as prescribed by the
18 Administrator by rule adopted and promulgated pursuant to the
19 Administrative Procedures Act.

20 C. Every investment certificate issuer shall obtain from the
21 Administrator a written acknowledgment, issued in accordance with
22 procedures adopted and promulgated pursuant to the Administrative
23 Procedures Act, that the investment certificate issuer engages in
24 the business of accepting investor funds or deposits in exchange for

1 the issuance of investment certificates. Any investment certificate
2 issuer who obtains such an acknowledgment shall be subject to this
3 section and shall possess all the rights, powers and privileges and
4 shall be subject to all of the duties, restrictions and limitations
5 contained herein. No company or person who fails to obtain such
6 acknowledgment within ninety (90) days of the effective date of the
7 adoption by the Administrator of procedures governing the issuance
8 of a written acknowledgment shall possess or exercise, unless
9 expressly given and possessed or exercised under other laws, any of
10 the benefits, rights, powers or privileges which are herein
11 conferred on investment certificate issuers. Any company or person
12 who fails to obtain a written acknowledgment as described herein may
13 not engage in the business of issuing investment certificates.

14 D. Any officer, director or employee of an investment
15 certificate issuer found by the Administrator to be dishonest,
16 reckless, unfit to participate in the conduct of the affairs of the
17 institution, or practicing a continuing disregard or violation of
18 laws, rules, regulations or orders which are likely to cause
19 substantial loss to the company or likely to seriously weaken the
20 condition of the company shall be removed immediately from office by
21 the board of directors of the investment certificate issuer of which
22 he or she is an officer, director or employee, on the written order
23 of the Administrator; provided, that the investment certificate
24 issuer or officer, employee, or director may within ten (10) days

1 file a notice of protest for the removal with the Commission, and as
2 soon as possible thereafter, the Commission will review the order of
3 the Administrator and make findings as it deems proper, and that,
4 pending said time, the officer, employee or director shall not
5 perform any of the duties of his office.

6 E. An investment certificate issuer shall not, without the
7 consent of the Administrator:

8 1. Make a loan to any of its stockholders owning twenty-five
9 percent (25%) or more of the stock of the investment certificate
10 issuer, or its officers or directors;

11 2. Make a loan to any employee in excess of Ten Thousand
12 Dollars (\$10,000.00); or

13 3. Make a loan to or other investment in or purchase any asset
14 from any company in which any of its officers, directors or
15 stockholders may have any direct or indirect interest, unless made
16 in an arm's length transaction.

17 F. An investment certificate issuer shall not, without the
18 consent of the Administrator:

19 1. Lend money in excess of ten percent (10%) of its
20 shareholders' equity to any person, association, partnership or
21 corporation liable for such obligations; provided, however, that
22 this limitation does not apply to the purchase of investment
23 securities; or
24

1 2. Engage in, or acquire any interest in, any business
2 prohibited to a bank chartered under the laws of this state.

3 G. The shareholders' equity of an investment certificate issuer
4 shall not be less than ten percent (10%) of the investment
5 certificates outstanding. Provided, an investment certificate
6 issuer lawfully incorporated and operating in this state on or
7 before November 1, 1985, with less than the above specified
8 shareholders' equity shall, at the beginning of each fiscal year
9 thereafter, increase its shareholders' equity by a minimum of one-
10 fourth (1/4) the difference between its shareholders' equity on
11 November 1, 1985, and the above specified amount until such time as
12 its shareholders' equity equals or exceeds the amount specified
13 above. For purposes of computing the shareholders' equity, the
14 reserve against bad debts shall be included.

15 H. Every investment certificate issuer shall maintain a reserve
16 against bad debts in an amount required by the Administrator by rule
17 adopted and promulgated pursuant to the Administrative Procedures
18 Act, but in no event shall the reserve against bad debts be less
19 than two percent (2%) of total loans outstanding.

20 I. If the Administrator finds the capital of an investment
21 certificate issuer to be impaired according to the standard set
22 forth in subsection G of this section, the Administrator may:

23 1. Give notice of the impairment to the directors and
24 shareholders of the investment certificate issuer and levy an

1 assessment in a designated amount upon the holders of record of the
2 investment certificate issuer's stock to remedy an impairment of
3 capital. Upon receipt of an order to levy an assessment, the
4 directors shall cause to be sent to all holders of stock, at their
5 addresses as listed on the books of the investment certificate
6 issuer, a notice of the amount of the assessment and a copy of this
7 subsection. If an assessment is not paid within ninety (90) days
8 after the order is mailed, the Administrator, at his or her
9 discretion, may offer the shares of the defaulting stockholders for
10 sale at public auction at a price which shall not be less than the
11 amount of the assessment and the cost of the sale; or

12 2. Apply to the district court of any county where the assets
13 of the investment certificate issuer are located for an order
14 appointing a conservator of, and directing him to rehabilitate, the
15 investment certificate issuer. If all reasonable efforts to
16 rehabilitate the investment certificate issuer fail, the
17 Administrator may apply to the court for an order directing the
18 appointment of a liquidator to dissolve any such issuer and
19 liquidate its assets. All rights and interests of the stockholders
20 in the stock, property and assets of such investment certificate
21 issuer are thereby terminated except the rights of stockholders to
22 the proceeds of liquidation, if any, after all other valid claims,
23 including interest, against the assets of the investment certificate
24 issuer and the proceeds of liquidation have been satisfied. The

1 conservator or liquidator appointed under this subsection shall meet
2 qualifications established by the Administrator by rule adopted and
3 promulgated pursuant to the Administrative Procedures Act.

4 J. Whenever the capital or reserve of any investment
5 certificate issuer shall be impaired according to the standards set
6 forth in subsections G and H of this section, the investment
7 certificate issuer shall make no new loans, renew any investment
8 certificates or sell new investment certificates without the consent
9 of the Administrator.

10 K. 1. It shall be unlawful and shall be deemed a Class C2
11 felony offense for any investment certificate issuer to issue
12 investment certificates when insolvent.

13 2. Every officer, director, principal stockholder, or every
14 other person who materially participates or aids in the issuance of
15 an investment certificate in violation of this subsection, or who
16 directly or indirectly controls any such person, shall be jointly
17 and severally liable, unless the officer, director, principal
18 stockholder, or any other person who so participates, aids or
19 controls, sustains the burden of proof that the person did not know,
20 and could not have known, of the existence of the facts by reason of
21 which liability is alleged to exist. There shall be contribution as
22 in cases of contract among the persons so liable.

1 3. The rights and remedies provided for in this subsection are
2 in addition to any other rights or remedies provided for in Title 71
3 of the Oklahoma Statutes, or that may exist at law or in equity.

4 L. The Administrator may as often as he or she deems it prudent
5 and necessary for the protection of the public, make or cause to be
6 made examinations of the books, records, papers, assets and
7 liabilities of every kind and character owned by, or relating to,
8 every investment certificate issuer.

9 M. Every investment certificate issuer shall make and file with
10 the Administrator reports at such times and in such form as the
11 Administrator may prescribe by rule or order. The reports shall be
12 verified by the oath of either the president, the vice-president, or
13 the secretary and attested by the signature of two or more of the
14 directors. Each report shall exhibit in detail, as may be required
15 by the Administrator, the resources and liabilities of the
16 investment certificate issuer at the close of business on the day to
17 be specified by the Administrator.

18 N. Every investment certificate issuer whose investor funds or
19 deposits are not insured by an agency of the government shall
20 disclose on the face of each investment certificate in ten-point
21 type the following:

22 "This certificate is not insured by the Federal Deposit
23 Insurance Corporation or any other agency of the government."
24

1 SECTION 287. AMENDATORY 71 O.S. 2021, Section 1-401, is
2 amended to read as follows:

3 Section 1-401. A. It is unlawful and shall be deemed a Class
4 C2 felony offense for a person to transact business in this state as
5 a broker-dealer, unless the person is registered under this act as a
6 broker-dealer or is exempt from registration as a broker-dealer
7 under subsection B or D of this section.

8 B. The following persons are exempt from the registration
9 requirement of subsection A of this section:

10 1. A broker-dealer without a place of business in this state if
11 its only transactions effected in this state are with:

- 12 a. the issuer of the securities involved in the
13 transactions,
- 14 b. a broker-dealer registered under this act or a broker-
15 dealer not required to be registered as a broker-
16 dealer under this act,
- 17 c. an institutional investor,
- 18 d. a nonaffiliated federal covered investment adviser
19 with investments under management in excess of One
20 Hundred Million Dollars (\$100,000,000.00) acting for
21 the account of others pursuant to discretionary
22 authority in a signed record,
- 23 e. a bona fide preexisting customer whose principal place
24 of residence is not in this state and the person is

1 registered as a broker-dealer under the Securities
2 Exchange Act of 1934 or not required to be registered
3 under the Securities Exchange Act of 1934 and is
4 registered under the securities act of the state in
5 which the customer maintains a principal place of
6 residence,

7 f. a bona fide preexisting customer whose principal place
8 of residence is in this state but was not present in
9 this state when the customer relationship was
10 established, if:

11 (1) the broker-dealer is registered under the
12 Securities Exchange Act of 1934 or the broker-
13 dealer is not required to be registered under the
14 Securities Exchange Act of 1934 and is registered
15 under the securities laws of the state in which
16 the customer relationship was established and
17 where the customer had maintained a principal
18 place of residence, and

19 (2) within forty-five (45) days after the customer's
20 first transaction in this state, the person files
21 an application for registration as a broker-
22 dealer in this state and a further transaction is
23 not effected more than seventy-five (75) days
24 after the date on which the application is filed,

1 or, if earlier, the date on which the
2 Administrator notifies the person that the
3 Administrator has denied the application for
4 registration or has stayed the pendency of the
5 application for cause, and

6 g. not more than three customers in this state during the
7 previous twelve (12) months, in addition to those
8 specified in subparagraphs a through f of this
9 paragraph, if the broker-dealer is registered under
10 the Securities Exchange Act of 1934 or not required to
11 be registered under the Securities Exchange Act of
12 1934 and is registered under the securities act of the
13 state in which the broker-dealer has its principal
14 place of business;

15 2. A person that deals solely in United States government
16 securities and is supervised as a dealer in government securities by
17 the Board of Governors of the Federal Reserve System, the
18 Comptroller of the Currency, the Federal Deposit Insurance
19 Corporation, or the Office of Thrift Supervision; and

20 3. Any other person exempted by rule or order under this act.

21 C. It is unlawful and shall be deemed a Class C2 felony offense
22 for a broker-dealer, or for an issuer engaged in offering, offering
23 to purchase, purchasing, or selling securities in this state,
24 directly or indirectly, to employ or associate with an individual to

1 engage in an activity related to securities transactions in this
2 state if the registration of the individual is suspended or revoked
3 under this act; or the individual is barred from employment or
4 association with a broker-dealer, an issuer, an investment adviser
5 or a federal covered investment adviser by an order of the
6 securities regulator of a state, the Securities and Exchange
7 Commission, or a self-regulatory organization. A broker-dealer or
8 issuer does not violate this subsection if the broker-dealer or
9 issuer did not know, and in the exercise of reasonable care could
10 not have known, of the suspension, revocation, or bar. Upon request
11 from a broker-dealer or issuer and for good cause shown, an order
12 under this act may modify or waive the prohibitions of this
13 subsection.

14 D. A rule adopted or order issued under this act may permit:

15 1. A broker-dealer that is registered in Canada or other
16 foreign jurisdiction and that does not have a place of business in
17 this state to effect transactions in securities with or for, or
18 attempt to effect the purchase or sale of any securities by:

19 a. an individual from Canada or other foreign
20 jurisdiction that is temporarily present in this state
21 and with whom the broker-dealer had a bona fide
22 customer relationship before the individual entered
23 the United States,

24

- b. an individual from Canada or other foreign jurisdiction who is present in this state and whose transactions are in a self-directed tax advantaged retirement plan of which the individual is the holder or contributor in that foreign jurisdiction, or
- c. an individual who is resident in this state, with whom the broker-dealer customer relationship arose while the individual was temporarily or permanently resident in Canada or the other foreign jurisdiction; and

2. An agent who represents a broker-dealer, that is exempt under this subsection to effect transactions in securities or attempt to effect the purchase or sale of any securities in this state as permitted for a broker-dealer described in paragraph 1 of this subsection.

SECTION 288. AMENDATORY 71 O.S. 2021, Section 1-402, as amended by Section 20, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-402), is amended to read as follows:

Section 1-402. A. It is unlawful and shall be deemed a Class C2 felony offense for an individual to transact business in this state as an agent unless the individual is registered under this act as an agent or is exempt from registration as an agent under subsection B of this section.

B. The following individuals are exempt from the registration requirement of subsection A of this section:

1 1. An individual who represents a broker-dealer in effecting
2 transactions in this state limited to those described in Section
3 15(i) (3) of the Securities Exchange Act of 1934 (15 U.S.C. Section
4 78o(i) (3));

5 2. An individual who represents a broker-dealer that is exempt
6 under subsection B or D of Section 1-401 of this title;

7 3. An individual who represents an issuer with respect to an
8 offer or sale of the issuer's own securities or those of the
9 issuer's parent or any of the issuer's subsidiaries to existing
10 employees, partners, members or directors of the issuer or the
11 issuer's parent or any of the issuer's subsidiaries, and who is not
12 compensated in connection with the individual's participation by the
13 payment of commissions or other remuneration based, directly or
14 indirectly, on transactions in those securities;

15 4. An individual who represents an issuer and who effects
16 transactions in the issuer's securities exempted by Section 1-202 of
17 this title, other than paragraphs 11 and 14 of Section 1-202 of this
18 title;

19 5. An individual who represents an issuer who effects
20 transactions solely in federal covered securities of the issuer, but
21 an individual who effects transactions in a federal covered security
22 under Section 18(b) (3) or 18(b) (4) (F) of the Securities Act of 1933
23 (15 U.S.C. Section 77r(b) (3) or 77r(b) (4) (F)) is not exempt if the
24 individual is compensated in connection with the agent's

1 participation by the payment of commissions or other remuneration
2 based, directly or indirectly, on transactions in those securities;

3 6. An individual who represents a broker-dealer registered in
4 this state under subsection A of Section 1-401 of this title or
5 exempt under subsection B of Section 1-401 of this title in the
6 offer and sale of securities for an account of a nonaffiliated
7 federal covered investment adviser with investments under management
8 in excess of One Hundred Million Dollars (\$100,000,000.00) acting
9 for the account of others pursuant to discretionary authority in a
10 signed record;

11 7. An individual who represents an issuer in connection with
12 the purchase of the issuer's own securities;

13 8. An individual who represents an issuer and who restricts
14 participation to performing ministerial or clerical work; or

15 9. Any other individual exempted by rule adopted or order
16 issued under this act.

17 C. The registration of an agent is effective only while the
18 agent is employed by or associated with a broker-dealer registered
19 under this act or an issuer that is offering, selling or purchasing
20 its securities in this state.

21 D. It is unlawful and shall be deemed a Class C2 felony offense
22 for a broker-dealer, or an issuer engaged in offering, selling, or
23 purchasing securities in this state, to employ or associate with an
24 agent who transacts business in this state on behalf of broker-

1 dealers or issuers unless the agent is registered under subsection A
2 of this section or exempt from registration under subsection B of
3 this section.

4 E. Unless prohibited by rule adopted or order issued under this
5 act, an individual may act as an agent for more than one broker-
6 dealer or more than one issuer at a time.

7 F. It is unlawful and shall be deemed a Class C2 felony offense
8 for an individual acting as an agent, directly or indirectly, to
9 conduct business in this state on behalf of a broker-dealer or
10 issuer if the registration of the individual as an agent is
11 suspended or revoked under this act; or the individual is barred
12 from employment or association with a broker-dealer by an order
13 under this act, the Securities and Exchange Commission, or a self-
14 regulatory organization; or the individual is subject to an order of
15 a court of competent jurisdiction temporarily, preliminarily or
16 permanently enjoining such individual from conducting business in
17 this state on behalf of a broker-dealer or issuer.

18 SECTION 289. AMENDATORY 71 O.S. 2021, Section 1-403, as
19 amended by Section 21, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024,
20 Section 1-403), is amended to read as follows:

21 Section 1-403. A. It is unlawful and shall be deemed a Class
22 C2 felony offense for a person to transact business in this state as
23 an investment adviser unless the person is registered under this act
24

1 as an investment adviser or is exempt from registration as an
2 investment adviser under subsection B of this section.

3 B. The following persons are exempt from the registration
4 requirement of subsection A of this section:

5 1. A federal covered investment adviser;

6 2. A person without a place of business in this state that is
7 registered under the securities act of the state in which that
8 person has its principal place of business if its only clients in
9 this state are:

10 a. federal covered investment advisers, investment
11 advisers registered under this act, or broker-dealers
12 registered under this act,

13 b. institutional investors,

14 c. bona fide preexisting clients whose principal places
15 of residence are not in this state if the investment
16 adviser is registered under the securities act of the
17 state in which the clients maintain principal places
18 of residence, or

19 d. any other client exempted by rule adopted or order
20 issued under this act;

21 3. A person without a place of business in this state if the
22 person has had, during the preceding twelve (12) months, not more
23 than five clients that are residents of this state in addition to
24 those specified under paragraph 2 of this subsection; or

1 4. Any other person exempted by rule adopted or order issued
2 under this act.

3 C. It is unlawful and shall be deemed a Class C2 felony offense
4 for an investment adviser, directly or indirectly, to employ or
5 associate with an individual to engage in an activity related to
6 investment advice in this state if the registration of the
7 individual is suspended or revoked under this act, or the individual
8 is barred from employment or association with an investment adviser,
9 federal covered investment adviser, or broker-dealer by an order
10 under this act, the Securities and Exchange Commission, or a self-
11 regulatory organization, unless the investment adviser did not know,
12 and in the exercise of reasonable care could not have known, of the
13 suspension, revocation, or bar. Upon request from the investment
14 adviser and for good cause, the Administrator, by order, may waive,
15 in whole or in part, the application of the prohibitions of this
16 subsection to the investment adviser.

17 D. It is unlawful and shall be deemed a Class C2 felony offense
18 for an investment adviser to employ or associate with an individual
19 required to be registered under this act as an investment adviser
20 representative who transacts business in this state on behalf of the
21 investment adviser unless the individual is registered under
22 subsection A of Section 1-404 of this title or is exempt from
23 registration under subsection B of Section 1-404 of this title.

1 E. The exemption from registration provided by subparagraph b
2 of paragraph 2 of subsection B of this section shall not be
3 available to any person who acts as an investment adviser to the
4 state, any county, municipality or school district of this state, or
5 any other political subdivision of this state; any agency or
6 corporate or other instrumentality of any such entity; or any
7 pension fund for the benefit of employees of any such entity, unless
8 registered with the Securities and Exchange Commission and the
9 Municipal Securities Rulemaking Board.

10 SECTION 290. AMENDATORY 71 O.S. 2021, Section 1-404, as
11 amended by Section 22, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024,
12 Section 1-404), is amended to read as follows:

13 Section 1-404. A. It is unlawful and shall be deemed a Class
14 C2 felony offense for an individual to transact business in this
15 state as an investment adviser representative unless the individual
16 is registered under this act as an investment adviser representative
17 or is exempt from registration as an investment adviser
18 representative under subsection B of this section.

19 B. The following individuals are exempt from the registration
20 requirement of subsection A of this section:

21 1. An individual who is employed by or associated with an
22 investment adviser that is exempt from registration under subsection
23 B of Section 1-403 of this title unless the individual has a place
24 of business in this state or is not a "supervised person" as that

1 term is defined in Section 202(a)(25) of the Investment Advisers Act
2 of 1940 (15 U.S.C. Section 80b-2(a)(25)); and

3 2. Any other individual exempted by rule adopted or order
4 issued under this act.

5 C. The registration of an investment adviser representative is
6 not effective while the investment adviser representative is not
7 employed by or associated with an investment adviser registered
8 under this act or a federal covered investment adviser that has made
9 or is required to make a notice filing under Section 1-405 of this
10 title.

11 D. An individual may transact business as an investment adviser
12 representative for more than one investment adviser or federal
13 covered investment adviser at a time unless a rule adopted or order
14 issued under this act prohibits or limits an individual from acting
15 as an investment adviser representative for more than one investment
16 adviser or federal covered investment adviser.

17 E. It is unlawful and shall be deemed a Class C2 felony offense
18 for an individual acting as an investment adviser representative,
19 directly or indirectly, to conduct business in this state on behalf
20 of an investment adviser or a federal covered investment adviser if
21 the registration of the individual as an investment adviser
22 representative is suspended or revoked; or the individual is barred
23 from employment or association with an investment adviser or a
24 federal covered investment adviser by an order under this act, the

1 Securities and Exchange Commission, or a self-regulatory
2 organization; or the individual is subject to an order of a court of
3 competent jurisdiction temporarily, preliminarily or permanently
4 enjoining such individual from conducting business in this state on
5 behalf of an investment adviser or a federal covered investment
6 adviser. Upon request from a federal covered investment adviser and
7 for good cause, the Administrator, by order issued, may waive, in
8 whole or in part, the application of the requirements of this
9 subsection to the federal covered investment adviser.

10 F. An investment adviser registered under this act, a federal
11 covered investment adviser that has filed a notice under Section 1-
12 405 of this title, or a broker-dealer registered under this act is
13 not required to employ or associate with an individual as an
14 investment adviser representative for the referral of investment
15 advisory clients so long as any compensation paid by such persons
16 for such referral is paid to an investment adviser registered under
17 this act, a federal covered investment adviser who has filed a
18 notice under Section 1-405 of this title, or a broker-dealer
19 registered under this act with which the individual is employed or
20 associated as an investment adviser representative.

21 SECTION 291. AMENDATORY 71 O.S. 2021, Section 1-501, is
22 amended to read as follows:
23
24

1 Section 1-501. It is unlawful and shall be deemed a Class C2
2 felony offense for a person, in connection with the offer, sale, or
3 purchase of a security, directly or indirectly:

4 1. To employ a device, scheme, or artifice to defraud;

5 2. To make an untrue statement of a material fact or to omit to
6 state a material fact necessary in order to make the statement made,
7 in the light of the circumstances under which it is made, not
8 misleading; or

9 3. To engage in an act, practice, or course of business that
10 operates or would operate as a fraud or deceit upon another person.

11 SECTION 292. AMENDATORY 71 O.S. 2021, Section 1-502, is
12 amended to read as follows:

13 Section 1-502. A. It is unlawful and shall be deemed a Class
14 C2 felony offense for a person that advises others, for
15 compensation, either directly or indirectly, or through publications
16 or writings, as to the value of securities or the advisability of
17 investing in, purchasing or selling securities, or that, for
18 compensation and as part of a regular business, issues or
19 promulgates analyses or reports concerning securities:

20 1. To employ a device, scheme, or artifice to defraud another
21 person;

22 2. To make an untrue statement of a material fact or to omit to
23 state a material fact necessary in order to make the statement made,
24

1 in the light of the circumstances under which it is made, not
2 misleading; or

3 3. To engage in an act, practice, or course of business that
4 operates or would operate as a fraud or deceit upon another person.

5 B. 1. A rule adopted under this act may define an act,
6 practice, or course of business of an investment adviser or an
7 investment adviser representative as fraudulent, deceptive or
8 manipulative, and prescribe means reasonably designed to prevent
9 investment advisers and investment adviser representatives from
10 engaging in acts, practices, and courses of business defined as
11 fraudulent, deceptive, or manipulative.

12 2. A rule adopted or order issued under this act may specify
13 the contents of an investment advisory contract entered into,
14 extended, or renewed by an investment adviser.

15 SECTION 293. AMENDATORY 71 O.S. 2021, Section 1-505, is
16 amended to read as follows:

17 Section 1-505. It is unlawful and shall be deemed a Class C2
18 felony offense for a person to make or cause to be made, in a record
19 that is used in an action or proceeding or filed under this act, a
20 statement that, at the time and in the light of the circumstances
21 under which it is made, is false or misleading in a material
22 respect, or, in connection with the statement, to omit to state a
23 material fact necessary in order to make the statement made, in the
24

light of the circumstances under which it was made, not false or misleading.

SECTION 294. AMENDATORY 71 O.S. 2021, Section 1-506, is amended to read as follows:

Section 1-506. The filing of an application for registration, a registration statement, or a notice filing under this act, or the registration of a person or security under this act, does not constitute a finding by the Administrator that a record filed under this act is true, complete, and not misleading. The filing or registration or the availability of an exemption, exception, preemption, or exclusion for a security or a transaction does not mean that the Administrator has passed upon the merits or qualifications of, or recommended or given approval to, a person, security, or transaction. It is unlawful and shall be deemed a Class C2 felony offense to make, or cause to be made, to a purchaser, customer, client, or prospective customer or client, a representation inconsistent with this section.

SECTION 295. AMENDATORY 71 O.S. 2021, Section 1-508, as amended by Section 31, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 1-508), is amended to read as follows:

Section 1-508. A. A person who willfully violates this act, or a rule adopted or order issued under this act, except Section 1-504 of this title or the notice filing requirements of Section 1-302 or 1-405 of this title, or that willfully violates Section 1-505 of

1 this title knowing the statement made to be false or misleading in a
2 material respect, upon conviction, shall be guilty of a Class C2
3 felony offense and shall be fined not more than One Hundred Thousand
4 Dollars (\$100,000.00), or imprisoned ~~not more than ten (10) years~~ as
5 provided for in subsections B through F of Section 20M of Title 21
6 of the Oklahoma Statutes, or both such fine and imprisonment. An
7 individual convicted of violating a rule adopted or order issued
8 under this act may be fined, but may not be imprisoned, if the
9 individual did not have knowledge of the rule or order.

10 B. This act does not limit the power of this state to punish a
11 person for conduct that constitutes a crime under other laws of this
12 state.

13 C. On a criminal matter referred by the Administrator, the
14 prosecuting attorney may designate and appoint one or more lawyers
15 of the Department as special assistants as available for the purpose
16 of assisting in or conducting a criminal prosecution arising by
17 reason of an investigation or proceeding under this section.

18 SECTION 296. AMENDATORY 71 O.S. 2021, Section 806, is
19 amended to read as follows:

20 Section 806. It is unlawful and shall be deemed a Class C2
21 felony offense for any person to offer or sell any business
22 opportunity, as defined in Section 802 of this title, in this state
23 unless the business opportunity is registered under the provisions
24

1 of the Oklahoma Business Opportunity Sales Act or is exempt under
2 Section 803 of this title.

3 SECTION 297. AMENDATORY 71 O.S. 2021, Section 808, is
4 amended to read as follows:

5 Section 808. A. It shall be unlawful and shall be deemed a
6 Class C2 felony offense for any person to offer or sell any business
7 opportunity required to be registered pursuant to the Oklahoma
8 Business Opportunity Sales Act unless a written disclosure document
9 as filed pursuant to Section 807 of this title is delivered to each
10 purchaser at least ten (10) business days prior to the execution by
11 a purchaser of any contract or agreement imposing a binding legal
12 obligation on the purchaser or the payment by a purchaser of any
13 consideration in connection with the offer or sale of the business
14 opportunity.

15 B. The disclosure document shall have a cover sheet which is
16 entitled, in at least ten-point bold type, "DISCLOSURE REQUIRED BY
17 THE STATE OF OKLAHOMA". Under the title shall appear the statement
18 in at least ten-point type that "THE REGISTRATION OF THIS BUSINESS
19 OPPORTUNITY DOES NOT CONSTITUTE APPROVAL, RECOMMENDATION OR
20 ENDORSEMENT BY THE STATE OF OKLAHOMA. THE INFORMATION CONTAINED IN
21 THIS DISCLOSURE DOCUMENT HAS NOT BEEN VERIFIED BY THIS STATE. IF
22 YOU HAVE ANY QUESTIONS OR CONCERNS ABOUT THIS INVESTMENT, SEEK
23 PROFESSIONAL ADVICE BEFORE YOU SIGN A CONTRACT OR MAKE ANY PAYMENT.
24 YOU ARE TO BE PROVIDED TEN (10) BUSINESS DAYS TO REVIEW THIS

DOCUMENT BEFORE SIGNING ANY CONTRACT OR AGREEMENT OR MAKING ANY
PAYMENT TO THE SELLER OR THE SELLER'S REPRESENTATIVE". The seller's
name and principal business address, along with the date of the
disclosure document shall also be provided on the cover sheet. No
other information shall appear on the cover sheet. The disclosure
document shall contain the following information unless the seller
uses a disclosure document as provided in Section 807 of this title:

1. The names and residential addresses of those salespersons
who will engage in the offer or sale of the business opportunity in
this state;

2. The name of the seller; whether the seller is doing business
as an individual, partnership, corporation, limited liability
company, or any other form of business entity; the names under which
the seller has done, is doing or intends to do business; and the
name of any parent or affiliated company that will engage in
business transactions with purchasers or which will take
responsibility for statements made by the seller;

3. The names, addresses and titles of the seller's officers,
directors, trustees, general managers, principal executives, agents
and any other persons charged with responsibility for the seller's
business activities relating to the sale of the business
opportunity;

4. Prior business experience of the seller relating to business
opportunities including:

- a. the name, address and a description of any business opportunity previously offered by the seller,
- b. the length of time the seller has offered each such business opportunity, and
- c. the length of time the seller has conducted the business opportunity currently being offered to the purchaser;

5. With respect to persons identified in paragraph 3 of subsection B of this section:

- a. a description of the persons' business experience for the ten-year period preceding filing date of the disclosure document. The description of business experience shall list principal occupations and employers, and
- b. a listing of the persons' educational and professional backgrounds, including the names of schools attended and degrees received, and any other information that will demonstrate sufficient knowledge and experience to perform the services proposed;

6. Whether the seller or any person identified in paragraph 3 of subsection B of this section:

- a. has been convicted of any felony, has pleaded nolo contendere to a felony charge or has been the subject of any criminal, civil or administrative proceedings

1 alleging: The violation of any business opportunity
2 law, securities law, commodities law, franchise law,
3 fraud or deceit, embezzlement, fraudulent conversion,
4 restraint of trade, unfair or deceptive practices,
5 misappropriation of property or comparable
6 allegations; or

7 b. has filed in bankruptcy, been adjudged bankrupt, been
8 reorganized due to insolvency, or was an owner,
9 principal officer or general partner of any other
10 person that has so filed or was so adjudged or
11 reorganized during or within seven (7) years of the
12 date of the disclosure document;

13 7. The name(s) of the person(s) identified in paragraph 6 of
14 subsection B of this section, nature of and parties to the action or
15 proceeding, court or other forum, date of the institution of the
16 action, docket reference to the action, current status of the action
17 or proceeding, terms and conditions or any order or decree, the
18 penalties or damages assessed and terms of settlement;

19 8. The initial payment required, or when the exact amount
20 cannot be determined, a detailed estimate of the amount of the
21 initial payment to be made to the seller;

22 9. A detailed description of the actual services the seller
23 agrees to perform for the purchaser;

1 10. A detailed description of any training the seller agrees to
2 provide for the purchaser;

3 11. A detailed description of services the seller agrees to
4 perform in connection with the placement of equipment, products or
5 supplies at a location, as well as any agreement necessary in order
6 to locate or operate equipment, products or supplies on a premises
7 neither owned nor leased by the purchaser or seller;

8 12. A detailed description of any license(s) or permit(s) that
9 will be necessary in order for the purchaser to engage in or operate
10 the business opportunity;

11 13. Any representations made by the seller to the purchaser
12 concerning sales or earnings that may be made from the business
13 opportunity, including, but not limited to:

14 a. the bases or assumptions for any actual, average,
15 projected or forecasted sales, profits, income or
16 earnings,

17 b. the total number of purchasers who, within a period of
18 three (3) years of the date of the disclosure
19 document, purchased a business opportunity involving
20 the product, equipment, supplies or services being
21 offered to the purchaser, and

22 c. the total number of purchasers who, within three (3)
23 years of the date of the disclosure document,
24 purchased a business opportunity involving the

1 product, equipment, supplies or services being offered
2 to the purchaser who, to the seller's knowledge, have
3 actually received earnings in the amount or range
4 specified;

5 14. A detailed description of the elements of a guarantee made
6 by a seller to a purchaser. Such description shall include, but
7 shall not be limited to, the duration, terms, scope, conditions and
8 limitations of the guarantee;

9 15. A statement describing any contractual restrictions,
10 prohibitions or limitations on the purchaser's conduct. The seller
11 shall attach a copy of all business opportunity and other contracts
12 or agreements proposed for use or in use in this state including,
13 without limitation, all lease agreements, option agreements and
14 purchase agreements;

15 16. The rights and obligations of the seller and the purchaser
16 regarding termination of the business opportunity contract or
17 agreement;

18 17. A statement accurately describing the grounds upon which
19 the purchaser may initiate legal action to terminate the business
20 opportunity contract or agreement;

21 18. A copy of the most recent audited financial statements of
22 the seller. If the seller's audited financial statements are dated
23 more than four (4) months prior to the filing of the disclosure
24

document, the seller shall submit unaudited financial statements for the interim period;

19. A list of the states in which the business opportunity is registered;

20. A list of the states in which the disclosure document is on file;

21. A list of the states which have denied, suspended or revoked the registration of the business opportunity;

22. A section entitled "Risk Factors" containing a series of short concise statements summarizing the principal factors which make the business opportunity a high risk or one of a speculative nature. Each statement shall include a cross-reference to the page on which further information regarding that risk factor can be found in the disclosure document; and

23. Any additional information as the Administrator may require by rule or order.

SECTION 298. AMENDATORY 71 O.S. 2021, Section 809, as amended by Section 44, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024, Section 809), is amended to read as follows:

Section 809. A. It is unlawful and shall be deemed a Class C2 felony offense for any person to offer or sell any business opportunity, as defined in Section 802 of this title, unless the business opportunity contract or agreement is in writing and a copy

1 of the contract or agreement is given to the purchaser at the time
2 the purchaser signs the contract or agreement.

3 B. Contracts or agreements shall set forth in at least ten-
4 point type the following:

5 1. The terms and conditions of any and all payments due to the
6 seller;

7 2. The seller's principal business address and the name and
8 address of the seller's agent in this state authorized to receive
9 service of process;

10 3. The business form of the seller, whether corporate,
11 partnership or otherwise;

12 4. The delivery date or, when the contract provides for a
13 periodic delivery of items to the purchaser, the approximate
14 delivery date of the product, equipment or supplies the seller is to
15 deliver to the purchaser to enable the purchaser to start his or her
16 business; and

17 5. Whether the product, equipment or supplies are to be
18 delivered to the purchaser's home or business address or are to be
19 placed or caused to be placed by the seller at locations owned or
20 managed by persons other than the purchaser.

21 SECTION 299. AMENDATORY 71 O.S. 2021, Section 811, as
22 amended by Section 45, Chapter 77, O.S.L. 2022 (71 O.S. Supp. 2024,
23 Section 811), is amended to read as follows:

1 Section 811. In connection with the offer or sale of a business
2 opportunity, no seller may make or use any of the representations
3 set forth in divisions (4) and (5) of subparagraph a of paragraph 3
4 of Section 802 of this title unless the seller has at all times a
5 minimum net worth of Fifty Thousand Dollars (\$50,000.00) as
6 determined in accordance with generally accepted accounting
7 principles. Any person who violates the provisions of this section
8 shall, upon conviction, be guilty of a Class C2 felony offense.

9 SECTION 300. AMENDATORY 71 O.S. 2021, Section 812, is
10 amended to read as follows:

11 Section 812. A. The Oklahoma Business Opportunity Sales Act
12 shall be administered by the Administrator.

13 B. It is unlawful and shall be deemed a Class C2 felony offense
14 for the Administrator or any of his or her officers or employees to
15 use for personal benefit any information which is filed with or
16 obtained by the Administrator and which is not made public. No
17 provision of the Oklahoma Business Opportunity Sales Act authorizes
18 the Administrator or any of the Administrator's officers or
19 employees to disclose any such information except among themselves
20 or when necessary or appropriate in a proceeding or investigation
21 under the act or in cooperation with other law enforcement agencies.
22 No provision of the Oklahoma Business Opportunity Sales Act either
23 creates or derogates from any privilege which exists at common law
24 or otherwise when documentary or other evidence is sought under a

1 subpoena directed to the Administrator or any of the Administrator's
2 officers or employees.

3 SECTION 301. AMENDATORY 71 O.S. 2021, Section 819, is
4 amended to read as follows:

5 Section 819. It is unlawful and shall be deemed a Class C2
6 felony offense for any person, in connection with the offer or sale
7 of any business opportunity in this state, directly or indirectly:

8 1. To employ any device, scheme or artifice to defraud;

9 2. To make any untrue statement of a material fact or to omit
10 to state a material fact necessary in order to make the statements
11 made, in the light of the circumstances under which they are made,
12 not misleading; or

13 3. To engage in any act, practice or course of business which
14 operates or would operate as a fraud or deceit upon any person.

15 SECTION 302. AMENDATORY 71 O.S. 2021, Section 820, is
16 amended to read as follows:

17 Section 820. It is unlawful and shall be deemed a Class C2
18 felony offense for any person to make or cause to be made, in any
19 document filed with the Administrator or in any proceeding pursuant
20 to the Oklahoma Business Opportunity Sales Act any statement which
21 is, at the time and in the light of the circumstances under which it
22 is made, false or misleading in any material respect or, in
23 connection with such statement, to omit to state a material fact
24

1 necessary in order to make the statements made, in the light of the
2 circumstances under which they are made, not misleading.

3 SECTION 303. AMENDATORY 71 O.S. 2021, Section 821, is
4 amended to read as follows:

5 Section 821. Neither the fact that an application for
6 registration has been filed nor the fact that a business opportunity
7 is effectively registered constitutes a finding by the Administrator
8 that any document filed pursuant to the Oklahoma Business
9 Opportunity Sales Act is true, complete and not misleading. Neither
10 any such fact nor the fact that an exemption or exception is
11 available for a business opportunity means that the Administrator
12 has passed in any way upon the merits or qualifications of, or
13 recommended or given approval to, any person or business
14 opportunity. It is unlawful and shall be deemed a Class C2 felony
15 offense to make, or cause to be made, to any purchaser or
16 prospective purchaser any representation inconsistent with the
17 provisions of this section.

18 SECTION 304. AMENDATORY 71 O.S. 2021, Section 822, is
19 amended to read as follows:

20 Section 822. It is unlawful and shall be deemed a Class C2
21 felony offense for any person, in connection with the offer or sale
22 of any business opportunity in this state, to publish, circulate or
23 use any advertising which contains an untrue statement of a material
24 fact or omits to state a material fact necessary in order to make

1 the statements made, in the light of the circumstances under which
2 they are made, not misleading.

3 SECTION 305. AMENDATORY 71 O.S. 2021, Section 823, is
4 amended to read as follows:

5 Section 823. A. Any person who willfully violates Section 806,
6 subsection A of Section 808, subsection A of Section 809, Sections
7 811, 812, 819, 821 or 822 of this title or who willfully violates
8 any rule under the act or who willfully violates any order of which
9 the person has notice, or who violates Section 820 of this title
10 knowing that the statement made was false or misleading in any
11 material respect, shall be guilty of a Class C2 felony offense and
12 may upon conviction be fined not more than Ten Thousand Dollars
13 (\$10,000.00), or imprisoned not more than ten (10) years as provided
14 for in subsections B through F of Section 20M of Title 21 of the
15 Oklahoma Statutes, or both, for each offense. Each of the acts
16 specified shall constitute a separate offense and a prosecution or
17 conviction for any one of such offenses shall not bar prosecution or
18 conviction for any other offense.

19 B. The Administrator may refer such evidence as may be
20 available concerning violations of the Oklahoma Business Opportunity
21 Sales Act or any rule or order hereunder to the Attorney General of
22 the State of Oklahoma or the district attorney for the county where
23 a violation occurred, who may, with or without such a reference,
24 institute the appropriate criminal proceedings under the act. The

1 Attorney General or district attorney may designate and appoint one
2 or more lawyers of the Department as special assistants available
3 for the purpose of assisting in or conducting all criminal
4 prosecutions arising by reason of proceedings under this section.

5 C. Nothing in the Oklahoma Business Opportunity Sales Act
6 limits the power of the state to punish any person for any conduct
7 which constitutes a crime under any other statute.

8 SECTION 306. AMENDATORY 74 O.S. 2021, Section 71, is
9 amended to read as follows:

10 Section 71. The taking or receiving by any officer of said
11 Office of Management and Enterprise Services of any rebate,
12 percentage of contract, money, or any other thing of value from any
13 person, firm, or corporation offering, bidding for, or in the open
14 market and seeking to make sales to said Office, shall be a Class C2
15 felony offense. Any officer of said Office convicted under this
16 section shall be punished by a fine not to exceed Five Thousand
17 Dollars (\$5,000.00), and by imprisonment in the custody of the
18 ~~Department of Corrections not less than five (5) years nor more than~~
19 ~~ten (10) years~~ as provided for in subsections B through F of Section
20 20M of Title 21 of the Oklahoma Statutes. Such fine shall be in
21 addition to other punishment provided by law and shall not be
22 imposed in lieu of other punishment.

23 SECTION 307. AMENDATORY 79 O.S. 2021, Section 203, is
24 amended to read as follows:

1 Section 203. A. Every act, agreement, contract, or combination
2 in the form of a trust, or otherwise, or conspiracy in restraint of
3 trade or commerce within this state is hereby declared to be against
4 public policy and illegal.

5 B. It is unlawful and shall be deemed a Class C2 felony offense
6 for any person to monopolize, attempt to monopolize, or conspire to
7 monopolize any part of trade or commerce in a relevant market within
8 this state.

9 C. Without limiting any other section of Title 79 of the
10 Oklahoma Statutes or applicable sections of Title 17 of the Oklahoma
11 Statutes, it is unlawful for any person in control of an essential
12 facility to unreasonably refuse to give a competitor or customer of
13 an entity controlling an essential facility access to it upon
14 reasonable terms if the effect of such denial is to injure
15 competition. An injured competitor or customer may bring an action
16 under Section 5 of this act to enforce the provisions of this
17 section only when such injured competitor or customer does not have
18 a remedy before the Corporation Commission.

19 D. As used in this section:

20 1. "Monopolize" means:

21 a. the possession of monopoly power in the relevant
22 market, and

23 b. the willful acquisition or maintenance of that power
24 by exclusionary conduct as distinguished from growth

1 or development as a consequence of a superior product
2 and/or service, business acumen, or historic accident;

3 2. "Monopoly power" means the power to control market prices or
4 exclude competition; and

5 3. "Essential facility" means a facility:

6 a. which is controlled by an entity that possesses
7 monopoly power,

8 b. that a competitor would be unable to practically or
9 reasonably duplicate,

10 c. the use of which has been unreasonably denied to a
11 competitor or a customer of the entity that possesses
12 monopoly power, and

13 d. that it would be feasible to allow the competitor or
14 customer to use or have access to without causing harm
15 to or unreasonably interfering with the entity that
16 possesses monopoly power.

17 SECTION 308. AMENDATORY 79 O.S. 2021, Section 204, is
18 amended to read as follows:

19 Section 204. It shall be unlawful and shall be deemed a Class
20 C2 felony offense for any person engaged in commerce, in the course
21 of such commerce, either directly or indirectly, to discriminate in
22 price between different purchasers of commodities of like grade and
23 quality, where either or any of the purchases involved in such
24 discrimination are in commerce, where such commodities are sold for

1 use, consumption, or resale within this state, and where the effect
2 of such discrimination may be substantially to lessen competition or
3 tend to create a monopoly in any line of commerce, or to injure,
4 destroy, or prevent competition with any person who either grants or
5 knowingly receives the benefit of such discrimination, or with
6 customers of either of them; provided, that nothing herein contained
7 shall prevent differentials which make only due allowance for
8 differences in the cost of manufacture, sale, or delivery resulting
9 from the differing methods or quantities in which such commodities
10 are to such purchasers sold or delivered; provided further, that
11 nothing herein contained shall prevent persons engaged in selling
12 commodities, wares, or merchandise in commerce from selecting their
13 own customers in bona fide transactions and not in restraint of
14 trade; provided further, that nothing herein contained shall prevent
15 price changes from time to time where in response to changing
16 conditions affecting the market for or the marketability of the
17 commodities concerned, including, but not limited to, actual or
18 imminent deterioration of perishable commodities, obsolescence of
19 seasonal commodities, distress sales under court process, or sales
20 in good faith in discontinuance of business in the commodities
21 concerned. Nothing herein contained shall prevent a seller
22 rebutting the prima facie case thus made by showing that his or her
23 lower price to any purchaser or purchasers was made in good faith to
24 meet an equally low price of a competitor.

1 SECTION 309. AMENDATORY 79 O.S. 2021, Section 206, is
2 amended to read as follows:

3 Section 206. A. Any person, other than a municipal
4 corporation, who violates Section 3, 4, or 8 of Enrolled Senate Bill
5 No. 1357 of the 2nd Session of the 46th Oklahoma Legislature is
6 guilty of a ~~Schedule G~~ Class C2 felony offense, if the offense
7 occurs on or after the effective date of Section 20.1 of Title 21 of
8 the Oklahoma Statutes. If the offense is committed prior to the
9 effective date of Section 20.1 of Title 21 of the Oklahoma Statutes,
10 the ~~crime~~ person, other than a municipal corporation, shall be
11 guilty of a Class C2 felony offense and shall be punishable by
12 incarceration in the custody of the Department of Corrections for
13 not more than ten (10) years as provided for in subsections B
14 through F of Section 20M of Title 21 of the Oklahoma Statutes. A
15 violator shall, upon conviction, be subject to a fine not to exceed
16 Ten Thousand Dollars (\$10,000.00) per violation.

17 B. The Attorney General or any district attorney may file a
18 criminal information or seek a criminal indictment to enforce the
19 provisions of subsection A of this section.

20 SECTION 310. AMENDATORY 82 O.S. 2021, Section 867, is
21 amended to read as follows:

22 Section 867. No director, officer, agent, or employee of the
23 district shall be directly or indirectly interested in any contract
24 for the purchase of any property or construction of any work by or

1 for the district, and if any such person shall be or become so
2 interested in any such contract, he shall be guilty of a Class C2
3 felony offense and, on conviction thereof, shall be subject to a
4 fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00),
5 or to confinement ~~in the county jail for not less than one (1) year~~
6 ~~nor more than ten (10) years~~ as provided for in subsections B
7 through F of Section 20M of Title 21 of the Oklahoma Statutes, or
8 both.

9 SECTION 311. AMENDATORY 2 O.S. 2021, Section 9-34, is
10 amended to read as follows:

11 Section 9-34. A. It shall be a felony for any warehouseman,
12 employee, or manager of a public warehouse to knowingly:

13 1. Issue or receive a fraudulent warehouse receipt regarding,
14 but not limited to, commodities that are not actually stored at the
15 time of issuing the receipt, issuing any warehouse receipt or scale
16 ticket that is in any respect fraudulent in its character, either as
17 to its date or to the quantity, quality, or inspected grade of the
18 commodities, or who shall remove any commodities from store, except
19 to preserve the commodities from fire or other damage without the
20 return and cancellation of all outstanding receipts that may have
21 been issued to represent the commodities; or

22 2. Issue a delayed pricing contract, deferred payment contract,
23 or any other records for sales of commodities in a fraudulent manner
24 without the full knowledge and consent of the producer.

1 A violation of this section shall, upon conviction, be a Class
2 D1 felony offense punishable by a fine of not more than Ten Thousand
3 Dollars (\$10,000.00), or by imprisonment in the State Penitentiary
4 ~~for not more than ten (10) years~~ as provided for in subsections B
5 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
6 both such fine and imprisonment.

7 B. The State Board of Agriculture, upon application from the
8 warehouseman, may approve the prepositioning of commodity stocks in
9 state-chartered or federally licensed terminal warehouses in order
10 to free storage space for new harvest commodities. The period for
11 such action shall not exceed sixty (60) days prior to anticipated
12 beginning of harvest for the commodity nor can they be out of
13 position more than one hundred eighty (180) days. The Board may
14 extend the time period an additional one hundred eighty (180) days
15 as specified by rules promulgated by the Board.

16 SECTION 312. AMENDATORY 2 O.S. 2021, Section 9-35, is
17 amended to read as follows:

18 Section 9-35. Any warehouseman, manager, or other employee of a
19 public warehouse, who issues or aids in issuing a warehouse receipt
20 for any commodities, without knowing that the commodities have
21 actually been placed in a public warehouse, who delivers any
22 commodities from a public warehouse without the surrender and
23 cancellation of the warehouse receipt, or who fails to mark the
24 depositor's receipt "Cancelled" on the delivery of the commodities,

1 shall, upon conviction, be guilty of a Class D1 felony offense. The
2 fine for a violation of this section shall not be more than Ten
3 Thousand Dollars (\$10,000.00), or by imprisonment ~~in the State~~
4 ~~Penitentiary for a term of not more than twenty (20) years~~ as
5 provided for in subsections B through F of Section 20N of Title 21
6 of the Oklahoma Statutes, or by both such fine and imprisonment.

7 SECTION 313. AMENDATORY 2 O.S. 2021, Section 9-36, is
8 amended to read as follows:

9 Section 9-36. No public warehouse shall be designated as
10 chartered or operated under the provisions of the Public Warehouse
11 and Commodity Indemnity Act and no name or description conveying the
12 impression that it is chartered or operated shall be used unless the
13 public warehouse is chartered. Any person who misrepresents,
14 forges, alters, counterfeits, simulates, or falsely represents the
15 charter required by the Public Warehouse and Commodity Indemnity
16 Act, or who issues, utters, or assists or attempts to issue or
17 utter, a false or fraudulent receipt for any commodities, shall be,
18 upon conviction, guilty of a Class D1 felony offense. The fine for
19 a violation of this section shall not be more than Ten Thousand
20 Dollars (\$10,000.00), or by imprisonment ~~in the State Penitentiary~~
21 ~~for a term of not more than twenty (20) years~~ as provided for in
22 subsections B through F of Section 20N of Title 21 of the Oklahoma
23 Statutes, or by both such fine and imprisonment.

1 SECTION 314. AMENDATORY 2 O.S. 2021, Section 16-25, is
2 amended to read as follows:

3 Section 16-25. A. It is unlawful for any person to carelessly
4 or willfully burn or cause to be burned or to set fire to or cause
5 any fire to be set to any forest, grass, crops, rangeland, or other
6 wild lands not owned by, duly authorized by the owner or manager, or
7 in the lawful possession of, the person setting the fire or burning
8 the lands or causing the fire to be burned.

9 B. Any person who carelessly violates this section is guilty of
10 a misdemeanor punishable by a fine of not more than Five Hundred
11 Dollars (\$500.00), by imprisonment for not more than one (1) year,
12 or both. Any person who willfully violates this section is guilty
13 of a Class D1 felony offense punishable by a fine of not more than
14 Five Thousand Dollars (\$5,000.00), by imprisonment ~~for not more than~~
15 ~~three (3) years~~ as provided for in subsections B through F of
16 Section 20N of Title 21 of the Oklahoma Statutes, or by both.

17 C. Any person who carelessly or willfully burns, causes to be
18 burned, sets fire, or causes fire to be set, any forest, grass,
19 croplands, or woodlands not owned by, duly authorized by the owner
20 or manager, or in lawful possession of, shall be liable in a civil
21 action to any person injured or damaged by a fire to the amount of
22 the injury or damages.

23 SECTION 315. AMENDATORY 2 O.S. 2021, Section 16-28.1, is
24 amended to read as follows:

1 Section 16-28.1. A. It is unlawful for any person either
2 willfully or carelessly to burn, cause to be burned, to set fire to,
3 or cause fire to be set to any forest, grass, croplands, rangeland,
4 or other wild lands, by an owner of such property, except under the
5 following circumstances:

6 1. In protection areas, notification to burn shall be made by
7 the owner to the local office or local representative of the
8 Forestry Division at least four (4) hours in advance and verbal or
9 written approval obtained. In addition to the notification
10 requirements of this paragraph, any owner conducting a limited
11 liability burn in a protected area shall comply with the provisions
12 of Section 16-28.2 of Title 2 of the Oklahoma Statutes; or

13 2. Outside protection areas, in order for prescribed or
14 controlled burning to be lawful, an owner shall take reasonable
15 precaution against the spreading of fire to other lands by providing
16 adequate firelines, manpower, and fire fighting equipment for the
17 control of the fire, shall watch over the fire until it is
18 extinguished and shall not permit fire to escape to adjoining land.

19 B. Nothing in this section shall relieve the person from the
20 obligation to confine the fire to the owner's, agent's, or tenant's
21 land.

22 C. The Oklahoma Forestry Code shall not apply to trimming or
23 cutting of trees by public or private utilities for the purpose of
24

1 eliminating interference with utility lines, poles, or other utility
2 equipment.

3 D. 1. Except as otherwise provided by Section 16-28.2 of this
4 title, any person:

5 a. who, whether by accident, neglect or intent, causes or
6 allows damage or injury to occur to any ranch,
7 buildings, improvements, hay, grass, crops, fencings,
8 timber, marsh, or other property of another person by
9 any fire described and conducted pursuant to this
10 section, shall be civilly responsible for such damage
11 or injury so caused pursuant to Section 16-30 of Title
12 2 of the Oklahoma Statutes, and

13 b. who carelessly violates this section is guilty of a
14 misdemeanor punishable by a fine of not more than Five
15 Hundred Dollars (\$500.00), by imprisonment for not
16 more than one (1) year, or both.

17 2. In addition to civil liability, any person who willfully
18 violates this section is guilty of a Class D1 felony offense
19 punishable by a fine of not more than One Thousand Dollars
20 (\$1,000.00), by imprisonment ~~for not more than three (3) years~~ as
21 provided for in subsections B through F of Section 20N of Title 21
22 of the Oklahoma Statutes, or by both.

1 E. Fire set under the provisions of this section shall not be
2 allowed to spread beyond the control of the person setting the fire
3 and shall be subdued and extinguished.

4 SECTION 316. AMENDATORY 2 O.S. 2021, Section 16-34, is
5 amended to read as follows:

6 Section 16-34. A. Any person possessing any incendiary device
7 as defined by subsection B of this section with the intent to use
8 the device for the purpose of burning or setting fire to any forest,
9 grass, crops, or woodlands that the person possessing that device is
10 not the owner of nor in possession of lawfully, as under a lease,
11 shall be guilty of a Class D1 felony offense punishable by a fine of
12 not more than One Thousand Dollars (\$1,000.00), ~~by imprisonment for~~
13 ~~not more than three (3) years~~ as provided for in subsections B
14 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
15 both.

16 B. The term "incendiary device" as used in this section
17 includes, but is not limited to, any "slow match" which is any
18 device contrived to accomplish the delayed ignition of a match or
19 matches or other flammable material by the use of a cigarette, rope,
20 or candle to which the match or matches are attached, or a
21 magnifying glass focused to intensify heat on flammable material and
22 cause a fire to start at a subsequent time, or any chemicals,
23 chemically treated paper or material, or other combustible material
24

1 arranged or designed to make possible its use as a delayed firing
2 device.

3 SECTION 317. AMENDATORY 3 O.S. 2021, Section 258, is
4 amended to read as follows:

5 Section 258. A. It is unlawful for any person in this state to
6 operate an aircraft that is not registered with the Federal Aviation
7 Administration Office of Aircraft Registry or with a foreign country
8 which has ratified and is subject to the Convention on the
9 International Recognition of Rights in Aircraft, 4 U.S.T. 1830.
10 Provided however, no person charged with violating this subsection
11 shall be convicted of the charge if he or she produces in court or
12 the office of the arresting officer proof of registration that was
13 valid at the time of arrest.

14 B. It is a violation of this section for any person or
15 corporate entity to knowingly supply false information to any
16 governmental entity in regard to ownership of an aircraft in or
17 operated in this state.

18 C. It is a violation of this section for any person to give a
19 wrong description in any application for the registration of any
20 aircraft in this state for the purpose of concealing or hiding the
21 identity of such aircraft.

22 D. This section does not apply to any aircraft registration or
23 information supplied by a governmental entity in the course and
24 scope of performing its lawful duties.

1 E. A conviction for a violation of this section shall be a
2 Class D1 felony offense and shall be punishable as provided for in
3 subsections B through F of Section 20N of Title 21 of the Oklahoma
4 Statutes.

5 SECTION 318. AMENDATORY 3 O.S. 2021, Section 259, is
6 amended to read as follows:

7 Section 259. A. Any person or persons who shall destroy,
8 remove, cover, alter or deface, or cause to be destroyed, removed,
9 covered, altered or defaced, the United States registration number
10 assigned by the Federal Aviation Administration or manufacturer's
11 serial number of any aircraft in this state, without first giving
12 notice of such act to the Federal Aviation Administration, upon such
13 form as the Federal Aviation Administration may prescribe, shall be
14 deemed guilty of a Class D1 felony offense, and upon conviction
15 thereof shall be punished ~~by imprisonment in the State Penitentiary~~
16 ~~for a term of not less than one (1) year nor more than five (5)~~
17 ~~years~~ as provided for in subsections B through F of Section 20N of
18 Title 21 of the Oklahoma Statutes.

19 B. A person who removes a manufacturer's identification number
20 plate or decal from an aircraft or affixes to an aircraft a
21 manufacturer's identification number plate or decal not authorized
22 by law for use on said aircraft with intent to conceal or
23 misrepresent the identity of the aircraft or its owner shall, upon
24 conviction, be guilty of a Class D1 felony offense and shall be

1 punished as provided for in subsections B through F of Section 20N
2 of Title 21 of the Oklahoma Statutes.

3 C. A person who buys, receives, possesses, sells or disposes of
4 an aircraft, knowing that the identification number of the aircraft
5 has been removed or falsified, shall, upon conviction, be guilty of
6 a misdemeanor.

7 D. A person who buys, receives, possesses, sells or disposes of
8 an aircraft, with knowledge that the identification number of the
9 aircraft has been removed or falsified and with intent to conceal or
10 misrepresent the identity of the aircraft, shall, upon conviction,
11 be guilty of a Class D1 felony offense and shall be punished as
12 provided for in subsections B through F of Section 20N of Title 21
13 of the Oklahoma Statutes.

14 E. As used in this section:

15 1. "Identification number" includes an identifying number or
16 serial number placed on an aircraft by its manufacturer or by
17 authority of the Federal Aviation Administration or in accordance
18 with the laws of another country;

19 2. "Remove" includes deface, cover and destroy; and

20 3. "Falsify" includes alter and forge.

21 F. An identification number may be placed on an aircraft by its
22 manufacturer in the regular course of business or placed or restored
23 on an aircraft by authority of the Federal Aviation Administration
24

1 without violating this section; an identification number so placed
2 or restored is not falsified.

3 SECTION 319. AMENDATORY 3 O.S. 2021, Section 301, is
4 amended to read as follows:

5 Section 301. A. It is unlawful and punishable as provided in
6 subsection D of this section for any person to operate an aircraft
7 within this state who:

8 1. Has a blood or breath alcohol concentration, as defined in
9 Section 305 of this title, of four-hundredths (0.04) or more within
10 two (2) hours after the arrest of such person; or

11 2. Is under the influence of any intoxicant.

12 B. The fact that any person charged with a violation of this
13 section is or has been lawfully entitled to use an intoxicant shall
14 not constitute a defense against any charge of violating this
15 section.

16 C. As used in Sections 301 through 308 of this title:

17 1. "Intoxicant" means:

18 a. any beverage containing alcohol,

19 b. any controlled dangerous substance as defined in the
20 Uniform Controlled Dangerous Substances Act, Section
21 2-101 et seq. of Title 63 of the Oklahoma Statutes,

22 c. any substance which is capable of being ingested,
23 inhaled, injected or absorbed into the human body and
24 is capable of adversely affecting the central nervous

1 system, vision, hearing or other sensory or motor
2 functions of the human body, and

3 d. any combination of alcohol, controlled dangerous
4 substances, and substances capable of being ingested,
5 inhaled, injected or absorbed into the human body and
6 capable of adversely affecting the central nervous
7 system, vision, hearing or other sensory or motor
8 functions of the human body; and

9 2. "Operate" means manipulating any of the levers, the starting
10 mechanism, the brakes or other mechanism or device of an aircraft,
11 setting in motion any aircraft, or piloting any aircraft.

12 D. Every person who is convicted of a violation of the
13 provisions of this section shall be deemed guilty of a misdemeanor
14 for the first offense and shall be punished by imprisonment in jail
15 for not less than ten (10) days nor more than one (1) year, and a
16 fine of not more than One Thousand Dollars (\$1,000.00). Any person
17 who within ten (10) years after a previous conviction of a violation
18 of this section is convicted of a second or subsequent offense
19 pursuant to the provisions of this section or has a prior conviction
20 within ten (10) years prior to the conviction pursuant to the
21 provisions of this section, in a municipal criminal court of record
22 for the violation of a municipal ordinance prohibiting the offense
23 provided for in subsection A of this section shall be guilty of a
24 Class D1 felony offense and shall be sentenced ~~to the custody of the~~

1 ~~Department of Corrections for not less than one (1) year and not to~~
2 ~~exceed five (5) years~~ as provided for in subsections B through F of
3 Section 20N of Title 21 of the Oklahoma Statutes, and a fine of not
4 to exceed Two Thousand Five Hundred Dollars (\$2,500.00); provided,
5 such fine shall be in addition to other punishment provided by law
6 and shall not be imposed in lieu of other punishment. When a
7 sentence of incarceration is imposed, the person shall be processed
8 through the Lexington Assessment and Reception Center or at a place
9 determined by the Director of the Department of Corrections. If the
10 person is evaluated to be receptive to treatment and not deemed by
11 the Department of Corrections to be a security risk, the person
12 shall be assigned to the Department of Mental Health and Substance
13 Abuse Services for substance abuse treatment. The inmate shall be
14 required to reimburse the Department of Mental Health and Substance
15 Abuse Services for all or part of the actual cost incurred for
16 treatment of the inmate while the inmate was assigned to the
17 Department of Mental Health and Substance Abuse Services, if at the
18 time the sentence of incarceration was imposed, the court determined
19 that the convicted person has the ability to pay for all or part of
20 the cost of treatment. The court shall determine the amount of
21 reimbursement the convicted person shall pay. While assigned to
22 such a Department of Mental Health and Substance Abuse Services
23 treatment program the inmate shall comply with the rules and
24 regulations as agreed upon by the Department of Mental Health and

1 Substance Abuse Services and the Department of Corrections. Any
2 infraction of said rules may result in the inmate's reassignment to
3 a correctional facility of the Department of Corrections. Upon
4 successful completion of the treatment program the person shall be
5 properly reassigned by the Department of Corrections for the
6 completion of the sentence imposed by the court. Prior to discharge
7 from the treatment facility, the treatment facility shall forward to
8 the Department of Corrections a report and discharge summary
9 including arrangements and recommendations for further disposition
10 and follow-up treatment. If the person is evaluated not to be
11 receptive to treatment or is evaluated to be a security risk, the
12 inmate shall be assigned to a state correctional facility according
13 to normal Department of Corrections classification procedures. In
14 the event a felony conviction does not result in a sentence of
15 incarceration as provided for in this subsection, the person shall
16 be required to serve not less than ten (10) days of community
17 service, or to undergo in-patient rehabilitation or treatment in a
18 public or private facility with at least minimum security for a
19 period of not less than forty-eight (48) consecutive hours,
20 notwithstanding the provisions of Sections 991a, 991a-2 and 996.3 of
21 Title 22 of the Oklahoma Statutes.

22 E. Any person who is found guilty of a violation of the
23 provisions of this section may be referred, prior to sentencing, to
24 an alcoholism evaluation facility designated by the Department of

1 Mental Health and Substance Abuse Services for the purpose of
2 evaluating the receptivity to treatment and prognosis of the person.
3 The court shall order the person to reimburse the facility for the
4 evaluation in an amount not to exceed Seventy-five Dollars (\$75.00).
5 The facility shall, within seventy-two (72) hours, submit a written
6 report to the court for the purpose of assisting the court in its
7 final sentencing determination.

8 SECTION 320. AMENDATORY 3 O.S. 2021, Section 321, is
9 amended to read as follows:

10 Section 321. A. A person not entitled to possession of an
11 aircraft who, without the consent of the owner and with intent to
12 deprive the owner, temporarily or otherwise, of the aircraft or its
13 possession, takes, uses or flies the aircraft, upon conviction,
14 shall be guilty of a Class D1 felony offense and shall be punished
15 as provided for in subsections B through F of Section 20N of Title
16 21 of the Oklahoma Statutes.

17 B. A person who, with intent and without right to do so,
18 injures or tampers with any aircraft or in any other manner damages
19 any part or portion of said aircraft or any accessories,
20 appurtenances or attachments thereto, upon conviction, shall be
21 guilty of a misdemeanor.

22 C. A person who, without right to do so and with intent to
23 commit a crime, climbs into or upon an aircraft whether it is in
24 motion or at rest, manipulates any of the levers, starting

1 mechanism, brakes or other mechanism or device of an aircraft while
2 the same is at rest and unattended, or sets in motion any aircraft
3 while the same is at rest and unattended, upon conviction, shall be
4 guilty of a misdemeanor.

5 SECTION 321. AMENDATORY 3A O.S. 2021, Section 205, is
6 amended to read as follows:

7 Section 205. A. No person shall conduct a horse race where the
8 public is charged any type of fee for admission, parking, or to race
9 a horse without a valid organization license issued pursuant to the
10 provisions of the Oklahoma Horse Racing Act.

11 B. Any person violating the provision of this section, upon
12 conviction, shall be guilty of a Class D1 felony offense and shall
13 be fined not more than Ten Thousand Dollars (\$10,000.00), or be
14 ~~imprisoned for a period of not more than ten (10) years or both said~~
15 ~~fine and imprisonment as provided for in subsections B through F of~~
16 Section 20N of Title 21 of the Oklahoma Statutes.

17 SECTION 322. AMENDATORY 3A O.S. 2021, Section 208.4, is
18 amended to read as follows:

19 Section 208.4. A. Any person holding a race or race meeting at
20 which pari-mutuel or non-pari-mutuel wagering is conducted without a
21 valid organization license issued pursuant to the provisions of the
22 Oklahoma Horse Racing Act, upon conviction, shall be guilty of a
23 Class D1 felony offense and shall be fined not more than Ten
24 Thousand Dollars (\$10,000.00), or be imprisoned ~~for a period of not~~

1 ~~more than ten (10) years~~ as provided for in subsections B through F
2 of Section 20N of Title 21 of the Oklahoma Statutes, or both said
3 fine and imprisonment.

4 B. No organization licensee shall knowingly permit any minor to
5 be a patron of the pari-mutuel system of wagering conducted by the
6 organization licensee. Any person convicted of violating any
7 provision of this subsection shall be guilty of a misdemeanor.

8 SECTION 323. AMENDATORY 3A O.S. 2021, Section 208.6, is
9 amended to read as follows:

10 Section 208.6. A. No person shall knowingly enter or cause to
11 be entered for competition any horse under any other name than its
12 true name, or out of its proper class, for any purse, prize,
13 premium, stake, or sweepstakes offered to the winner of a contest of
14 speed at any race meeting held by an organization licensee.

15 B. The name of any horse, for the purpose of entry for
16 competition in any contest of speed, shall be the name under which
17 the horse has been registered and has publicly performed.

18 C. Any person convicted of violating the provisions of this
19 section shall be guilty of a Class D1 felony offense and shall be
20 fined not more than Ten Thousand Dollars (\$10,000.00), or be
21 ~~imprisoned for a period of not more than ten (10) years~~ as provided
22 for in subsections B through F of Section 20N of Title 21 of the
23 Oklahoma Statutes, or both said fine and imprisonment.

SECTION 324. AMENDATORY 3A O.S. 2021, Section 208.7, is

amended to read as follows:

Section 208.7. A. It shall be unlawful for any person to:

1. Use or conspire to use any battery, buzzer, electrical or mechanical device, or other device other than the ordinary whip for the purpose of stimulating or depressing a horse or affecting its speed at any time; or

2. Sponge the nostrils or windpipe of a horse for the purpose of stimulating or depressing a horse or affecting its speed at any time; or

3. Have in the possession of the person, within the confines of a racetrack, stables, sheds, buildings, or grounds where horses are kept which are eligible to race over a racetrack of any organization licensee, any device other than the ordinary whip which may or can be used for the purpose of stimulating or depressing a horse or affecting its speed at any time; or

4. Have in the possession of the person with the intent to sell, give away, or exchange any such devices.

B. Possession of such devices by anyone within the confines of a racetrack, stables, sheds, buildings, or grounds where horses are kept which are eligible to race over the racetracks of any organization licensee shall be prima facie evidence of intention to use such devices.

1 C. Any person who violates the provisions of this section, upon
2 conviction, shall be guilty of a Class D1 felony offense and shall
3 be fined not more than Ten Thousand Dollars (\$10,000.00), or be
4 ~~imprisoned for a period of not more than ten (10) years as provided~~
5 ~~for in subsections B through F of Section 20N of Title 21 of the~~
6 Oklahoma Statutes, or both said fine and imprisonment. The
7 Commission shall suspend or revoke the license of any person
8 convicted of violating the provisions of this section.

9 SECTION 325. AMENDATORY 3A O.S. 2021, Section 208.8, is
10 amended to read as follows:

11 Section 208.8. A. It shall be unlawful for any person to
12 directly or indirectly engage or to conspire with or aid, assist, or
13 abet any other person in the commission of any corrupt act or
14 practice, including but not limited to:

15 1. The giving, offering, promising, accepting, soliciting or
16 receiving, directly or indirectly, any gratuity or bribe in any form
17 to any person having duties in relation to any race or race horse or
18 to any trainer, jockey, starter, assistant starter, gatekeeper or
19 agent or to any other person having charge of, or access to, any
20 race horse; or

21 2. The passing or attempting to pass or the cashing or
22 attempting to cash any altered or fraudulent pari-mutuel ticket; or

23 3. The unauthorized sale or the attempt to make an unauthorized
24 sale of any racetrack admission ticket.

1 B. Any person who is convicted of violating the provisions of
2 subsection A of this section shall be guilty of a Class D1 felony
3 offense and shall be fined not more than Ten Thousand Dollars
4 (\$10,000.00), or be imprisoned ~~for a period of not more than ten~~
5 ~~(10) years~~ as provided for in subsections B through F of Section 20N
6 of Title 21 of the Oklahoma Statutes, or both said fine and
7 imprisonment.

8 C. If any person who is convicted of violating the provisions
9 of subsection A of this section is licensed pursuant to the
10 provisions of the Oklahoma Horse Racing Act, Section 200 et seq. of
11 this title, the Commission shall suspend or revoke the organization
12 or occupation license of the person in addition to the penalty and
13 fine imposed in subsection B of this section.

14 SECTION 326. AMENDATORY 3A O.S. 2021, Section 208.9, is
15 amended to read as follows:

16 Section 208.9. No person shall directly or indirectly, for any
17 type of compensation including but not limited to fees, dues, or
18 donations, accept anything of value from another to be transmitted
19 or delivered for wager in any pari-mutuel system of wagering on
20 horse races or collect a wager in any pari-mutuel system of wagering
21 on horse races. Nothing in this section prohibits wagering
22 transactions authorized pursuant to the provisions of the Oklahoma
23 Horse Racing Act. Any person that violates the provisions of this
24 section, upon conviction, shall be guilty of a Class D1 felony

1 offense and shall be fined not more than Ten Thousand Dollars
2 (\$10,000.00), or be imprisoned for a period of not more than ten
3 ~~(10) years~~ as provided for in subsections B through F of Section 20N
4 of Title 21 of the Oklahoma Statutes, or both said fine and
5 imprisonment.

6 SECTION 327. AMENDATORY 3A O.S. 2021, Section 208.10, is
7 amended to read as follows:

8 Section 208.10. It shall be unlawful for any person to falsify,
9 conceal, or cover up by any trick, scheme, or device a material
10 fact, or make any false, fictitious, or fraudulent statements or
11 representations, or make or use any false writing or document
12 knowing the same to contain any false, fictitious, or fraudulent
13 statement or entry regarding the prior racing record, pedigree,
14 identity or ownership of a registered animal in any matter related
15 to the breeding, buying, selling, or racing of such animal. Whoever
16 violates any provision of this section shall be guilty of a Class D1
17 felony offense and fined not more than Ten Thousand Dollars
18 (\$10,000.00), or imprisoned for not more than ten (10) years as
19 provided for in subsections B through F of Section 20N of Title 21
20 of the Oklahoma Statutes, or be both so fined and imprisoned.

21 SECTION 328. AMENDATORY 3A O.S. 2021, Section 208.11, is
22 amended to read as follows:

23 Section 208.11. A. Except as provided in subsection B of this
24 section, the Oklahoma Horse Racing Commission is hereby authorized

1 to determine by rule which drugs and medications, if any, may be
2 administered to a horse prior to or during a horse race and to
3 determine by rule the conditions under which such drugs and
4 medications may be used or administered.

5 B. All horses participating in a horse race may be administered
6 Furosemide prior to a horse race as authorized by the rules of the
7 Oklahoma Horse Racing Commission.

8 C. The administration of any drug or medication to a horse
9 prior to or during a horse race which is not permitted by rule of
10 the Commission is prohibited.

11 D. Any person who violates the provisions of this section or
12 who knowingly enters in a race a horse to which any drug or
13 medication has been administered in violation of this section shall
14 be guilty, upon conviction, of a Class D1 felony offense and shall
15 be fined not more than Ten Thousand Dollars (\$10,000.00), or be
16 imprisoned for a period of not more than ten (10) years as provided
17 for in subsections B through F of Section 20N of Title 21 of the
18 Oklahoma Statutes, or by both said fine and imprisonment. The
19 Commission shall suspend or revoke the license of any such guilty
20 party.

21 SECTION 329. AMENDATORY 3A O.S. 2021, Section 727, is
22 amended to read as follows:

23 Section 727. A. Any person who, with intent to defraud,
24 falsely makes, alters, forges, utters, passes, or counterfeits a

1 state lottery ticket shall, upon conviction, be guilty of a Class D1
2 felony offense and shall be punished by a fine not to exceed Fifty
3 Thousand Dollars (\$50,000.00), or by imprisonment ~~for not longer~~
4 ~~than five (5) years~~ as provided for in subsections B through F of
5 Section 20N of Title 21 of the Oklahoma Statutes, or by both such
6 fine and imprisonment.

7 B. Any person who influences or attempts to influence the
8 winning of a prize through the use of coercion, fraud, deception, or
9 tampering with lottery equipment or materials shall, upon
10 conviction, be guilty of a Class D1 felony offense and shall be
11 punished by a fine not to exceed Fifty Thousand Dollars
12 (\$50,000.00), or by imprisonment ~~for not longer than five (5) years~~
13 as provided for in subsections B through F of Section 20N of Title
14 21 of the Oklahoma Statutes, or by both such fine and imprisonment.

15 SECTION 330. AMENDATORY 4 O.S. 2021, Section 42.4, is
16 amended to read as follows:

17 Section 42.4. A. It is unlawful for the owner of any dog that
18 previously has:

19 1. When unprovoked inflicted bites on any person or severely
20 injured any person either on public or private property; or

21 2. When unprovoked created an imminent threat of injury or
22 death to any person,
23 to permit such dog to run at large or aggressively bite or attack
24 any person while such person is lawfully upon public or private

1 property. Upon conviction, the violator shall be guilty of a
2 misdemeanor punishable by imprisonment in the county jail for not
3 more than one (1) year, or by imposition of a fine not to exceed
4 Five Thousand Dollars (\$5,000.00), or by both such fine and
5 imprisonment. In addition, the owner shall be liable for damages as
6 provided in Section 42.1 of ~~Title 4 of the Oklahoma Statutes~~ this
7 title.

8 B. The owner of any dangerous dog as defined by Section 44 of
9 ~~Title 4 of the Oklahoma Statutes~~ this title, or any dog that is
10 described in subsection A of this section, that attacks any person
11 causing the death of such person shall, upon conviction, be guilty
12 of a Class D1 felony offense punishable by imprisonment ~~in the~~
13 ~~custody of the Department of Corrections for not more than five (5)~~
14 ~~years~~ as provided for in subsections B through F of Section 20N of
15 Title 21 of the Oklahoma Statutes, or by the imposition of a fine
16 not to exceed Twenty-five Thousand Dollars (\$25,000.00), or by both
17 such fine and imprisonment.

18 C. It is unlawful for any person to release any dog upon a law
19 enforcement officer while the officer is in the performance of
20 official duties. Upon conviction, the violator shall be guilty of a
21 Class D1 felony offense punishable by imprisonment ~~in the custody of~~
22 ~~the Department of Corrections for not more than five (5) years, or~~
23 ~~imprisonment in the county jail for not more than one (1) year~~ as
24 provided for in subsections B through F of Section 20N of Title 21

1 of the Oklahoma Statutes, or by imposition of a fine not exceeding
2 Five Thousand Dollars (\$5,000.00), or by both such fine and
3 imprisonment.

4 D. It shall be an affirmative defense to a prosecution pursuant
5 to subsection A or B of this section that the injury or death was
6 sustained by a person who, at the time, was committing a willful
7 criminal act upon the premises of the owner of the dog or was
8 assaulting the owner of the dog.

9 SECTION 331. AMENDATORY 6 O.S. 2021, Section 809, is
10 amended to read as follows:

11 Section 809. A. Except as provided in Section 411 of this
12 title, no bank, banker or bank official shall give preference to any
13 depositor, borrower, or creditor by pledging the assets of the bank
14 as collateral security. No bank, banker or bank official shall sell
15 or transfer any of the assets of any insolvent bank in consideration
16 of any deposit in such bank. Any officer, director or employee of
17 any bank who violates any provision of this section shall be guilty
18 of a Class D1 felony offense and upon conviction thereof shall be
19 punished by a fine of not less than One Hundred Dollars (\$100.00),
20 nor more than One Thousand Dollars (\$1,000.00), or by imprisonment
21 ~~in the State Penitentiary for not less than one (1) year, nor more~~
22 ~~than five (5) years~~ as provided for in subsections B through F of
23 Section 20N of Title 21 of the Oklahoma Statutes, or by both such
24 fine and imprisonment.

1 B. No attachment, injunction, execution or other recordation
2 which constitutes a lien under the laws of this state upon the
3 property of a bank created, organized or existing under or by virtue
4 of the laws of this state, shall be issued against such a bank or
5 its property before final judgment in any suit, action or proceeding
6 in any federal, state, county or municipal court. As used in this
7 subsection, "final judgment" shall mean a judgment on the merits
8 from which no appeal can be taken or the time in which to file an
9 appeal has elapsed and not merely a judgment rendered.

10 C. The Board shall have the authority, pursuant to Section 203
11 of this title, to order or seek injunction over any person, as
12 defined in Section 103 of this title, to cease and desist violating
13 any of the provisions of this section.

14 SECTION 332. AMENDATORY 6 O.S. 2021, Section 1405, is
15 amended to read as follows:

16 Section 1405. A. It shall be unlawful and deemed a Class D1
17 felony offense for an affiliate of a bank or trust company or for an
18 officer, director or employee of a bank or trust company or
19 affiliate of a bank or trust company:

20 1. To solicit, accept or agree to accept, directly or
21 indirectly, from any person other than the institution any gratuity,
22 compensation or other personal benefit for any action taken by the
23 institution or for endeavoring to procure any such action; or
24

1 2. To have any interest, directly or indirectly, in the
2 proceeds of a loan or of a purchase or sale made by the bank, unless
3 such loan is otherwise permissible, and the purchase or sale is
4 expressly authorized by this Code or by rule of the Board and,
5 unless otherwise directed in writing by the Commissioner, is
6 specifically approved by vote of a majority of the board of
7 directors of the bank or trust company. Provided, no interested
8 director or trustee shall take part in such vote.

9 B. In this section the term "affiliate" shall include:

10 1. Any person who holds a majority of the stock of a bank or
11 has been determined by the Board to hold a controlling interest
12 therein, any other corporation in which such person owns a majority
13 of the stock and any partnership in which the person has an
14 interest;

15 2. Any corporation in which the institution or an officer,
16 director or employee thereof holds a majority of the stock and any
17 partnership in which such person has an interest; or

18 3. Any corporation of which a majority of the directors are
19 officers, directors or employees of the institution or of which
20 officers, directors, trustees or employees constitute a majority of
21 the directors of the institution.

22 SECTION 333. AMENDATORY 6 O.S. 2021, Section 1406, is
23 amended to read as follows:
24

1 Section 1406. It shall be unlawful and deemed a Class D1 felony
2 offense for a bank to receive any deposit after the bank has been
3 notified by its primary regulator that it is insolvent or for an
4 officer, director or employee who knows or, in the proper
5 performance of his duty, should know of the notification of such
6 insolvency to receive or authorize the receipt of such deposit, if
7 such deposit, when aggregated together with other funds held by the
8 depositor in the same right and capacity, would exceed the limit of
9 federal deposit insurance coverage.

10 SECTION 334. AMENDATORY 6 O.S. 2021, Section 1407, is
11 amended to read as follows:

12 Section 1407. It ~~is~~ shall be unlawful and deemed a Class D1
13 felony offense for any person to serve as an officer or director of
14 a bank who:

15 ~~(1) has~~ 1. Has been convicted of an offense constituting in the
16 jurisdiction in which the conviction was rendered a violation of the
17 banking laws, a felony involving dishonesty or a breach of trust~~;~~;

18 ~~(2) is~~ 2. Is indebted to the bank for more than thirty (30)
19 days upon a judgment that has become final.

20 SECTION 335. AMENDATORY 6 O.S. 2021, Section 1408, is
21 amended to read as follows:

22 Section 1408. It shall be unlawful and deemed a ~~criminal~~ Class
23 D1 felony offense for any person to serve as Commissioner, Deputy
24 Commissioner, Administrative Assistant or Assistant Commissioner, of

1 the Department who has been convicted of an offense constituting, in
2 the jurisdiction in which the conviction was had, a violation of the
3 banking laws, a felony involving dishonesty or a breach of trust.

4 SECTION 336. AMENDATORY 6 O.S. 2021, Section 1409, is
5 amended to read as follows:

6 Section 1409. It shall be unlawful and deemed a Class D1 felony
7 offense for an officer, director, employee, attorney, or agent of a
8 bank or trust company to conceal or endeavor to conceal any
9 transaction of the bank or trust company from any officer, director
10 or employee of the bank or trust company or any official or employee
11 of the department to whom it should be properly disclosed.

12 SECTION 337. AMENDATORY 6 O.S. 2021, Section 1410, is
13 amended to read as follows:

14 Section 1410. It shall be unlawful and deemed a Class D1 felony
15 offense for an officer, director, employee or agent of a bank or
16 trust company:

17 ~~(1) to~~ 1. To maintain or authorize the maintenance of any
18 account of the bank or trust company in a manner which, to his
19 knowledge, does not conform to the requirements prescribed by this
20 Code or by the Commissioner or the Board;i

21 ~~(2) with~~ 2. With intent to deceive, to make any false or
22 misleading statement or entry or omit any statement or entry that
23 should be made in any book, account, report or statement of the
24 institution;i

1 ~~(3) to~~ 3. To obstruct or endeavor to obstruct a lawful

2 examination of the institution by an officer or employee of the
3 Department.

4 SECTION 338. AMENDATORY 6 O.S. 2021, Section 1411, is
5 amended to read as follows:

6 Section 1411. It shall be unlawful and deemed a Class D1 felony
7 offense for a bank or trust company to pay a fine or penalty imposed
8 by law upon any other person or any judgment against such person or
9 to reimburse directly or indirectly any person by whom such fine,
10 penalty or judgment has been paid, except in settlement of its own
11 liability or in connection with the acquisition of property against
12 which such judgment is a lien, or as provided in Section 68 of
13 Enrolled House Bill No. 2173 of the 1st Session of the 46th Oklahoma
14 Legislature.

15 SECTION 339. AMENDATORY 6 O.S. 2021, Section 1412, is
16 amended to read as follows:

17 Section 1412. It shall be unlawful and deemed a ~~criminal~~ Class
18 D1 felony offense for any officer, director, shareholder or employee
19 of any bank or trust company to directly or indirectly embezzle,
20 abstract, or misapply, or cause to be embezzled, abstracted or
21 misapplied, any of the funds or securities or other property of or
22 under the control of the bank or trust company with intent to
23 deceive, injure, cheat, wrong, or defraud any bank, trust company or
24 person.

1 SECTION 340. AMENDATORY 6 O.S. 2021, Section 1413, is
2 amended to read as follows:

3 Section 1413. It shall be unlawful and deemed a Class D1 felony
4 offense for any person to publish, utter, or circulate any false,
5 malicious, unprivileged statement or representation for the purpose
6 of injuring any banking institution or credit union chartered,
7 existing and doing business within the State of Oklahoma, under and
8 by virtue of the laws of this state, or under and by virtue of the
9 laws of the United States of America.

10 SECTION 341. AMENDATORY 6 O.S. 2021, Section 1414, is
11 amended to read as follows:

12 Section 1414. A. Any person responsible for an act or omission
13 expressly declared to be unlawful or a criminal offense by this Code
14 shall be guilty:

15 ~~(1)~~ 1. Of a misdemeanor punishable by imprisonment for a term
16 not exceeding one (1) year or a fine not exceeding Fifty Thousand
17 Dollars (\$50,000.00), or both~~;~~;

18 ~~(2)~~ 2. If the act or omission was intended to defraud, of a
19 Class D1 felony offense punishable by imprisonment ~~not exceeding~~
20 ~~five (5) years~~ as provided for in subsections B through F of Section
21 20N of Title 21 of the Oklahoma Statutes, or a fine not exceeding
22 One Hundred Thousand Dollars (\$100,000.00), or both.

23 B. An officer, director, employee, agent or attorney of a bank
24 or trust company shall be responsible for an act or omission of the

1 institution declared to be a criminal offense against this Code
2 whenever, knowing that such act or omission is unlawful, he
3 participates in authorizing, executing, ratifying or concealing such
4 act, or in authorizing or ratifying such omission or, having a duty
5 to take the required action, omits to do so.

6 A director shall be deemed to participate in any action of which
7 he has knowledge taken or omitted to be taken by the board of which
8 he is a member unless he dissents therefrom in writing and promptly
9 notifies the Commissioner of his dissent.

10 C. It shall be unlawful and deemed a ~~criminal~~ Class D1 felony
11 offense against this Code to violate any lawful order of the Board
12 or Commissioner, served upon it, or to knowingly violate any lawful
13 rule, regulation or order of the Board or Commissioner. Any person
14 who violates the provisions of this subsection shall, upon
15 conviction, be punished by imprisonment as provided for in
16 subsections B through F of Section 20N of Title 21 of the Oklahoma
17 Statutes.

18 The Commissioner may refer evidence concerning violations of
19 this Code or of any rule or order thereunder to the Attorney General
20 of the State of Oklahoma or to the district attorney for the county
21 where a violation occurred in order that an information or
22 indictment for such violations may be filed. The Attorney General
23 or district attorney may designate and appoint a lawyer of the
24 Department as special assistant, if available, for the purpose of

1 assisting in or conducting criminal prosecutions arising because of
2 the proceedings provided for in this section.

3 D. Unless otherwise provided in this Code, it shall be no
4 defense to a criminal prosecution hereunder that the defendant did
5 not know the facts establishing the criminal character of the act or
6 omission charged if he could and should have known such facts in the
7 proper performance of his duty.

8 E. This section shall not apply to specific offenses for which
9 criminal sanctions have been imposed in other sections of this Code.

10 SECTION 342. AMENDATORY 6 O.S. 2021, Section 1417, is
11 amended to read as follows:

12 Section 1417. A. It is unlawful and deemed a Class D1 felony
13 offense for any bank or out-of-state bank having a confusingly
14 similar name to advertise its name in Oklahoma, including without
15 limitation by means of outdoor signage, newspaper, radio,
16 television, billboards, bulk mailings, and other solicitations to
17 persons who are not customers of the bank, unless the advertising
18 also conspicuously identifies the city or town where that bank has
19 its main office. This subsection shall not apply to a bank's
20 advertising through local media. Any person who violates the
21 provisions of this subsection shall, upon conviction, be punished by
22 imprisonment as provided for in subsections B through F of Section
23 20N of Title 21 of the Oklahoma Statutes.
24

1 B. It is unlawful and deemed a Class D1 felony offense for any
2 bank having a full legal name which is not a confusingly similar
3 name to use a shortened name for purposes of advertising within
4 Oklahoma, including without limitation on outdoor signage,
5 newspaper, radio, television, billboards, bulk mailings, and other
6 solicitations to persons who are not customers of the bank, if that
7 shortened name would be a confusingly similar name and if such
8 advertising does not also conspicuously identify the city or town
9 where that bank has its main office. This subsection shall not
10 apply to a bank's advertising through local media. Any person who
11 violates the provisions of this subsection shall, upon conviction,
12 be punished by imprisonment as provided for in subsections B through
13 F of Section 20N of Title 21 of the Oklahoma Statutes.

14 C. It shall be unlawful and deemed a Class D1 felony offense
15 for any bank which acquires another bank or other financial
16 institution for one or more of its offices or branches, by merger,
17 purchase and assumption or otherwise, to continue to use the former
18 name of the acquired institution or office, or similar name, for
19 more than six (6) months after the date of acquisition, either on
20 outdoor signage or in other advertising, unless such name is the
21 legal name of the resulting bank. Nothing contained in this
22 subsection shall prohibit an acquiring bank from using a variation
23 of the former name as a branch title if such variation is at all
24 times used only in combination with the name of the acquiring bank,

1 including the town or city where that bank has its main office, and
2 the word "branch" on any outdoor signage or in other advertising.
3 Any person who violates the provisions of this subsection shall,
4 upon conviction, be punished by imprisonment as provided for in
5 subsections B through F of Section 20N of Title 21 of the Oklahoma
6 Statutes.

7 D. It shall be unlawful and deemed a Class D1 felony offense
8 for any person which is not a bank to use or advertise a confusingly
9 similar name within the State of Oklahoma. Any person who violates
10 the provisions of this subsection shall, upon conviction, be
11 punished by imprisonment as provided for in subsections B through F
12 of Section 20N of Title 21 of the Oklahoma Statutes.

13 E. The Commissioner may issue an order in accordance with
14 Section 204 of this title to any Oklahoma chartered bank or bank
15 registered pursuant to Section 104 of this title, ordering such bank
16 to cease violating the provisions of this section. This remedy
17 shall be in addition to and not exclusive of the remedy provided in
18 subsection F of this section.

19 F. Whenever any bank or other person shall use or advertise a
20 name in violation of this section, the district court from which
21 lawful service is obtained shall, upon suit by the Commissioner or
22 any injured person, issue an injunction restraining such use or
23 advertisement. Provided, that the Commissioner shall be deemed to
24 be a necessary party to any suit brought pursuant to this section

1 and any suit brought by the Commissioner pursuant to this section
2 shall be properly brought as to both jurisdiction and venue, when
3 brought in a county where the office of the Commissioner is located.

4 G. Advertisements which were in conformance with this section
5 prior to April 29, 1991, but are not now in conformance with
6 subsections A and B of this section will not be considered to be in
7 violation of the law. This subsection shall not be interpreted to
8 allow any bank to begin the advertisement of a confusingly similar
9 name which it had not previously used or advertised prior to April
10 29, 1991, but shall only serve to protect the advertisement of such
11 names as are in lawful use as of April 29, 1991.

12 SECTION 343. AMENDATORY 10 O.S. 2021, Section 404.1, is
13 amended to read as follows:

14 Section 404.1. A. On and after November 1, 2013:

15 1. Prior to the issuance of a permit or license, owners and
16 responsible entities making a request to establish or operate a
17 child care facility shall have:

- 18 a. an Oklahoma State Courts Network search conducted by
19 the Department,
- 20 b. a Restricted Registry search conducted by the
21 facility,
- 22 c. a national criminal history records search conducted
23 pursuant to paragraph 10 of this subsection,
24

- d. a criminal history records and sex offender registry search conducted by an authorized source, when the individual has lived outside this state within the last five (5) years,
- e. a search of the Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act and conducted by the Department of Human Services,
- f. a search of any available child abuse and neglect registry within a state the individual has resided in within the last five (5) years,
- g. search of the nontechnical services worker abuse registry maintained by the State Department of Health pursuant to Section 1-1950.7 of Title 63 of the Oklahoma Statutes, and
- h. a search of the community services worker registry maintained by the Department of Human Services pursuant to Section 1025.3 of Title 56 of the Oklahoma Statutes;

2. Prior to the employment of an individual:

- a. an Oklahoma State Courts Network search, conducted by the Department, shall be requested and received by the facility; provided however, if twenty-four (24) hours has passed from the time the request to the Department

- 1 was made, the facility may initiate employment,
2 notwithstanding the provisions of this paragraph,
- 3 b. a Restricted Registry search shall be conducted by the
4 facility with notification of the search submitted to
5 the Department,
- 6 c. a national criminal history records search pursuant to
7 paragraph 10 of this subsection shall be submitted,
- 8 d. a criminal history records and sex offender registry
9 search conducted by an authorized source, when the
10 individual has lived outside this state within the
11 last five (5) years, shall be submitted to the
12 Department,
- 13 e. a search of the Department of Corrections' files
14 maintained pursuant to the Sex Offenders Registration
15 Act shall be conducted by the Department and received
16 by the facility,
- 17 f. a search of any available child abuse and neglect
18 registry within a state the individual has resided in
19 within the last five (5) years,
- 20 g. search of the nontechnical services worker abuse
21 registry maintained by the State Department of Health
22 pursuant to Section 1-1950.7 of Title 63 of the
23 Oklahoma Statutes, and
24

1 h. a search of the community services worker registry
2 maintained by the Department of Human Services
3 pursuant to Section 1025.3 of Title 56 of the Oklahoma
4 Statutes;

5 3. Prior to allowing unsupervised access to children by
6 employees or individuals, including contract employees and
7 volunteers and excluding the exceptions in paragraph 8 of this
8 subsection:

9 a. Oklahoma State Courts Network search results,
10 conducted by the Department, shall be received by the
11 facility,

12 b. a Child Care Restricted Registry search shall be
13 conducted by the facility with notification of the
14 search submitted to the Department,

15 c. national criminal history records search results
16 pursuant to paragraph 10 of this subsection shall be
17 received by the facility,

18 d. a criminal history records and sex offender registry
19 search conducted by an authorized source, when the
20 individual has lived outside this state within the
21 last five (5) years shall be submitted to the
22 Department,

23 e. a search of the Department of Corrections' files
24 maintained pursuant to the Sex Offenders Registration

1 Act shall be conducted by the Department and received
2 by the facility,

3 f. a search of any available child abuse and neglect
4 registry within a state the individual has resided in
5 within the last five (5) years,

6 g. search of the nontechnical services worker abuse
7 registry maintained by the State Department of Health
8 pursuant to Section 1-1950.7 of Title 63 of the
9 Oklahoma Statutes, and

10 h. a search of the community services worker registry
11 maintained by the Department of Human Services
12 pursuant to Section 1025.3 of Title 56 of the Oklahoma
13 Statutes;

14 4. Prior to the issuance of a permit or license and prior to
15 the residence of adults who subsequently move into a facility,
16 adults living in the facility excluding the exception in paragraph 7
17 of this subsection shall have:

18 a. an Oklahoma State Courts Network search conducted by
19 the Department and the facility shall be in receipt of
20 the search results,

21 b. a Restricted Registry search conducted by the facility
22 with notification of the search submitted to the
23 Department,

- c. a national criminal history records search conducted pursuant to paragraph 10 of this subsection,
- d. a criminal history records and sex offender registry search conducted by an authorized source, when the individual has lived outside this state within the last five (5) years,
- e. a search of the Department of Corrections' files maintained pursuant to the Sex Offenders Registration Act conducted by the Department and received by the facility,
- f. a search of any available child abuse and neglect registry within a state the individual has resided in within the last five (5) years,
- g. search of the nontechnical services worker abuse registry maintained by the State Department of Health pursuant to Section 1-1950.7 of Title 63 of the Oklahoma Statutes, and
- h. a search of the community services worker registry maintained by the Department of Human Services pursuant to Section 1025.3 of Title 56 of the Oklahoma Statutes;

5. Children who reside in the facility and turn eighteen (18) years of age excluding the exception in paragraph 7 of this subsection shall have:

- a. an Oklahoma State Courts Network search conducted by the Department,
- b. a Restricted Registry search conducted by the facility with notification of the search submitted to the Department,
- c. a national criminal history records search conducted pursuant to paragraph 10 of this subsection, and
- d. a search of the Department of Corrections' files pursuant to the Sex Offenders Registration Act conducted by the Department and received by the facility;

6. Prior to review of or access to fingerprint results, owners, responsible entities, directors, and other individuals who have review of or access to fingerprint results shall have a national criminal history records search pursuant to paragraph 10 of this subsection;

7. Provisions specified in paragraphs 4 and 5 of this subsection shall not apply to residents who are receiving services from a residential child care facility;

8. A national criminal history records search pursuant to paragraph 10 of this subsection shall not be required for volunteers who transport children on an irregular basis when a release is signed by the parent or legal guardian noting their understanding that the volunteer does not have a completed national criminal

1 history records search. The provisions in paragraph 3 of this
2 subsection shall not be required for specialized service
3 professionals who are not employed by the program and have
4 unsupervised access to a child when a release is signed by the
5 parent or legal guardian noting his or her understanding of this
6 exception. These exceptions shall not preclude the Department from
7 requesting a national fingerprint or an Oklahoma State Bureau of
8 Investigation name-based criminal history records search or
9 investigating criminal, abusive, or harmful behavior of such
10 individuals, if warranted;

11 9. A national criminal history records search pursuant to
12 paragraph 10 of this subsection shall be required on or before
13 November 1, 2016, for existing owners, responsible entities,
14 employees, individuals with unsupervised access to children, and
15 adults living in the facility, as of November 1, 2013, unless
16 paragraph 6 of this subsection applies;

17 10. The Department shall require a national criminal history
18 records search based upon submission of fingerprints that shall:

- 19 a. be conducted by the Oklahoma State Bureau of
20 Investigation and the Federal Bureau of Investigation
21 pursuant to Section 150.9 of Title 74 of the Oklahoma
22 Statutes and the federal National Child Protection Act
23 and the federal Volunteers for Children Act with the
24 Department as the authorized agency,

- b. be submitted and have results received between the Department and the Oklahoma State Bureau of Investigation through secure electronic transmissions,
- c. include Oklahoma State Bureau of Investigation rap back, requiring the Oklahoma State Bureau of Investigation to immediately notify the Department upon receipt of subsequent criminal history activity, and
- d. be paid by the individual or the facility;

11. The Director of the Department, or designee, shall promulgate rules that may authorize an exception to the fingerprinting requirements for individuals who have a severe physical condition which precludes such individuals from being fingerprinted;

12. The Director of the Department, or designee, shall promulgate rules that ensure individuals obtain a criminal history records search, not to include the re-submission of fingerprints, not less than once during each five (5) year period;

13. Any individual who refuses to consent to the criminal background check or knowingly makes a materially-false statement in connection with such criminal background check shall be ineligible for ownership of, employment of or residence in a child care facility; and

1 14. The Office of Juvenile Affairs shall require national
2 criminal history records searches, as defined by Section 150.9 of
3 Title 74 of the Oklahoma Statutes, which shall be provided by the
4 Oklahoma State Bureau of Investigation for the purpose of obtaining
5 the national criminal history records search, including Rap Back
6 notification of and through direct request by the Office of Juvenile
7 Affairs on behalf of any:

- 8 a. operator or responsible entity making a request to
9 establish or operate a secure detention center,
10 municipal juvenile facility, community intervention
11 center or secure facility licensed or certified by the
12 Office of Juvenile Affairs,
13 b. employee or applicant of a secure detention center,
14 municipal juvenile facility, community intervention
15 center or secure facility licensed or certified by the
16 Office of Juvenile Affairs, or
17 c. persons allowed unsupervised access to children,
18 including contract employees or volunteers, of a
19 secure detention center, municipal juvenile facility,
20 community intervention center or secure facility
21 licensed or certified by the Office of Juvenile
22 Affairs.

23 B. 1. a. On and after September 1, 1998:
24

1 (1) any child-placing agency contracting with a
2 person for foster family home services or in any
3 manner for services for the care and supervision
4 of children shall also, prior to executing a
5 contract, complete:

6 (a) a foster parent eligibility assessment for
7 the foster care provider except as otherwise
8 provided by divisions (2) and (4) of this
9 subparagraph, and

10 (b) a national criminal history records search
11 based upon submission of fingerprints for
12 any adult residing in the foster family home
13 through the Department of Human Services
14 pursuant to the provisions of Section 1-7-
15 106 of Title 10A of the Oklahoma Statutes,
16 except as otherwise provided by divisions
17 (2) and (4) of this subparagraph,

18 (2) the child-placing agency may place a child
19 pending completion of the national criminal
20 history records search if the foster care
21 provider and every adult residing in the foster
22 family home has resided in this state for at
23 least five (5) years immediately preceding such
24 placement,

- 1 (3) a national criminal history records search based
2 upon submission of fingerprints to the Oklahoma
3 State Bureau of Investigation shall also be
4 completed for any adult who subsequently moves
5 into the foster family home,
- 6 (4) provided, however, the Director of Human Services
7 or the Director of the Office of Juvenile
8 Affairs, or a designee, may authorize an
9 exception to the fingerprinting requirement for a
10 person residing in the home who has a severe
11 physical condition which precludes such person's
12 being fingerprinted, and
- 13 (5) any child care facility contracting with any
14 person for foster family home services shall
15 request the Office of Juvenile Affairs to conduct
16 a juvenile justice information system review,
17 pursuant to the provisions of Sections 2-7-905
18 and 2-7-308 of Title 10A of the Oklahoma
19 Statutes, for any child over the age of thirteen
20 (13) years residing in the foster family home,
21 other than a foster child, or who subsequently
22 moves into the foster family home. As a
23 condition of contract, the child care facility
24

1 shall obtain the consent of the parent or legal
2 guardian of the child for such review.

3 b. The provisions of this paragraph shall not apply to
4 foster care providers having a contract or contracting
5 with a child-placing agency, the Department of Human
6 Services or the Office of Juvenile Affairs prior to
7 September 1, 1998. Such existing foster care
8 providers shall comply with the provisions of this
9 section, until otherwise provided by rules of the
10 Department or by law.

11 2. a. (1) On and after September 1, 1998, except as
12 otherwise provided in divisions (2) and (4) of
13 this subparagraph, prior to contracting with a
14 foster family home for placement of any child who
15 is in the custody of the Department of Human
16 Services or the Office of Juvenile Affairs, each
17 Department shall complete a foster parent
18 eligibility assessment, pursuant to the
19 provisions of the Oklahoma Child Care Facilities
20 Licensing Act, for such foster family applicant.
21 In addition, except as otherwise provided by
22 divisions (2) and (4) of this subparagraph, the
23 Department shall complete a national criminal
24 history records search based upon submission of

1 fingerprints for any adult residing in such
2 foster family home.

3 (2) The Department of Human Services and Office of
4 Juvenile Affairs may place a child pending
5 completion of the national criminal history
6 records search if the foster care provider and
7 every adult residing in the foster family home
8 has resided in this state for at least five (5)
9 years immediately preceding such placement.

10 (3) A national criminal history records search based
11 upon submission of fingerprints conducted by the
12 Oklahoma State Bureau of Investigation shall also
13 be completed for any adult who subsequently moves
14 into the foster family home.

15 (4) The Director of Human Services or the Director of
16 the Office of Juvenile Affairs or their designee
17 may authorize an exception to the fingerprinting
18 requirement for any person residing in the home
19 who has a severe physical condition which
20 precludes such person's being fingerprinted.

21 b. The provisions of this paragraph shall not apply to
22 foster care providers having a contract or contracting
23 with a child-placing agency, the Department of Human
24 Services or the Office of Juvenile Affairs prior to

1 September 1, 1998. Such existing foster care
2 providers shall comply with the provisions of this
3 section, until otherwise provided by rules of the
4 Department or by law.

5 3. The Department of Human Services or the Office of Juvenile
6 Affairs shall provide for a juvenile justice information system
7 review pursuant to Section 2-7-308 of Title 10A of the Oklahoma
8 Statutes for any child over the age of thirteen (13) years residing
9 in a foster family home, other than the foster child, or who
10 subsequently moves into the foster family home.

11 C. The Department or the Board of Juvenile Affairs shall
12 promulgate rules to identify circumstances when a criminal history
13 records search or foster parent eligibility assessment for an
14 applicant or contractor, or any person over the age of thirteen (13)
15 years residing in a private residence in which a child care facility
16 is located, shall be expanded beyond the records search conducted by
17 the Oklahoma State Bureau of Investigation or as otherwise provided
18 pursuant to this section.

19 D. Except as otherwise provided by the Oklahoma Children's Code
20 and subsection F of this section, a conviction for a crime shall not
21 be an absolute bar to employment, but shall be considered in
22 relation to specific employment duties and responsibilities.

23 E. 1. Information received pursuant to this section by an
24 owner, administrator, or responsible entity of a child care

1 facility, shall be maintained in a confidential manner pursuant to
2 applicable state and federal laws.

3 2. The information, along with any other information relevant
4 to the ability of the individual to perform tasks that require
5 direct contact with children, may be released to another child care
6 facility in response to a request from the child care facility that
7 is considering employing or contracting with the individual unless
8 deemed confidential by state and federal laws.

9 3. Requirements for confidentiality and recordkeeping with
10 regard to the information shall be the same for the child care
11 facility receiving the information in response to a request as those
12 provided for in paragraph 1 of this subsection for the child care
13 facility releasing such information.

14 4. Information received by any facility certified by the Office
15 of Juvenile Affairs may be released to another facility certified by
16 the Office if an individual is being considered for employment or
17 contract, along with any other relevant information, unless the
18 information is deemed confidential by state or federal law. Any
19 information received by the Office shall be maintained in a
20 confidential manner pursuant to applicable state and federal law.

21 F. 1. It shall be unlawful for individuals who are required to
22 register pursuant to the Sex Offenders Registration Act to work with
23 or provide services to children or to reside in a child care
24 facility and for any employer who offers or provides services to

1 children to knowingly and willfully employ or contract with, or
2 allow continued employment of or contracting with individuals who
3 are required to register pursuant to the Sex Offenders Registration
4 Act. Individuals required to register pursuant to the Sex Offenders
5 Registration Act who violate any provision of Section 401 et seq. of
6 this title shall, upon conviction, be guilty of a Class D1 felony
7 offense punishable by incarceration ~~in a correctional facility for a~~
8 ~~period of not more than five (5) years and~~ as provided for in
9 subsections B through F of Section 20N of Title 21 of the Oklahoma
10 Statutes, or a fine of not more than Five Thousand Dollars
11 (\$5,000.00), or both such fine and imprisonment.

12 2. It shall be unlawful for an individual who is the
13 perpetrator of a substantiated finding by the Department of heinous
14 and shocking abuse by a person responsible for a child's health,
15 safety, or welfare, as those terms are defined in Section 1-1-105 of
16 Title 10A of the Oklahoma Statutes, to work with or provide services
17 to children or to reside in a child care facility and for any
18 employer who offers or provides services to children to knowingly
19 and willfully employ or contract with, or allow continued employment
20 of or contracting with such individual.

21 3. Upon a determination by the Department of any violation of
22 the provisions of this section, the violator shall be subject to and
23 the Department may pursue:

24 a. an emergency order,

- b. license revocation or denial,
- c. injunctive proceedings,
- d. an administrative penalty not to exceed Ten Thousand Dollars (\$10,000.00), and
- e. referral for criminal proceedings.

4. In addition to the penalties specified by this section, the violator may be liable for civil damages.

SECTION 344. AMENDATORY 10A O.S. 2021, Section 1-2-101, is amended to read as follows:

Section 1-2-101. A. 1. The Department of Human Services shall establish a statewide centralized hotline for the reporting of child abuse or neglect to the Department.

2. The Department shall provide hotline-specific training including, but not limited to, interviewing skills, customer service skills, narrative writing, necessary computer systems, making case determinations, and identifying priority situations.

3. The Department is authorized to contract with third parties in order to train hotline workers.

4. The Department shall develop a system to track the number of calls received, and of that number:

- a. the number of calls screened out,
- b. the number of referrals assigned,

1 c. the number of calls received by persons unwilling to
2 disclose basic personal information including, but not
3 limited to, first and last name, and

4 d. the number of calls in which the allegations were
5 later found to be unsubstantiated or ruled out.

6 5. The Department shall electronically record each referral
7 received by the hotline and establish a secure means of retaining
8 the recordings for twelve (12) months. The recordings shall be
9 confidential and subject to disclosure only if a court orders the
10 disclosure of the referral. The Department shall redact any
11 information identifying the reporting party unless otherwise ordered
12 by the court.

13 B. 1. Every person having reason to believe that a child under
14 the age of eighteen (18) years is a victim of abuse or neglect shall
15 report the matter immediately to the Department of Human Services.
16 Reports shall be made to the hotline provided for in subsection A of
17 this section. Any allegation of abuse or neglect reported in any
18 manner to a county office shall immediately be referred to the
19 hotline by the Department. Provided, however, that in actions for
20 custody by abandonment, provided for in Section 2-117 of Title 30 of
21 the Oklahoma Statutes, there shall be no reporting requirement.

22 2. a. Every school employee having reason to believe that a
23 student under the age of eighteen (18) years is a
24 victim of abuse or neglect shall report the matter

1 immediately to the Department of Human Services and
2 local law enforcement. Reports to the Department
3 shall be made to the hotline provided for in
4 subsection A of this section. Any allegation of abuse
5 or neglect reported in any manner to a county office
6 shall immediately be referred to the hotline by the
7 Department. Provided, however, that in actions for
8 custody by abandonment, provided for in Section 2-117
9 of Title 30 of the Oklahoma Statutes, there shall be
10 no reporting requirement.

11 b. Every school employee having reason to believe that a
12 student age eighteen (18) years or older is a victim
13 of abuse or neglect shall report the matter
14 immediately to local law enforcement.

15 c. In reports required by subparagraph a or b of this
16 paragraph, local law enforcement shall keep
17 confidential and redact any information identifying
18 the reporting school employee unless otherwise ordered
19 by the court. A school employee with knowledge of a
20 report required by subparagraph a or b of this
21 paragraph shall not disclose information identifying
22 the reporting school employee unless otherwise ordered
23 by the court or as part of an investigation by local
24 law enforcement or the Department.

1 3. Every physician, surgeon, or other health care professional
2 including doctors of medicine, licensed osteopathic physicians,
3 residents and interns, or any other health care professional or
4 midwife involved in the prenatal care of expectant mothers or the
5 delivery or care of infants shall promptly report to the Department
6 instances in which an infant tests positive for alcohol or a
7 controlled dangerous substance. This shall include infants who are
8 diagnosed with Neonatal Abstinence Syndrome or Fetal Alcohol
9 Spectrum Disorder.

10 4. No privilege or contract shall relieve any person from the
11 requirement of reporting pursuant to this section.

12 5. The reporting obligations under this section are individual,
13 and no employer, supervisor, administrator, governing body or entity
14 shall interfere with the reporting obligations of any employee or
15 other person or in any manner discriminate or retaliate against the
16 employee or other person who in good faith reports suspected child
17 abuse or neglect, or who provides testimony in any proceeding
18 involving child abuse or neglect. Any employer, supervisor,
19 administrator, governing body or entity who discharges,
20 discriminates or retaliates against the employee or other person
21 shall be liable for damages, costs and attorney fees. If a child
22 who is the subject of the report or other child is harmed by the
23 discharge, discrimination or retaliation described in this
24

1 paragraph, the party harmed may file an action to recover damages,
2 costs and attorney fees.

3 6. Every physician, surgeon, other health care professional or
4 midwife making a report of abuse or neglect as required by this
5 subsection or examining a child to determine the likelihood of abuse
6 or neglect and every hospital or related institution in which the
7 child was examined or treated shall provide, upon request, copies of
8 the results of the examination or copies of the examination on which
9 the report was based and any other clinical notes, x-rays,
10 photographs, and other previous or current records relevant to the
11 case to law enforcement officers conducting a criminal investigation
12 into the case and to employees of the Department of Human Services
13 conducting an investigation of alleged abuse or neglect in the case.

14 C. Any person who knowingly and willfully fails to promptly
15 report suspected child abuse or neglect or who interferes with the
16 prompt reporting of suspected child abuse or neglect may be reported
17 to local law enforcement for criminal investigation and, upon
18 conviction thereof, shall be guilty of a misdemeanor. Any person
19 with prolonged knowledge of ongoing child abuse or neglect who
20 knowingly and willfully fails to promptly report such knowledge may
21 be reported to local law enforcement for criminal investigation and,
22 upon conviction thereof, shall be guilty of a Class D1 felony
23 offense and shall be punished by imprisonment as provided for in
24 subsections B through F of Section 20N of Title 21 of the Oklahoma

1 Statutes. For the purposes of this paragraph, "prolonged knowledge"
2 shall mean knowledge of at least six (6) months of child abuse or
3 neglect.

4 D. 1. Any person who knowingly and willfully makes a false
5 report pursuant to the provisions of this section or a report that
6 the person knows lacks factual foundation may be reported to local
7 law enforcement for criminal investigation and, upon conviction
8 thereof, shall be guilty of a misdemeanor.

9 2. If a court determines that an accusation of child abuse or
10 neglect made during a child custody proceeding is false and the
11 person making the accusation knew it to be false at the time the
12 accusation was made, the court may impose a fine, not to exceed Five
13 Thousand Dollars (\$5,000.00) and reasonable attorney fees incurred
14 in recovering the sanctions, against the person making the
15 accusation. The remedy provided by this paragraph is in addition to
16 paragraph 1 of this subsection or to any other remedy provided by
17 law.

18 E. Nothing contained in this section shall be construed to
19 exempt or prohibit any person from reporting any suspected child
20 abuse or neglect pursuant to subsection B of this section.

21 SECTION 345. AMENDATORY 13 O.S. 2021, Section 176.3, is
22 amended to read as follows:

23 Section 176.3. Except as otherwise specifically provided in
24 this act, any person is guilty of a Class D1 felony offense and upon

conviction shall be punished by a fine of not less than Five
Thousand Dollars (\$5,000.00), or by imprisonment ~~of not more than~~
~~five (5) years~~ as provided for in subsections B through F of Section
20N of Title 21 of the Oklahoma Statutes, or by both who:

1. Willfully intercepts, endeavors to intercept or procures any
other person to intercept or endeavor to intercept any wire, oral or
electronic communication;

2. Willfully uses, endeavors to use or procures any other
person to use or endeavor to use any electronic, mechanical or other
device to intercept any oral communication;

3. Willfully discloses or endeavors to disclose to any other
person the contents of any wire, oral or electronic communication,
knowing or having reason to know that the information was obtained
in violation of the provisions of the Security of Communications
Act;

4. Willfully uses or endeavors to use the contents of any wire,
oral or electronic communication, knowing or having reason to know
that the information was obtained in violation of the provisions of
the Security of Communications Act;

5. Willfully and maliciously, without legal authority, removes,
injures or obstructs any telephone or telegraph line, or any part or
appurtenances or apparatus connected thereto, or severs any wires
thereof;

1 6. Sends through the mail or sends or carries any electronic,
2 mechanical or other device with the intention of rendering the
3 device primarily useful for the purpose of the illegal interception
4 of wire, oral or electronic communications in violation of the
5 provisions of the Security of Communications Act;

6 7. Manufactures, assembles, possesses or sells any electronic,
7 mechanical or other device with the intention of rendering the
8 device primarily useful for the purpose of the illegal interception
9 of wire, oral or electronic communications in violation of the
10 provisions of the Security of Communications Act; or

11 8. Willfully uses any communication facility in committing or
12 in causing or facilitating the commission of any act or acts
13 constituting one or more of the felonies enumerated in Section 176.7
14 of this title. Each separate use of a communication facility to
15 cause or facilitate such a felony shall be a separate offense.
16 Venue for any violation of this section shall lie in the same county
17 as venue for the underlying felony enumerated in Section 176.7 of
18 this title.

19 SECTION 346. AMENDATORY 15 O.S. 2021, Section 753, as
20 amended by Section 1, Chapter 368, O.S.L. 2023 (15 O.S. Supp. 2024,
21 Section 753), is amended to read as follows:

22 Section 753. A person engages in a practice which is declared
23 to be unlawful and deemed a Class D1 felony offense under the
24

Oklahoma Consumer Protection Act when, in the course of the person's business, the person:

1. Represents, knowingly or with reason to know, that the subject of a consumer transaction is of a particular make or brand, when it is of another;

2. Makes a false or misleading representation, knowingly or with reason to know, as to the source, sponsorship, approval, or certification of the subject of a consumer transaction;

3. Makes a false or misleading representation, knowingly or with reason to know, as to affiliation, connection, association with, or certification by another;

4. Makes a false or misleading representation or designation, knowingly or with reason to know, of the geographic origin of the subject of a consumer transaction;

5. Makes a false representation, knowingly or with reason to know, as to the characteristics, ingredients, uses, benefits, alterations, or quantities of the subject of a consumer transaction or a false representation as to the sponsorship, approval, status, affiliation or connection of a person therewith;

6. Knowingly or with reason to know, makes a false or misleading representation or gives the false or misleading impression of being affiliated with a state agency or an affiliate of a state agency through advertisement or publication;

1 7. Represents, knowingly or with reason to know, that the
2 subject of a consumer transaction is original or new if the person
3 knows that it is reconditioned, reclaimed, used, or secondhand;

4 8. Represents, knowingly or with reason to know, that the
5 subject of a consumer transaction is of a particular standard, style
6 or model, if it is of another;

7 9. Advertises, knowingly or with reason to know, the subject of
8 a consumer transaction with intent not to sell it as advertised;

9 10. Advertises, knowingly or with reason to know, the subject
10 of a consumer transaction with intent not to supply reasonably
11 expected public demand, unless the advertisement discloses a
12 limitation of quantity;

13 11. Advertises under the guise of obtaining sales personnel
14 when in fact the purpose is to sell the subject of a consumer
15 transaction to the sales personnel applicants;

16 12. Makes false or misleading statements of fact, knowingly or
17 with reason to know, concerning the price of the subject of a
18 consumer transaction or the reason for, existence of, or amounts of
19 price reduction;

20 13. Employs "bait and switch" advertising, which consists of an
21 offer to sell the subject of a consumer transaction which the seller
22 does not intend to sell, which advertising is accompanied by one or
23 more of the following practices:

- a. refusal to show the subject of a consumer transaction advertised,
- b. disparagement of the advertised subject of a consumer transaction or the terms of sale,
- c. requiring undisclosed tie-in sales or other undisclosed conditions to be met prior to selling the advertised subject of a consumer transaction,
- d. refusal to take orders for the subject of a consumer transaction advertised for delivery within a reasonable time,
- e. showing or demonstrating defective subject of a consumer transaction which the seller knows is unusable or impracticable for the purpose set forth in the advertisement,
- f. accepting a deposit for the subject of a consumer transaction and subsequently charging the buyer for a higher priced item, or
- g. willful failure to make deliveries of the subject of a consumer transaction within a reasonable time or to make a refund therefor upon the request of the purchaser;

14. Conducts a closing out sale without having first obtained a license as required in the Oklahoma Consumer Protection Act;

1 15. Resumes the business for which the closing out sale was
2 conducted within thirty-six (36) months from the expiration date of
3 the closing out sale license;

4 16. Falsely states, knowingly or with reason to know, that
5 services, replacements or repairs are needed;

6 17. Violates any provision of the Oklahoma Health Spa Act;

7 18. Violates any provision of the Home Repair Fraud Act;

8 19. Violates any provision of the Consumer Disclosure of Prizes
9 and Gifts Act;

10 20. Violates any provision of Section 755.1 of this title or
11 Section 1847a of Title 21 of the Oklahoma Statutes;

12 21. Commits an unfair or deceptive trade practice as defined in
13 Section 752 of this title;

14 22. Violates any provision of Section 169.1 of Title 8 of the
15 Oklahoma Statutes in fraudulently or intentionally failing or
16 refusing to honor the contract to provide certain cemetery services
17 specified in the contract entered into pursuant to the Perpetual
18 Care Fund Act;

19 23. Misrepresents a mail solicitation as an invoice or as a
20 billing statement;

21 24. Offers to purchase a mineral or royalty interest through an
22 offer that resembles an oil and gas lease and that the consumer
23 believed was an oil and gas lease;

1 25. Refuses to honor gift certificates, warranties, or any
2 other merchandise offered by a person in a consumer transaction
3 executed prior to the closing of the business of the person without
4 providing a purchaser a means of redeeming such merchandise or
5 ensuring the warranties offered will be honored by another person;

6 26. Knowingly causes a charge to be made by any billing method
7 to a consumer for services which the person knows was not authorized
8 in advance by the consumer;

9 27. Knowingly causes a charge to be made by any billing method
10 to a consumer for a product or products which the person knows was
11 not authorized in advance by the consumer;

12 28. Violates Section 752A of this title;

13 29. Makes deceptive use of another's name in notification or
14 solicitation, as defined in Section 752 of this title;

15 30. Falsely states or implies that any person, product or
16 service is recommended or endorsed by a named third person;

17 31. Falsely states that information about the consumer,
18 including but not limited to, the name, address or phone number of
19 the consumer has been provided by a third person, whether that
20 person is named or unnamed;

21 32. Acting as a debt collector, contacts a debtor and threatens
22 to file a suit against the debtor over a debt barred by the statute
23 of limitations which has passed for filing suit for such debt; or
24

1 33. Acting as a debt collector, contacts a debtor and uses
2 obscene or profane language to collect a debt.

3 SECTION 347. AMENDATORY 15 O.S. 2021, Section 761.1, is
4 amended to read as follows:

5 Section 761.1. A. The commission of any act or practice
6 declared to be a violation of the Consumer Protection Act shall
7 render the violator liable to the aggrieved consumer for the payment
8 of actual damages sustained by the customer and costs of litigation
9 including reasonable attorney's fees, and the aggrieved consumer
10 shall have a private right of action for damages, including but not
11 limited to, costs and attorney's fees. In any private action for
12 damages for a violation of the Consumer Protection Act the court
13 shall, subsequent to adjudication on the merits and upon motion of
14 the prevailing party, determine whether a claim or defense asserted
15 in the action by a nonprevailing party was asserted in bad faith,
16 was not well grounded in fact, or was unwarranted by existing law or
17 a good faith argument for the extension, modification, or reversal
18 of existing law. Upon so finding, the court shall enter a judgment
19 ordering such nonprevailing party to reimburse the prevailing party
20 an amount not to exceed Ten Thousand Dollars (\$10,000.00) for
21 reasonable costs, including attorney's fees, incurred with respect
22 to such claim or defense.

23 B. The commission of any act or practice declared to be a
24 violation of the Consumer Protection Act, if such act or practice is

1 also found to be unconscionable, shall render the violator liable to
2 the aggrieved customer for the payment of a civil penalty,
3 recoverable in an individual action only, in a sum set by the court
4 of not more than Two Thousand Dollars (\$2,000.00) for each
5 violation. In determining whether an act or practice is
6 unconscionable the following circumstances shall be taken into
7 consideration by the court: (1) whether the violator knowingly or
8 with reason to know, took advantage of a consumer reasonably unable
9 to protect his or her interests because of his or her age, physical
10 infirmity, ignorance, illiteracy, inability to understand the
11 language of an agreement or similar factor; (2) whether, at the time
12 the consumer transaction was entered into, the violator knew or had
13 reason to know that price grossly exceeded the price at which
14 similar property or services were readily obtainable in similar
15 transactions by like consumers; (3) whether, at the time the
16 consumer transaction was entered into, the violator knew or had
17 reason to know that there was no reasonable probability of payment
18 of the obligation in full by the consumer; (4) whether the violator
19 knew or had reason to know that the transaction he or she induced
20 the consumer to enter into was excessively one-sided in favor of the
21 violator.

22 C. Any person who is found to be in violation of the Oklahoma
23 Consumer Protection Act in a civil action or who willfully violates
24 the terms of any injunction or court order issued pursuant to the

1 Consumer Protection Act shall forfeit and pay a civil penalty of not
2 more than Ten Thousand Dollars (\$10,000.00) per violation, in
3 addition to other penalties that may be imposed by the court, as the
4 court shall deem necessary and proper. For the purposes of this
5 section, the district court issuing an injunction shall retain
6 jurisdiction, and in such cases, the Attorney General, acting in the
7 name of the state, or a district attorney may petition for recovery
8 of civil penalties.

9 D. In administering and pursuing actions under this act, the
10 Attorney General and a district attorney are authorized to sue for
11 and collect reasonable expenses, attorney's fees, and investigation
12 fees as determined by the court. Civil penalties or contempt
13 penalties sued for and recovered by the Attorney General or a
14 district attorney shall be used for the furtherance of their duties
15 and activities under the Consumer Protection Act.

16 E. In addition to other penalties imposed by the Oklahoma
17 Consumer Protection Act, any person convicted in a criminal
18 proceeding of violating the Oklahoma Consumer Protection Act shall
19 be guilty of a ~~misdemeanor for the first offense and upon conviction~~
20 ~~thereof shall be subject to a fine not to exceed One Thousand~~
21 ~~Dollars (\$1,000.00), or imprisonment in the county jail for not more~~
22 ~~than one (1) year, or both such fine and imprisonment. If the value~~
23 ~~of the money, property or valuable thing referred to in this section~~
24 ~~is Five Hundred Dollars (\$500.00) or more or if the conviction is~~

1 ~~for a second or subsequent violation of the provisions of the~~
2 ~~Oklahoma Consumer Protection Act, any person convicted pursuant to~~
3 ~~this subsection shall be deemed guilty of a D1 felony offense and~~
4 shall be subject to imprisonment in the State Penitentiary, for not
5 ~~more than ten (10) years~~ as provided for in subsections B through F
6 of Section 20N of Title 21 of the Oklahoma Statutes, or a fine not
7 to exceed Five Thousand Dollars (\$5,000.00), or both such fine and
8 imprisonment.

9 SECTION 348. AMENDATORY 15 O.S. 2021, Section 765.3, is
10 amended to read as follows:

11 Section 765.3. A. A person commits the offense of home repair
12 fraud if the person knowingly or with reason to know:

13 1. ~~enters~~ Enters into a consumer transaction for home repair
14 and knowingly or with reason to know:

15 a. misrepresents a material fact relating to the terms of
16 the consumer transaction or the preexisting or
17 existing condition of any portion of the property
18 involved, or creates or confirms an impression of the
19 consumer which is false and which the violator does
20 not believe to be true, or promises performance which
21 the violator does not intend to perform or knows will
22 not be performed~~+~~ or

1 b. uses or employs any deception, false pretense or false
2 promises in order to induce, encourage or solicit such
3 consumer to enter into any consumer transaction~~+~~, or

4 c. requires payment for the home repair at a price which
5 unreasonably exceeds the value of the services and
6 materials needed for the home repair;

7 2. ~~damages~~ Damages the property of a person with the intent to
8 enter into a consumer transaction for home repair; or

9 3. ~~misrepresents~~ Misrepresents himself or another to be an
10 employee or agent of any unit of the federal, state, county, or
11 municipal government, or an employee or agent of any public utility,
12 with the intent to cause a person to enter into, with himself or
13 another, any consumer transaction for home repair.

14 B. Any person convicted in a criminal proceeding of violating
15 the Home Repair Fraud Act shall be guilty of a Class D1 felony
16 offense and shall be subject to imprisonment as provided for in
17 subsections B through F of Section 20N of Title 21 of the Oklahoma
18 Statutes.

19 SECTION 349. AMENDATORY 15 O.S. 2021, Section 767, is
20 amended to read as follows:

21 Section 767. A. It shall be unlawful and deemed a Class D1
22 felony offense for any person to advertise or conduct a closing out
23 sale unless a license is first obtained to conduct such sale. Any
24 applicant for a closing out sale license shall file an application

1 in writing and under oath with the clerk of the district court, on
2 an application form prescribed by the Attorney General. The
3 application form shall contain the following information, and such
4 other information as the Attorney General may require:

5 1. The name and address of the owner of the goods, wares, or
6 merchandise to be sold;

7 2. A description of the place of business where the sale is to
8 be held;

9 3. The name and address of the person holding or conducting the
10 sale;

11 4. The nature of the occupancy of the place where the sale is
12 to be held, whether by lease or otherwise, and the effective date of
13 termination of the occupancy;

14 5. A full and complete statement of the facts regarding the
15 proposed sale, including the reason the sale is being conducted, the
16 manner in which the sale will be conducted, and the commencement and
17 termination date of the sale; and

18 6. A complete and detailed inventory of the goods, wares, and
19 merchandise to be offered at the sale as disclosed by the records of
20 the applicant or a statement of both the cost and retail value of
21 the inventory of goods, wares, and merchandise to be offered at the
22 sale, based on the physical inventory used for the most recent
23 federal income tax returns adjusted for sales, purchases, and
24 markdowns of the applicant. Adjustments for sales, purchases, and

1 markdowns shall be shown on a monthly basis to the date of the
2 application.

3 Any person who advertises or conducts a closing out sale without
4 first obtaining a license to conduct such sale shall, upon
5 conviction, be guilty of a Class D1 felony offense and shall be
6 punished by imprisonment as provided for in subsections B through F
7 of Section 20N of Title 21 of the Oklahoma Statutes.

8 B. Each application shall be accompanied by an affidavit signed
9 by the applicant attesting to the facts in the application.

10 C. A fee of Twenty-five Dollars (\$25.00) shall be charged by
11 the clerk of the district court for the issuance of a license.

12 D. Any person making a false statement in the application, upon
13 conviction, shall be guilty of a Class D1 felony offense and shall
14 be punished by imprisonment as provided for in subsections B through
15 F of Section 20N of Title 21 of the Oklahoma Statutes.

16 SECTION 350. AMENDATORY 15 O.S. 2021, Section 776.1, is
17 amended to read as follows:

18 Section 776.1. A. It shall be unlawful for a person to
19 initiate an electronic mail message that the sender knows, or has
20 reason to know:

21 1. Misrepresents any information in identifying the point of
22 origin or the transmission path of the electronic mail message;

23 2. Does not contain information identifying the point of origin
24 or the transmission path of the electronic mail message;

1 3. Contains false, malicious, or misleading information which
2 purposely or negligently injures a person;

3 4. Falsely represents that it is being sent by a legitimate
4 online business;

5 5. Refers or links the recipient of the message to a web page
6 that is represented as being associated with a legitimate online
7 business with the intent to engage in conduct involving the
8 fraudulent use or possession of identifying information; or

9 6. Directly or indirectly induces, requests, or solicits the
10 recipient of the electronic mail message to provide identifying
11 information for a purpose the recipient believes is legitimate.

12 B. Any person violating the provisions of this section shall be
13 subject to a civil penalty of up to Five Hundred Dollars (\$500.00).

14 C. All acts and practices declared to be unlawful by
15 subsections A and E of this section shall, in addition, be
16 violations of the Oklahoma Consumer Protection Act.

17 D. For purposes of this section, an electronic mail message
18 which is declared to be unlawful by subsection A of this section
19 shall be considered a fraudulent electronic mail message or a
20 fraudulent bulk electronic mail message and shall be deemed a Class
21 D1 felony offense punishable by imprisonment as provided for in
22 subsections B through F of Section 20N of Title 21 of the Oklahoma
23 Statutes.
24

1 E. It shall be unlawful for any person to sell, give, or
2 otherwise distribute or possess with the intent to sell, give or
3 distribute software which:

4 1. Is primarily designed or produced for the purpose of
5 facilitating or enabling the falsification of electronic mail
6 transmission information or other routing information;

7 2. Has only limited commercially significant purpose or use
8 other than to facilitate or enable the falsification of electronic
9 mail transmission information or other routing information; or

10 3. Is marketed by that person or another acting in concert with
11 that person and with that person's knowledge for use in facilitating
12 or enabling the falsification of electronic mail transmission
13 information or other routing information.

14 Any person who violates the provisions of this subsection shall,
15 upon conviction, be guilty of a Class D1 felony offense and shall be
16 punished by imprisonment as provided for in subsections B through F
17 of Section 20N of Title 21 of the Oklahoma Statutes.

18 SECTION 351. AMENDATORY 15 O.S. 2021, Section 776.6, is
19 amended to read as follows:

20 Section 776.6. A. It shall be a violation of this act and
21 deemed a Class D1 felony offense for any person to transmit a
22 commercial electronic mail message that:
23
24

1 1. Falsifies electronic mail transmission information or other
2 routing information for the unsolicited commercial electronic
3 message; or

4 2. Contains false or misleading information in the subject
5 line.

6 B. It shall be a violation of this act and deemed a Class D1
7 felony offense for any person that sends a commercial electronic
8 mail message to use a third party's ~~internet~~ Internet address or
9 domain name without the third party's consent for the purpose of
10 transmitting electronic mail in a way that makes it appear that the
11 third party was the sender of such mail.

12 C. It shall be a violation of this act and deemed a Class D1
13 felony offense for any person that sends an unsolicited commercial
14 electronic mail message to fail to use the exact characters "ADV:"
15 as the first four characters in the subject line of an unsolicited
16 commercial electronic mail message.

17 D. It shall be a violation of this act and deemed a Class D1
18 felony offense for any person that sends an unsolicited commercial
19 electronic mail message containing sexually explicit material, or
20 advertising sexually explicit goods or services, to fail to use the
21 exact characters "ADV-ADULT:" as the first ten characters in the
22 subject line of such an unsolicited commercial electronic mail
23 message.

1 E. It shall be a violation of this act and deemed a Class D1
2 felony offense for any person that sends an unsolicited commercial
3 electronic mail message to fail to provide a mechanism allowing
4 recipients to easily and at no cost remove themselves from the
5 sender's electronic mail address lists so they are not included in
6 future mailings. A sender of an unsolicited commercial electronic
7 mail message shall remove the recipient from their electronic mail
8 message list if the sender receives an electronic mail message from
9 the recipient to the sender-operated return electronic mail address
10 that indicates anywhere in the subject line or text that the
11 recipient wants their name removed from the list of the sender.

12 F. Any person who violates the provisions of this section
13 shall, upon conviction, be guilty of a Class D1 felony offense and
14 shall be punished by imprisonment as provided for in subsections B
15 through F of Section 20N of Title 21 of the Oklahoma Statutes.

16 SECTION 352. AMENDATORY 17 O.S. 2021, Section 16, is
17 amended to read as follows:

18 Section 16. Any person who shall conceal, destroy, or mutilate
19 or attempt to conceal, destroy, or mutilate any records, books, or
20 files of any corporation transacting business in this state for the
21 purpose of defeating, hindering or delaying any investigation,
22 prosecution or suit at law or equity, or any cause of action in any
23 vested rights of any citizen of this state, shall be deemed guilty
24 of a Class D1 felony offense, and upon conviction thereof shall be

1 ~~punished by imprisonment in the State Penitentiary for not less than~~
2 ~~one (1) year nor more than five (5) years as provided for in~~
3 ~~subsections B through F of Section 20N of Title 21 of the Oklahoma~~
4 ~~Statutes.~~

5 SECTION 353. AMENDATORY 18 O.S. 2021, Section 411, is
6 amended to read as follows:

7 Section 411. Thirty (30) days after the passage and approval of
8 this bill, all chambers of commerce, commercial clubs, or any such
9 associations organized and doing business in this state as is
10 commonly done by such associations shall make a report to their
11 entire membership, setting forth and itemizing their receipts and
12 disbursements for the year ending at the date of the passage and
13 approval of this bill, and shall thereafter make a like report each
14 year ending June 30th.

15 Every committee or individual who solicits or receives any funds
16 from the public for such associations herein named shall make a full
17 itemized report of all receipts and disbursements thereof. The
18 report shall be filed with the city clerk where the committee or
19 person soliciting such fund resides, or where the funds were
20 collected; provided, that any person or committee who diverts the
21 funds so collected from the purposes for which they were solicited
22 or collected shall be guilty of a Class D1 felony offense and on
23 conviction therefor shall be punished by confinement ~~in the State~~
24 ~~Penitentiary for a term of not less than one (1) year nor more than~~

1 ~~five (5) years~~ as provided for in subsections B through F of Section
2 20N of Title 21 of the Oklahoma Statutes.

3 SECTION 354. AMENDATORY 18 O.S. 2021, Section 553.1, is
4 amended to read as follows:

5 Section 553.1. It shall be unlawful and deemed a Class D1
6 felony offense for any person, organization, group, association,
7 partnership, corporation, or combination thereof, to conduct or
8 carry on any drive for, or to solicit or invite, contributions of
9 funds for the purpose of or under the guise or representation or
10 promise of being able to secure old age or other assistance for any
11 person, under any state or federal law, or of securing for such
12 person or persons higher or additional assistance.

13 SECTION 355. AMENDATORY 18 O.S. 2021, Section 553.3, is
14 amended to read as follows:

15 Section 553.3. Any violation of the provisions of Sections
16 553.1 and 553.2 of this title shall constitute a Class D1 felony
17 offense and any person guilty thereof shall, upon conviction, be
18 fined not more than Ten Thousand Dollars (\$10,000.00) ~~and may, or~~ be
19 ~~confined in the State Penitentiary for a period of not to exceed ten~~
20 ~~(10) years~~ as provided for in subsections B through F of Section 20N
21 of Title 21 of the Oklahoma Statutes, or by both such fine and
22 imprisonment. Any such prohibited communication by any agent or
23 servant of a corporation shall subject such corporation to the fine
24 above specified in addition to whatever penalty is imposed upon such

1 agent or servant. Any corporation may be enjoined in the manner
2 provided in Section 12, Chapter 70, Title 21, Page 193, Oklahoma
3 Session Laws 1955, when any of the conditions herein set forth are
4 found to exist with respect to a violation of this act, or it may be
5 subject to the cancellation therein specified.

6 SECTION 356. AMENDATORY 19 O.S. 2021, Section 90, is
7 amended to read as follows:

8 Section 90. Any city, town or place being a candidate for the
9 location of any county seat in any such election may appoint and
10 designate one qualified elector in any precinct or voting place to
11 act as challenger at such precinct; and may appoint and designate
12 one poll book holder and one special watcher in any such precinct or
13 voting place: Provided, that the challenger, poll book holder and
14 watcher shall perform duties as provided by law governing any
15 general election. Any such city, town or place may appoint in
16 writing by, the mayor or president of the board of trustees thereof
17 or the president of the organization representing such place one
18 qualified elector of the county for each precinct who shall have the
19 right to be present in the room where the election is held at the
20 precinct to which such person is assigned, and during all the time
21 of the receipt and counting of the tickets or ballots, and until the
22 vote is fully canvassed by such election officers, and the returns
23 certified by the inspector, judges and clerks, and to whom the
24 inspector, judges and clerks shall deliver a certificate, signed by

1 each of them, of the vote received at said election by each
2 candidate, and the refusal of any such inspector, judge or clerk, or
3 other person to extend and enforce the right herein granted, shall
4 constitute a Class D1 felony offense and shall, upon conviction, be
5 punished by imprisonment as provided for in subsections B through F
6 of Section 20N of Title 21 of the Oklahoma Statutes. Such person
7 shall deliver such written appointment to the special election
8 commissioner of such election in proof of his authority to represent
9 his town as aforesaid at such election.

10 SECTION 357. AMENDATORY 19 O.S. 2021, Section 91, is
11 amended to read as follows:

12 Section 91. Any election officer who shall be appointed or
13 commissioned under the provisions of this article or the laws of
14 Oklahoma, and who shall knowingly and willfully fail or refuse to
15 perform the duties required of him, shall be guilty of a Class D1
16 felony offense and shall be punished by imprisonment as provided for
17 in subsections B through F of Section 20N of Title 21 of the
18 Oklahoma Statutes.

19 SECTION 358. AMENDATORY 19 O.S. 2021, Section 686, is
20 amended to read as follows:

21 Section 686. Any official or employee thereof or any member or
22 employee of any county board or county commission who shall fail,
23 neglect or refuse to comply with the requirements of Section 682 of
24 this title, or any other provision of this act, shall forfeit and

1 pay to the use of the county the sum of Ten Dollars (\$10.00) per day
2 for each and every day that he shall so fail, neglect or refuse to
3 comply with the requirements of said act, and shall forfeit and be
4 removed from office; and, any such official who shall issue, sign,
5 attest or utter any false or illegal voucher against any monies
6 deposited, as in this act provided, shall be liable to the county on
7 his official bond for a sum double in amount of any such illegal or
8 fraudulent voucher, and shall be guilty of a Class D1 felony offense
9 and upon conviction thereof shall be punished by a fine in a sum of
10 not less than One Hundred Dollars (\$100.00) nor more than One
11 Thousand Dollars (\$1,000.00) and by imprisonment ~~in the State~~
12 ~~Penitentiary for a term of not less than one (1) year nor more than~~
13 ~~five (5) years~~ as provided for in subsections B through F of Section
14 20N of Title 21 of the Oklahoma Statutes.

15 SECTION 359. AMENDATORY 21 O.S. 2021, Section 318, is
16 amended to read as follows:

17 Section 318. ~~No~~ It shall be unlawful and deemed a Class D1
18 felony offense for any person, firm, or member of a firm,
19 corporation, or association ~~shall~~ to give or offer any money,
20 position or thing of value to any member of the State Legislature to
21 influence him to work or to vote for any proposition, ~~nor~~ and shall
22 be unlawful for any member of the State Legislature to accept any
23 money, position, promise, or reward or thing of value for his work
24

1 or vote upon any bill, resolution or measure before either house of
2 the Legislature.

3 SECTION 360. AMENDATORY 21 O.S. 2021, Section 320, is
4 amended to read as follows:

5 Section 320. Any person or member of any firm, corporation or
6 association violating the provisions of Section 318 of this title
7 shall be guilty of a Class D1 felony offense punishable by
8 imprisonment ~~in the State Penitentiary for not less than two (2)~~
9 ~~years nor more than five (5) years~~ as provided for in subsections B
10 through F of Section 20N of this title, and by a fine in the sum of
11 not less than One Thousand Dollars (\$1,000.00) nor more than Five
12 Thousand Dollars (\$5,000.00).

13 SECTION 361. AMENDATORY 21 O.S. 2021, Section 321, is
14 amended to read as follows:

15 Section 321. It shall be unlawful and deemed a Class D1 felony
16 offense for any member of the Legislature of Oklahoma to solicit,
17 receive or accept any money or thing of value either directly or
18 through another person for soliciting or securing employment of or
19 for another person from any department or institution of the state,
20 where the said department or institution is supported in whole or in
21 part from revenues levied pursuant to law or appropriations made by
22 the Legislature.

23 SECTION 362. AMENDATORY 21 O.S. 2021, Section 322, is
24 amended to read as follows:

1 Section 322. Any member of the Legislature who shall violate
2 the provisions of Section 321 of this title shall be guilty of a
3 Class D1 felony offense, and upon conviction shall be fined in any
4 sum not less than One Hundred Dollars (\$100.00) nor to exceed One
5 Thousand Dollars (\$1,000.00), and be sentenced to ~~the State~~
6 ~~Penitentiary for a term not less than one (1) year nor to exceed~~
7 ~~five (5) years~~ a term of incarceration as provided for in
8 subsections B through F of Section 20N of this title, and, in
9 addition thereto, the member shall forfeit office.

10 SECTION 363. AMENDATORY 21 O.S. 2021, Section 334, is
11 amended to read as follows:

12 Section 334. No person may retain or employ a lobbyist, as
13 defined in Section 4249 of Title 74 of the Oklahoma Statutes, for
14 compensation contingent in whole or in part on the passage or defeat
15 of any official action or the approval or veto of any legislation,
16 issuance of an executive order or approval or denial of a pardon or
17 parole by the Governor. No lobbyist may accept any employment or
18 render any service for compensation contingent on the passage or
19 defeat of any legislation or the approval or veto of any legislation
20 by the Governor. Any person convicted of violating the provisions
21 of this section shall be guilty of a Class D1 felony offense
22 punishable by a fine of not more than One Thousand Dollars
23 (\$1,000.00), or by imprisonment ~~in the State Penitentiary not~~
24

1 ~~exceeding two (2) years~~ as provided for in subsections B through F
2 of Section 20N of this title, or by both such fine and imprisonment.

3 SECTION 364. AMENDATORY 21 O.S. 2021, Section 355, is
4 amended to read as follows:

5 Section 355. A. It shall be unlawful and deemed a Class D1
6 felony offense for any member of any board of county commissioners,
7 city council or other governing body of any city, board of trustees
8 of any town, board of directors of any township, board of education
9 of any city or school district, to furnish, for a consideration any
10 material or supplies for the use of the county, city, town,
11 township, or school district.

12 B. The provisions of this section shall not apply to those
13 municipal officers who are subject to Section 8-113 of Title 11 of
14 the Oklahoma Statutes or to a member of any board of education of a
15 school district in this state which does not include any part of a
16 municipality with a population greater than two thousand five
17 hundred (2,500) according to the latest Federal Decennial Census
18 when the board member is the only person who furnishes the material
19 or supplies within ten (10) miles of the corporate limits of the
20 municipality. However, any activities permitted by this subsection
21 shall not exceed Five Hundred Dollars (\$500.00) for any single
22 activity and shall not exceed Two Thousand Five Hundred Dollars
23 (\$2,500.00) for all activities in any calendar year.

1 C. It shall not be unlawful for any member of any board of
2 county commissioners, city council or other governing body of any
3 city, board of trustees of any town, board of directors of any
4 township, or board of education of any school district to vote to
5 purchase materials or supplies from a business that employs a member
6 of the governing body or employs the spouse of a member if the
7 member or the spouse of a member has an interest in the business of
8 five percent (5%) or less.

9 SECTION 365. AMENDATORY 21 O.S. 2021, Section 357, is
10 amended to read as follows:

11 Section 357. Any member of any public body, such as is
12 specified in Section 355 of this title, who shall be a party to any
13 such contract or purchase therein declared unlawful, or who shall
14 receive any money, warrant, certificate, or other consideration
15 thereunder, or who shall vote for or assent to any such contract or
16 purchase, shall be guilty of a Class D1 felony offense punishable by
17 a fine of not less than Fifty Dollars (\$50.00), and imprisonment ~~in~~
18 ~~the county jail not less than thirty (30) days, or by a fine of not~~
19 ~~more than Five Hundred Dollars (\$500.00), with imprisonment in the~~
20 ~~State Penitentiary not exceeding five (5) years~~ as provided for in
21 subsections B through F of Section 20N of this title.

22 SECTION 366. AMENDATORY 21 O.S. 2021, Section 358, is
23 amended to read as follows:
24

1 Section 358. A. It shall be unlawful and deemed a Class D1
2 felony offense for any person, firm, corporation, association or
3 agency to make, present, or cause to be presented to any employee or
4 officer of the State of Oklahoma, or to any department or agency
5 thereof, any false, fictitious or fraudulent claim for payment of
6 public funds upon or against the State of Oklahoma, or any
7 department or agency thereof, knowing such claim to be false,
8 fictitious or fraudulent. A violation of this subsection shall be
9 punished as provided in subsection A of Section 359 of this title.

10 B. It shall be unlawful for any person applying for employment
11 with the State of Oklahoma to make a materially false, fictitious or
12 fraudulent statement or representation on an employment application,
13 knowing such statement or representation to be materially false,
14 fictitious or fraudulent. A violation of this subsection shall be
15 punished as provided in subsection B of Section 359 of this title.

16 SECTION 367. AMENDATORY 21 O.S. 2021, Section 359, is
17 amended to read as follows:

18 Section 359. A. Any person, firm, corporation, association or
19 agency found guilty of violating subsection A of Section 358 of this
20 title shall be guilty of a Class D1 felony offense punishable by a
21 fine not exceeding Ten Thousand Dollars (\$10,000.00), or by
22 imprisonment ~~in the custody of the Department of Corrections for a~~
23 ~~term not exceeding two (2) years~~ as provided for in subsections B
24

1 through F of Section 20N of this title, or by both such fine and
2 imprisonment.

3 B. Any person found guilty of violating subsection B of Section
4 358 of this title shall be guilty of a misdemeanor punishable by a
5 fine not exceeding One Thousand Dollars (\$1,000.00), or by
6 imprisonment in the county jail for a term not exceeding one (1)
7 year, or by both such fine and imprisonment.

8 SECTION 368. AMENDATORY 21 O.S. 2021, Section 381, is
9 amended to read as follows:

10 Section 381. Whoever corruptly gives, offers, or promises to
11 any executive, legislative, county, municipal, judicial, or other
12 public officer, or any employee of the State of Oklahoma or any
13 political subdivision thereof, including peace officers and any
14 other law enforcement officer, or any person assuming to act as such
15 officer, after his election or appointment, either before or after
16 he has qualified or has taken his seat, any gift or gratuity
17 whatever, with intent to influence his act, vote, opinion, decision,
18 or judgment on any matter, question, cause, or proceeding which then
19 may be pending, or may by law come or be brought before him in his
20 official capacity, or as a consideration for any speech, work, or
21 service in connection therewith, shall be guilty of a Class D1
22 felony offense punishable by imprisonment ~~in the State Penitentiary~~
23 ~~not exceeding five (5) years~~ as provided for in subsections B
24 through F of Section 20N of this title, or by a fine not exceeding

1 Three Thousand Dollars (\$3,000.00) and imprisonment in jail not
2 exceeding one (1) year.

3 SECTION 369. AMENDATORY 21 O.S. 2021, Section 399, is
4 amended to read as follows:

5 Section 399. Whoever corruptly gives, offers or promises any
6 gift, gratuity or thing of value to any player, participant, coach,
7 referee, umpire, official or any other person having authority in
8 connection with the conducting of any amateur or professional
9 athletic contest with the intent to influence the action, conduct,
10 judgment, or decision of any such person in, or in connection with,
11 such contest, or as a consideration for such person acting, playing
12 or performing his functions in any such contest, in any manner
13 calculated to affect the result thereof, or in consideration of such
14 person failing to participate or engage in such contest, shall be
15 deemed guilty of bribery, and upon conviction shall be guilty of a
16 Class D1 felony offense punishable by imprisonment in the State
17 Penitentiary for not to exceed five (5) years; as provided for in
18 subsections B through F of Section 20N of this title, or by a fine
19 of not to exceed Three Thousand Dollars (\$3,000.00) and imprisonment
20 in the county jail for not to exceed one (1) year.

21 SECTION 370. AMENDATORY 21 O.S. 2021, Section 425, is
22 amended to read as follows:

23 Section 425. A. Any person who engages in a pattern of
24 criminal offenses in two or more counties in this state or who

1 attempts or conspires with others to engage in a pattern of criminal
2 offenses shall, upon conviction, be guilty of a Class D1 felony
3 offense punishable by imprisonment in the Department of Corrections
4 ~~for a term not exceeding two (2) years, or imprisonment in the~~
5 ~~county jail for a term not exceeding one (1) year~~ as provided for in
6 subsections B through F of Section 20N of this title, or by a fine
7 in an amount not more than Twenty-five Thousand Dollars
8 (\$25,000.00), or by both such fine and imprisonment. Such
9 punishment shall be in addition to any penalty imposed for any
10 offense involved in the pattern of criminal offenses. Double
11 jeopardy shall attach upon conviction.

12 B. For purposes of this act, "pattern of criminal offenses"
13 means:

14 1. Two or more criminal offenses are committed that are part of
15 the same plan, scheme, or adventure; or

16 2. A sequence of two or more of the same criminal offenses are
17 committed and are not separated by an interval of more than thirty
18 (30) days between the first and second offense, the second and
19 third, and so on; or

20 3. Two or more criminal offenses are committed, each proceeding
21 from or having as an antecedent element a single prior incident or
22 pattern of fraud, robbery, burglary, theft, identity theft, receipt
23 of stolen property, false personation, false pretenses, obtaining
24 property by trick or deception, taking a credit or debit card

1 without consent, or the making, transferring or receiving of a false
2 or fraudulent identification card.

3 C. Jurisdiction and venue for a pattern of criminal offenses
4 occurring in multiple counties in this state shall be determined as
5 provided in Section 1 of this act.

6 SECTION 371. AMENDATORY 21 O.S. 2021, Section 443, is
7 amended to read as follows:

8 Section 443. A. Any person having been imprisoned in a county
9 or city jail awaiting charges on a felony offense or prisoner
10 awaiting trial or having been sentenced on a felony charge to the
11 custody of the Department of Corrections or any other prisoner
12 having been lawfully detained who escapes from a county or city
13 jail, either while actually confined therein, while permitted to be
14 at large as a trusty, or while awaiting transportation to a
15 Department of Corrections facility for execution of sentence, shall
16 be guilty of a Class D1 felony offense punishable by imprisonment ~~of~~
17 ~~not less than one (1) year nor more than seven (7) years as provided~~
18 for in subsections B through F of Section 20N of this title.

19 B. Any person who is an inmate in the custody of the Department
20 of Corrections who escapes from said custody, either while actually
21 confined in a correctional facility, while assigned to an
22 alternative to incarceration authorized by law, while assigned to
23 the Preparole Conditional Supervision Program as authorized by
24 Section 365 of Title 57 of the Oklahoma Statutes or while permitted

1 to be at large as a trusty, shall be guilty of a Class D1 felony
2 offense punishable by imprisonment ~~of not less than two (2) years~~
3 ~~nor more than seven (7) years~~ as provided for in subsections B
4 through F of Section 20N of this title.

5 C. For the purposes of this section, an inmate assigned to an
6 alternative to incarceration authorized by law or to the Preparole
7 Conditional Supervision Program shall be considered to have escaped
8 if the inmate cannot be located within a twenty-four hour period or
9 if he or she fails to report to a correctional facility or
10 institution, as directed. This includes any person escaping by
11 absconding from an electronic monitoring device or absconding after
12 removing an electronic monitoring device from their body.

13 D. For the purposes of this section, if the individual who
14 escapes has felony convictions for offenses other than the offense
15 for which the person was serving imprisonment at the time of the
16 escape, those previous felony convictions may be used for
17 enhancement of punishment pursuant to the provisions of Section 434
18 of this title. The fact that any such convictions may have been
19 used to enhance punishment in the sentence for the offense for which
20 the person was imprisoned at the time of the escape shall not
21 prevent such convictions from being used to enhance punishment for
22 the escape.

23 E. Any juvenile or youthful offender lawfully placed in a
24 juvenile detention facility or secure juvenile facility, other than

1 a community intervention center, who escapes from the facility while
2 actually confined therein, who escapes while escorted by a
3 transportation officer, or who escapes while permitted to be on an
4 authorized pass or work program outside the facility shall be guilty
5 of a Class D1 felony offense punishable by imprisonment ~~for not less~~
6 ~~than one (1) year nor more than three (3) years~~ as provided for in
7 subsections B through F of Section 20N of this title. For purposes
8 of this subsection:

9 1. A juvenile or youthful offender permitted to be on an
10 authorized pass or work program shall be considered to have escaped
11 if the juvenile or youthful offender cannot be located within a
12 twenty-four-hour period or if the juvenile or youthful offender
13 fails to report to the facility at the specified time, and shall
14 include any juvenile or youthful offender escaping by absconding
15 from an electronic monitoring device or absconding after removing an
16 electronic monitoring device from the body of the juvenile or
17 youthful offender; and

18 2. "Escape" means a juvenile or youthful offender in lawful
19 custody who has absented himself or herself without official
20 permission from a facility or secure placement, during transport to
21 or from such facility, or failure to return from a pass issued by a
22 facility.

23 SECTION 372. AMENDATORY 21 O.S. 2021, Section 445, is
24 amended to read as follows:

1 Section 445. Any person who willfully gains unauthorized entry
2 into any state penal institution, jail, any place where prisoners
3 are located, or the penal institution grounds, upon conviction,
4 shall be guilty of a Class D1 felony offense punishable by
5 imprisonment ~~in the State Penitentiary for not less than one (1)~~
6 ~~year nor more than five (5) years~~ as provided for in subsections B
7 through F of Section 20N of this title, or by the imposition of a
8 fine of not less than Five Hundred Dollars (\$500.00) or more than
9 One Thousand Dollars (\$1,000.00), or by both such fine and
10 imprisonment.

11 SECTION 373. AMENDATORY 21 O.S. 2021, Section 453, is
12 amended to read as follows:

13 Section 453. Any person guilty of falsely preparing any book,
14 paper, record, instrument in writing, or other matter or thing, with
15 intent to produce it, or allow it to be produced as genuine upon any
16 trial, proceeding or inquiry whatever, authorized by law, shall be
17 guilty of a Class D1 felony offense and shall be punished by
18 imprisonment as provided for in subsections B through F of Section
19 20N of this title.

20 SECTION 374. AMENDATORY 21 O.S. 2021, Section 456, is
21 amended to read as follows:

22 Section 456. Any person who gives or offers or promises to give
23 to any witness or person about to be called as a witness in any
24 matter whatever, including contests before United States land

1 officers or townsite commissioners, any bribe upon any understanding
2 or agreement that the testimony of such witness shall be influenced,
3 or who attempts by any other means fraudulently to induce any
4 witness to give false testimony shall be guilty of a Class D1 felony
5 offense and shall be punished by imprisonment as provided for in
6 subsections B through F of Section 20N of this title, but if the
7 offer, promise, or bribe is in any way to induce the witness to
8 swear falsely, then it shall be held to be subornation of perjury.

9 SECTION 375. AMENDATORY 21 O.S. 2021, Section 461, is
10 amended to read as follows:

11 Section 461. Any clerk, register or other officer having the
12 custody of any record, maps or book, or of any paper or proceeding
13 of any court of justice, filed or deposited in any public office,
14 who is guilty of stealing, willfully destroying, mutilating,
15 defacing, altering or falsifying or unlawfully removing or secreting
16 such record, map, book, paper or proceeding, or who permits any
17 other person so to do, shall be guilty of a Class D1 felony offense
18 punishable by imprisonment in the State Penitentiary not exceeding
19 five (5) years as provided for in subsections B through F of Section
20 20N of this title, and in addition thereto, such person shall
21 forfeit office.

22 SECTION 376. AMENDATORY 21 O.S. 2021, Section 462, is
23 amended to read as follows:
24

1 Section 462. Any person not an officer such as is mentioned in
2 Section 461 of this title, who is guilty of any of the acts
3 specified in that section shall be guilty of a Class D1 felony
4 offense, punishable by imprisonment ~~in the State Penitentiary not~~
5 ~~exceeding five (5) years, or in a county jail not exceeding one (1)~~
6 year as provided for in subsections B through F of Section 20N of
7 this title, or by a fine not exceeding Five Hundred Dollars
8 (\$500.00), or by both such fine and imprisonment.

9 SECTION 377. AMENDATORY 21 O.S. 2021, Section 463, is
10 amended to read as follows:

11 Section 463. Any person who knowingly procures or offers any
12 false or forged instrument to be filed, registered, or recorded in
13 any public office within this state, which instrument, if genuine,
14 might be filed or registered or recorded under any law of this state
15 or of the United States, shall be guilty of a Class D1 felony
16 offense and shall be punished by imprisonment as provided for in
17 subsection B through F of Section 20N of this title.

18 SECTION 378. AMENDATORY 21 O.S. 2021, Section 491, is
19 amended to read as follows:

20 Section 491. Whoever, in a trial, hearing, investigation,
21 deposition, certification or declaration, in which the making or
22 subscribing of a statement is required or authorized by law, makes
23 or subscribes a statement under oath, affirmation or other legally
24 binding assertion that the statement is true, when in fact the

1 witness or declarant does not believe that the statement is true or
2 knows that it is not true or intends thereby to avoid or obstruct
3 the ascertainment of the truth, is guilty of perjury, a Class D1
4 felony offense. It shall be a defense to the charge of perjury as
5 defined in this section that the statement is true.

6 SECTION 379. AMENDATORY 21 O.S. 2021, Section 496, is
7 amended to read as follows:

8 Section 496. Whoever, in one or more trials, hearings,
9 investigations, depositions, certifications or declarations, in
10 which the making or subscribing of statements is required or
11 authorized by law, makes or subscribes two or more statements under
12 oath, affirmation or other legally binding assertion that the
13 statements are true, when in fact two or more of the statements
14 contradict each other, is guilty of perjury, a Class D1 felony
15 offense.

16 SECTION 380. AMENDATORY 21 O.S. 2021, Section 500, is
17 amended to read as follows:

18 Section 500. Perjury is a Class D1 felony offense punishable by
19 imprisonment ~~in the State Penitentiary as follows:~~

20 ~~1. When committed on the trial of an indictment for felony, by~~
21 ~~imprisonment not less than two (2) years nor more than twenty (20)~~
22 ~~years;~~

1 ~~2. When committed on any other trial proceeding in a court of~~
2 ~~justice, by imprisonment for not less than one (1) year nor more~~
3 ~~than ten (10) years; and~~

4 ~~3. In all other cases by imprisonment not more than five (5)~~
5 ~~years~~ as provided for in subsections B through F of Section 20N of
6 this title.

7 SECTION 381. AMENDATORY 21 O.S. 2021, Section 504, is
8 amended to read as follows:

9 Section 504. Whoever procures another to commit perjury is
10 guilty of perjury by subornation. Perjury by subornation is a Class
11 D1 felony offense, punishable as provided in Section 505 of this
12 title. Whoever does any act with the specific intent to commit
13 perjury by subornation but fails to complete that offense is guilty
14 of attempted perjury by subornation.

15 SECTION 382. AMENDATORY 21 O.S. 2021, Section 505, is
16 amended to read as follows:

17 Section 505. Any person guilty of subornation of perjury is
18 ~~punishable in the same manner as he would be if personally, upon~~
19 conviction, guilty of the perjury so procured a Class D1 felony
20 offense punishable by imprisonment as provided for in subsections B
21 through F of Section 20N of this title.

22 SECTION 383. AMENDATORY 21 O.S. 2021, Section 531, is
23 amended to read as follows:

1 Section 531. Any sheriff, coroner, clerk of a court, constable
2 or other ministerial officer, and every deputy or subordinate of any
3 ministerial officer, who mutilates, destroys, conceals, erases,
4 obliterates or falsifies any record or paper appertaining to his
5 office shall be guilty of a Class D1 felony offense and shall be
6 punished by imprisonment as provided for in subsections B through F
7 of Section 20N of this title.

8 SECTION 384. AMENDATORY 21 O.S. 2021, Section 540C, is
9 amended to read as follows:

10 Section 540C. A. It shall be unlawful for any person to
11 willfully fortify an access point into any dwelling, structure,
12 building or other place where a felony offense prohibited by the
13 Uniform Controlled Dangerous Substances Act is being committed, or
14 attempted, and the fortification is for the purpose of preventing or
15 delaying entry or access by a law enforcement officer, or to harm or
16 injure a law enforcement officer in the performance of official
17 duties.

18 B. For purposes of this section, "fortify an access point"
19 means to willfully construct, install, position, use or hold any
20 material or device designed to injure a person upon entry or to
21 strengthen, defend, restrict or obstruct any door, window or other
22 opening into a dwelling, structure, building or other place to any
23 extent beyond the security provided by a commercial alarm system,
24 lock or deadbolt, or a combination of alarm, lock or deadbolt.

1 C. Any person violating the provisions of this section shall,
2 upon conviction, be guilty of a Class D1 felony offense punishable
3 by imprisonment ~~in the custody of the Department of Corrections for~~
4 ~~a term of not more than five (5) years~~ as provided for in
5 subsections B through F of Section 20N of this title, or by a fine
6 in an amount not exceeding Ten Thousand Dollars (\$10,000.00), or by
7 both such fine and imprisonment.

8 SECTION 385. AMENDATORY 21 O.S. 2021, Section 543, is
9 amended to read as follows:

10 Section 543. Any person who, having knowledge of the actual
11 commission of a crime or violation of statute, takes any money or
12 property of another, or any gratuity or reward, or any engagement or
13 promise therefor, upon any agreement or understanding, express or
14 implied, to compound or conceal such crime, or violation of statute,
15 or to abstain from any prosecution therefor, or to withhold any
16 evidence thereof, is punishable as follows:

17 1. By imprisonment for a Class D1 felony ~~in the State~~
18 ~~Penitentiary not exceeding five (5) years, or in a county jail not~~
19 ~~exceeding one (1) year~~ offense as provided for in subsections B
20 through F of Section 20N of this title, if the crime compounded is
21 one punishable either by death or by imprisonment in the State
22 Penitentiary for life;

23 2. By imprisonment for a Class D1 felony ~~in the State~~
24 ~~Penitentiary not exceeding three (3) years, or in a county jail not~~

1 ~~exceeding six (6) months~~ offense as provided for in subsections B
2 through F of Section 20N of this title, if the crime compounded was
3 punishable by imprisonment in the State Penitentiary for any other
4 term than for life; or

5 3. By imprisonment in a county jail not exceeding one (1) year,
6 or by a fine not exceeding Two Hundred Fifty Dollars (\$250.00), or
7 by both such fine and imprisonment, if the crime or violation of
8 statute compounded is a crime punishable by imprisonment in a county
9 jail, or by fine, or is a misdemeanor, or violation of statute for
10 which a pecuniary or other penalty or forfeiture is prescribed.

11 SECTION 386. AMENDATORY 21 O.S. 2021, Section 579, is
12 amended to read as follows:

13 Section 579. Any person to whom an infant has been confided for
14 nursing, education, or any other person, who, with intent to deceive
15 any parent or guardian of such child, substitutes or produces to
16 such parent or guardian another child in the place of the one so
17 confided shall be guilty of a Class D1 felony offense punishable by
18 imprisonment ~~in the State Penitentiary not exceeding seven (7) years~~
19 as provided for in subsections B through F of Section 20N of this
20 title.

21 SECTION 387. AMENDATORY 21 O.S. 2021, Section 588, is
22 amended to read as follows:

23 Section 588. If any person, firm or corporation shall knowingly
24 and willfully, by means of any device whatsoever, records or

1 attempts to record the proceedings of any grand or petit jury in any
2 court of the State of Oklahoma while such jury is deliberating or
3 voting or listens to or observes, or attempts to listen to or
4 observe, the proceedings of any grand or petit jury of which he is
5 not a member in any court of the State of Oklahoma while such jury
6 is deliberating or voting shall be guilty of a Class D1 felony
7 offense and shall be fined not more than One Thousand Dollars
8 (\$1,000.00), or imprisoned not more than two (2) years as provided
9 for in subsections B through F of Section 20N of this title, or
10 both. Provided, however, that nothing in this section shall be
11 construed to prohibit the taking of notes by a grand juror in any
12 court of the State of Oklahoma in connection with and solely for the
13 purpose of assisting him in the performance of his duties as such
14 juror.

15 SECTION 388. AMENDATORY 21 O.S. 2021, Section 861, is
16 amended to read as follows:

17 Section 861. Every person who administers to any woman, or who
18 prescribes for any woman, or advises or procures any woman to take
19 any medicine, drug or substance, or uses or employs any instrument,
20 or other means whatever, with intent thereby to procure the
21 miscarriage of such woman, unless the same is necessary to preserve
22 her life, shall be guilty of a Class D1 felony offense punishable by
23 imprisonment ~~in the State Penitentiary for not less than two (2)~~
24

1 ~~years nor more than five (5) years~~ as provided for in subsections B
2 through F of Section 20N of this title.

3 SECTION 389. AMENDATORY 21 O.S. 2021, Section 872, is
4 amended to read as follows:

5 Section 872. Any person guilty of the crime of adultery shall
6 be guilty of a Class D1 felony offense and punished by imprisonment
7 in the State Penitentiary not exceeding five (5) years or by a fine
8 not exceeding Five Hundred Dollars (\$500.00), or by both such fine
9 and imprisonment.

10 SECTION 390. AMENDATORY 21 O.S. 2021, Section 883, is
11 amended to read as follows:

12 Section 883. Any person guilty of bigamy shall be guilty of a
13 Class D1 felony offense punishable by imprisonment ~~in the State~~
14 ~~Penitentiary not exceeding five (5) years~~ as provided for in
15 subsections B through F of Section 20N of this title.

16 SECTION 391. AMENDATORY 21 O.S. 2021, Section 884, is
17 amended to read as follows:

18 Section 884. Any person who knowingly marries the husband or
19 wife of another, in any case in which such husband or wife would be
20 punishable according to the foregoing provisions, shall be guilty of
21 a Class D1 felony offense punishable by imprisonment ~~in the State~~
22 ~~Penitentiary not exceeding five (5) years, or in a county jail not~~
23 ~~exceeding one (1) year~~ as provided for in subsections B through F of
24

1 Section 20N of this title, or by a fine not exceeding Five Hundred
2 Dollars (\$500.00), or by both such fine and imprisonment.

3 SECTION 392. AMENDATORY 21 O.S. 2021, Section 954, is
4 amended to read as follows:

5 Section 954. Any person who deals, plays or practices in the
6 State of Oklahoma, or who is in any manner accessory to the dealing,
7 playing or practicing of a swindle known as three-card monte, or any
8 other swindle or confidence game, play or practice, shall be deemed
9 guilty of a Class D1 felony offense and, upon conviction thereof,
10 shall be punished by a fine of not less than One Thousand Dollars
11 (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or by
12 ~~confinement in the State Penitentiary for a term of not less than~~
13 ~~one (1) year nor more than five (5) years~~ as provided for in
14 subsections B through F of Section 20N of this title.

15 SECTION 393. AMENDATORY 21 O.S. 2021, Section 984, is
16 amended to read as follows:

17 Section 984. A. Dealing in gambling devices is manufacturing,
18 transferring or possessing with intent to transfer any gambling
19 device or subassembly or essential part thereof.

20 B. Any person dealing in gambling devices shall be guilty of a
21 Class D1 felony offense punishable by imprisonment ~~for not more than~~
22 ~~five (5) years~~ as provided for in subsections B through F of Section
23 20N of this title, or a fine of not more than Twenty-five Thousand
24 Dollars (\$25,000.00), or by both such fine and imprisonment.

1 SECTION 394. AMENDATORY 21 O.S. 2021, Section 986, is
2 amended to read as follows:

3 Section 986. A. Installing communication facilities for
4 gamblers is:

5 1. Installing communications facilities in a place which the
6 person who installs the facilities knows is a gambling place;

7 2. Installing communications facilities knowing that they will
8 be used principally for the purpose of transmitting information to
9 be used in making or settling bets; or

10 3. Knowing that communications facilities are being used
11 principally for the purpose of transmitting information to be used
12 in making or settling bets, allowing their continued use.

13 B. Any person not an employee of a communications public
14 utility authorized to transact business in this state by the
15 Oklahoma Corporation Commission acting within the scope of his
16 employment, violating subsection A above, who knows or has reason to
17 know said communications facilities will be used in making or
18 settling commercial gambling transactions and installs said
19 facilities with the intent to facilitate said commercial gambling
20 transactions and is found guilty thereof shall be guilty of a Class
21 D1 felony offense and shall be punished by imprisonment ~~for not more~~
22 ~~than five (5) years~~ as provided for in subsections B through F of
23 Section 20N of this title, or a fine of not more than Twenty-five
24

1 Thousand Dollars (\$25,000.00), or by both such fine and
2 imprisonment.

3 C. When any communications public utility providing telephone
4 communications service is notified in writing by an order of a court
5 of competent jurisdiction, acting within its jurisdiction, that any
6 facility furnished by it is being used principally for the purpose
7 of transmitting or receiving gambling information, it shall
8 discontinue or refuse the leasing, furnishing or maintaining of such
9 facility, after reasonable notice to the subscriber, but no damages,
10 penalty or forfeiture, civil or criminal, shall be found against any
11 such public utility for any act done in compliance with any such
12 court order. Nothing in this section shall be deemed to prejudice
13 the right of any person affected thereby to secure an appropriate
14 determination, as otherwise provided by law, in a court of competent
15 jurisdiction, that such facility should not be discontinued or
16 removed, or should be restored.

17 SECTION 395. AMENDATORY 21 O.S. 2021, Section 987, is
18 amended to read as follows:

19 Section 987. A. Dissemination of gambling information is the
20 transmitting or receiving, by means of any communications
21 facilities, information to be used in making or settling bets.
22 Provided that nothing herein shall prohibit a licensed radio or
23 television station or newspaper of general circulation from
24

1 broadcasting or disseminating to the public reports of odds or
2 results of legally staged sporting events.

3 B. Any person found guilty of disseminating gambling
4 information shall be guilty of a Class D1 felony offense and shall
5 be punished by imprisonment ~~for not more than five (5) years as~~
6 provided for in subsections B through F of Section 20N of this
7 title, or a fine of not more than Twenty-five Thousand Dollars
8 (\$25,000.00), or by both such fine and imprisonment.

9 SECTION 396. AMENDATORY 21 O.S. 2021, Section 988, is
10 amended to read as follows:

11 Section 988. A. A conspiracy is any agreement, combination or
12 common plan or scheme by two or more persons, coupled with an overt
13 act in furtherance of such agreement, combination or common plan or
14 scheme, to violate any section of this act.

15 B. Any person found guilty of conspiracy shall be guilty of a
16 Class D1 felony offense and shall be punished to the same extent as
17 ~~provided for in the section of this act which such person conspired~~
18 ~~to violate~~ by imprisonment as provided for in subsections B through
19 F of Section 20N of this title.

20 SECTION 397. AMENDATORY 21 O.S. 2021, Section 1031, as
21 last amended by Section 2, Chapter 267, O.S.L. 2024 (21 O.S. Supp.
22 2024, Section 1031), is amended to read as follows:

23 Section 1031. A. Except as provided in subsection B, C, D, or
24 E of this section, any person violating any of the provisions of

1 paragraph 1, 2, 3, or 5 of subsection A of Section 1029 or Section
2 1030 of this title shall, upon conviction, be guilty of a
3 misdemeanor and shall be punished by imprisonment in the county jail
4 for not less than thirty (30) days nor more than one (1) year or by
5 fines as follows: a fine not more than Two Thousand Five Hundred
6 Dollars (\$2,500.00) upon the first conviction for violation of any
7 of such provisions, a fine not more than Five Thousand Dollars
8 (\$5,000.00) upon the second conviction for violation of any of such
9 provisions, and a fine not more than Seven Thousand Five Hundred
10 Dollars (\$7,500.00) upon the third or subsequent convictions for
11 violation of any of such provisions, or by both such imprisonment
12 and fine. In addition, the court may require a term of community
13 service not less than forty (40) nor more than eighty (80) hours.
14 The court in which any such conviction is had shall notify the
15 county superintendent of public health of such conviction.

16 B. Any person who engages in an act of prostitution with
17 knowledge that he or she is infected with the human immunodeficiency
18 virus shall, upon conviction, be guilty of a Class D1 felony offense
19 ~~punishable by imprisonment in the custody of the Department of~~
20 ~~Corrections for not more than five (5) years as provided for in~~
21 subsections B through F of Section 20N of this title.

22 C. Any person who engages in an act of child prostitution as
23 defined in Section 1030 of this title shall, upon conviction, be
24 guilty of a Class B1 felony offense punishable by imprisonment in

1 the custody of the Department of Corrections for not more than ten
2 (10) years and by fines as follows: a fine not more than Five
3 Thousand Dollars (\$5,000.00) upon the first conviction, a fine not
4 more than Ten Thousand Dollars (\$10,000.00) upon the second
5 conviction, and a fine not more than Fifteen Thousand Dollars
6 (\$15,000.00) upon the third or subsequent convictions.

7 D. Any person violating any of the provisions of Section 1029
8 or 1030 of this title within one thousand (1,000) feet of a school
9 or church shall, upon conviction, be guilty of a Class D1 felony
10 offense and shall be punished by imprisonment ~~in the custody of the~~
11 ~~Department of Corrections for not more than five (5) years~~ as
12 provided for in subsections B through F of Section 20N of this
13 title, or by fines as follows: a fine not more than Two Thousand
14 Five Hundred Dollars (\$2,500.00) upon the first conviction for
15 violation of any of such provisions, a fine not more than Five
16 Thousand Dollars (\$5,000.00) upon the second conviction for
17 violation of any of such provisions, and a fine not more than Seven
18 Thousand Five Hundred Dollars (\$7,500.00) upon the third or
19 subsequent convictions for violation of any of such provisions, or
20 by both such imprisonment and fine. In addition, the court may
21 require a term of community service not less than forty (40) nor
22 more than eighty (80) hours. The court in which any such conviction
23 is had shall notify the county superintendent of public health of
24 such conviction.

1 E. Any person violating paragraph 4 of subsection A of Section
2 1029 of this title shall, upon conviction, be guilty of a Class B4
3 felony offense and shall be punished in accordance with the
4 provisions of subsection B of Section 1040.57 of this title.

5 SECTION 398. AMENDATORY 21 O.S. 2021, Section 1040.80,
6 as amended by Section 32, Chapter 59, O.S.L. 2024 (21 O.S. Supp.
7 2024, Section 1040.80), is amended to read as follows:

8 Section 1040.80. A. As used in this section, the term:

9 1. "Interactive computer service provider" means any provider
10 to the public of computer access via the Internet to a computer
11 server or similar device used for the storage of graphic, video or
12 images;

13 2. "Internet" means the international computer network of both
14 federal and nonfederal interoperable packet-switched data networks;

15 3. "Controlled or owned by" with respect to a server or other
16 storage device means a server or other such device that is entirely
17 owned by the interactive computer service provider or is subject to
18 exclusive management by the interactive computer service provider by
19 agreement or otherwise; and

20 4. "Child sexual abuse material" means explicit child sexual
21 abuse material as defined in Section 1024.1 of this title.

22 B. The Attorney General or a law enforcement officer who
23 receives information that an item of alleged child sexual abuse
24

1 material resides on a server or other storage device controlled or
2 owned by an interactive computer service provider shall:

3 1. Contact the interactive computer service provider that
4 controls or owns the server or other storage device where the item
5 of alleged child sexual abuse material is located;

6 2. Inform the interactive computer service provider of the
7 provisions of this section; and

8 3. Request that the interactive computer service provider
9 voluntarily comply with this section and remove the item of alleged
10 child sexual abuse material from its server or other storage device
11 expeditiously.

12 C. 1. If an interactive computer service does not voluntarily
13 remove the item of alleged child sexual abuse material in a timely
14 manner, the Attorney General or law enforcement officer shall apply
15 for a court order of authorization to remove the item of alleged
16 child sexual abuse material under this section. The obligation to
17 remove the item of alleged child sexual abuse material shall not
18 apply to the transmitting or routing of, or the intermediate,
19 temporary storage or caching of an image, information or data that
20 is otherwise subject to this section.

21 2. The application for a court order shall include:

22 a. the authority of the applicant to make such an
23 application,
24

- 1 b. the identity and qualifications of the investigative
2 or law enforcement officer or agency that, in the
3 official scope of that officer's duties or agency's
4 authority, discovered the images, information, or
5 data,
- 6 c. a particular statement of the facts relied upon by the
7 applicant, including:
- 8 (1) the identity of the interactive computer service,
9 (2) identification of the item of alleged child
10 sexual abuse material discovered on the server or
11 other storage device controlled or owned by an
12 interactive computer service provider,
- 13 (3) the particular images, information, or data to be
14 removed or to which access is to be disabled
15 identified by uniform resource locator (URL) or
16 Internet protocol (IP) address, a statement
17 certifying that such content resides on a server
18 or storage device controlled or owned by such
19 interactive computer service provider, and
- 20 (4) the steps taken to obtain voluntary compliance by
21 such interactive computer service provider with
22 the requirements of this act prior to filing the
23 application,
- 24

1 d. such additional testimony and documentary evidence in
2 support of the application as the judge may require,
3 and

4 e. a showing that there is probable cause to believe that
5 the child sexual abuse material items constitutes a
6 violation of this section.

7 D. The Attorney General shall notify the interactive computer
8 service provider which is identified in the court's order in
9 accordance with the provisions of this section. The Attorney
10 General shall notify an interactive computer service provider upon
11 the issuance of an order authorizing the removal of the items of
12 alleged child sexual abuse material.

13 1. The notice by the Attorney General shall include:

14 a. a copy of the application made pursuant to subsection
15 C of this section,

16 b. a copy of the court order issued pursuant to
17 subsection K of this section,

18 c. notification that the interactive computer service
19 shall remove the item of alleged child sexual abuse
20 material contained in the order which resides on a
21 server or other storage device controlled or owned by
22 such interactive service provider and which are
23 accessible to persons located within this state
24 expeditiously after receipt of the notification,

- d. notification of the criminal penalties for failure to remove the item of child sexual abuse material,
- e. notification of the right to appeal the court's order, and
- f. contact information for the Attorney General's Office.

2. An interactive computer service may designate an agent within the state to receive notification pursuant to this section.

E. The interactive computer service provider has the right to request a hearing before the court imposes any penalty under this section.

F. Nothing in this section may be construed as imposing a duty on an interactive computer service provider to actively monitor its service or affirmatively seek evidence of illegal activity on its service.

G. Notwithstanding any other provision of law to the contrary, any interactive computer service provider that intentionally violates subsection L of this section commits:

1. A misdemeanor for a first offense punishable by a fine of One Thousand Dollars (\$1,000.00);

2. A misdemeanor of a high and aggravated nature for a second offense punishable by a fine of Five Thousand Dollars (\$5,000.00); and

1 3. A Class D1 felony offense for a third or subsequent offense
2 punishable by a fine of Thirty Thousand Dollars (\$30,000.00) and
3 imprisonment for a maximum of five (5) years.

4 H. The Attorney General shall have concurrent prosecutorial
5 jurisdiction with a district attorney for violation of this section.

6 I. The removal of the alleged item of child sexual abuse
7 material which resides on a server or other storage device, shall
8 not, to the extent possible, interfere with any request of a law
9 enforcement agency to preserve records or other evidence, which may
10 be kept by the interactive computer service provider in the normal
11 course of business.

12 J. Upon consideration of an application for authorization to
13 remove the item of alleged child sexual abuse material that resides
14 on a server or other storage device controlled or owned by an
15 interactive computer service provider as set forth in subsection C
16 of this section, the judge may enter an ex parte order, as requested
17 or as modified, authorizing the removal of the item of alleged child
18 sexual abuse material, if the court determines on the basis of the
19 facts submitted by the applicant that there is or was probable cause
20 for belief that:

21 1. The item of alleged child sexual abuse material constitutes
22 evidence of an act in violation of this section;

23 2. The investigative or law enforcement officer or agency acted
24 within the official scope of that officer's duties or agency's

1 authority, in discovering the images, information, or data and has
2 complied with the requirements of subsection I and subsection K of
3 this section;

4 3. An item of alleged child sexual abuse material resides on
5 the server or other storage device controlled or owned by the
6 interactive computer service provider and is accessible to persons
7 located in the state; and

8 4. In the case of an application, other than a renewal or
9 extension, for an order removing the item of alleged child sexual
10 abuse material which was the subject of a previous order authorizing
11 the removal or disabling of access, the application is based upon
12 new evidence or information different from and in addition to the
13 evidence or information offered to support the prior order.

14 K. Each order authorizing the removal or disabling of access to
15 an alleged item of child sexual abuse material shall contain:

16 1. The name of the judge authorized to issue the order;

17 2. A particular description of the images, information, or data
18 to be removed or access to such disabled, identified by a URL or IP
19 address, and a statement of the particular violation of the section
20 to which the images, information, or data relate;

21 3. The identity of the investigative or law enforcement officer
22 or agency who discovered the images, information, or data and the
23 identity of whoever authorized the application; and
24

1 4. Such additional information or instruction as the court
2 deems necessary to execute the order.

3 L. The court shall review the application and testimony, if
4 offered, and, upon a finding of probable cause, issue an order that:

5 1. An item of child sexual abuse material resides on a server
6 or other storage device controlled by the interactive computer
7 service provider and is accessible to persons located in the state;

8 2. The interactive computer service provider shall remove the
9 item residing on a server or other storage device controlled or
10 owned by the interactive computer service provider expeditiously
11 after receiving the order, if practical;

12 3. The order shall specify that removal of any item covered by
13 the order shall be accomplished in a fashion that prevents or
14 minimizes the removal of, or restriction of access to, images,
15 information, or data that are not subject to the order;

16 4. Failure of the interactive computer service provider to
17 comply with the court's order is a violation of this section;

18 5. The removal of the item on the server or other storage
19 device controlled or owned by the interactive computer service
20 provider may not unreasonably interfere with a request by a law
21 enforcement agency to preserve records for a reasonable period and
22 in accordance with law; and
23
24

1 6. Provides the interactive computer service provider notice
2 and opportunity for a hearing before the court imposes any penalty
3 under this subsection.

4 M. An interactive computer service provider who is served with
5 a court order under subsection L of this section shall remove the
6 item of child sexual abuse material that is the subject of the order
7 expeditiously after receiving the court order, if practicable.

8 N. 1. An interactive service provider may petition the court
9 for relief for cause from an order issued under subsection L of this
10 section.

11 2. The petition may be based on considerations of:

- 12 a. the cost or technical feasibility of compliance with
13 the order, or
14 b. the inability of the interactive computer service
15 provider to comply with the order without also
16 removing data, images or information that are not
17 subject to this section.

18 SECTION 399. AMENDATORY 21 O.S. 2021, Section 1040.13b,
19 as amended by Section 1, Chapter 214, O.S.L. 2024 (21 O.S. Supp.
20 2024, Section 1040.13b), is amended to read as follows:

21 Section 1040.13b. A. As used in this section:

22 1. "Image" includes a photograph, film, videotape, digital
23 recording or other depiction or portrayal of an object, including a
24 human body;

1 2. "Intimate parts" means the fully unclothed, partially
2 unclothed or transparently clothed genitals, pubic area or female
3 adult nipple; and

4 3. "Sexual act" means sexual intercourse including genital,
5 anal or oral sex.

6 B. A person commits nonconsensual dissemination of private
7 sexual images when he or she:

8 1. Intentionally disseminates an image of another person who is
9 engaged in a sexual act or whose intimate parts are exposed, in
10 whole or in part;

11 2. Obtains the image under circumstances in which a reasonable
12 person would know or understand that the image was to remain
13 private; and

14 3. Disseminates the image without the effective consent of the
15 depicted person.

16 C. The provisions of this section shall not apply to the
17 intentional dissemination of an image of another identifiable person
18 who is engaged in a sexual act or whose intimate parts are exposed
19 when:

20 1. The dissemination is made for the purpose of a criminal
21 investigation that is otherwise lawful;

22 2. The dissemination is for the purpose of, or in connection
23 with, the reporting of unlawful conduct;

1 3. The images involve voluntary exposure in public or
2 commercial settings; or

3 4. The dissemination serves a lawful purpose.

4 D. Nothing in this section shall be construed to impose
5 liability upon the following entities solely as a result of content
6 or information provided by another person:

7 1. An interactive computer service, as defined in 47 U.S.C.,
8 Section 230(f)(2);

9 2. A wireless service provider, as defined in Section 332(d) of
10 the Telecommunications Act of 1996, 47 U.S.C., Section 151 et seq.,
11 Federal Communications Commission rules, and the Omnibus Budget
12 Reconciliation Act of 1993, Pub. L. No. 103-66; or

13 3. A telecommunications network or broadband provider.

14 E. A person convicted under this section is subject to the
15 forfeiture provisions in Section 1040.54 of this title.

16 F. Any person who violates the provisions of subsection B of
17 this section shall, upon conviction, be guilty of a misdemeanor
18 punishable by imprisonment in a county jail for not more than one
19 (1) year or by a fine of not more than One Thousand Dollars
20 (\$1,000.00), or both such fine and imprisonment.

21 G. Any person who violates or attempts to violate the
22 provisions of subsection B of this section and who gains or attempts
23 to gain any property or who gains or attempts to gain anything of
24 value as a result of the nonconsensual dissemination or threatened

1 dissemination of private sexual images shall, upon conviction, be
2 guilty of a Class D1 felony offense punishable by imprisonment ~~in~~
3 ~~the custody of the Department of Corrections for not more than five~~
4 ~~(5) years~~ as provided for in subsections B through F of Section 20N
5 of this title. A second or subsequent violation of this subsection
6 shall be a Class D1 felony offense punishable by imprisonment ~~in the~~
7 ~~custody of the Department of Corrections for not more than ten (10)~~
8 ~~years~~ as provided for in subsections B through F of Section 20N of
9 this title and the offender shall be required to register as a sex
10 offender under the Sex Offenders Registration Act.

11 H. The state shall not have the discretion to file a
12 misdemeanor charge, pursuant to Section 234 of Title 22 of the
13 Oklahoma Statutes, for a violation pursuant to subsection G of this
14 section.

15 I. The court shall have the authority to order the defendant to
16 remove the disseminated image should the court find it is in the
17 power of the defendant to do so.

18 J. Nothing in this section shall prohibit the prosecution of a
19 person pursuant to the provisions of Section 1021.2, 1021.3, 1024.1,
20 1024.2, or 1040.12a of this title or any other applicable statute.

21 K. Any person who violates the provisions of subsection B of
22 this section by disseminating three or more images within a six-
23 month period shall, upon conviction, be guilty of a Class D1 felony
24 offense punishable by imprisonment ~~in the custody of the Department~~

1 ~~of Corrections for not more than ten (10) years as provided for in~~
2 subsections B through F of Section 20N of this title.

3 SECTION 400. AMENDATORY 21 O.S. 2021, Section 1125, is
4 amended to read as follows:

5 Section 1125. A. A zone of safety is hereby created around
6 elementary, junior high and high schools, permitted or licensed
7 child care centers as defined by the Department of Human Services,
8 playgrounds, parks or the residence of a victim of a sex crime.

9 1. A person is prohibited from loitering within five hundred
10 (500) feet of any elementary, junior high or high school, permitted
11 or licensed child care center, playground, or park if the person has
12 been convicted of a crime that requires the person to register
13 pursuant to the Sex Offenders Registration Act or the person has
14 been convicted of an offense in another jurisdiction, which offense
15 if committed or attempted in this state, would have been punishable
16 as one or more of the offenses listed in Section 582 of Title 57 of
17 the Oklahoma Statutes and the victim was a child under the age of
18 sixteen (16) years.

19 2. A person is prohibited from entering any park if:

- 20 a. the person has been designated as a habitual or
21 aggravated sex offender as provided in Section 584 of
22 Title 57 of the Oklahoma Statutes, or
23 b. the person has been convicted of an offense in another
24 jurisdiction, which offense, if committed or attempted

1 in this state, would designate the person as a
2 habitual or aggravated sex offender as provided in
3 Section 584 of Title 57 of the Oklahoma Statutes.

4 3. A person is prohibited from loitering within one thousand
5 (1,000) feet of the residence of his or her victim if:

6 a. the person who committed a sex crime against the
7 victim has been convicted of said crime, and

8 b. the person is required to register pursuant to the Sex
9 Offenders Registration Act.

10 B. A person convicted of a violation of subsection A of this
11 section shall be guilty of a Class D1 felony offense punishable by a
12 fine not exceeding Two Thousand Five Hundred Dollars (\$2,500.00), or
13 by imprisonment ~~in the county jail for a term of not more than one~~
14 ~~(1) year~~ as provided for in subsections B through F of Section 20N
15 of this title, or by both such fine and imprisonment. Any person
16 convicted of a second or subsequent violation of subsection A of
17 this section shall be guilty of a Class D1 felony offense and shall
18 be punished by a fine not exceeding Two Thousand Five Hundred
19 Dollars (\$2,500.00), or by imprisonment ~~in the custody of the~~
20 ~~Department of Corrections for a term of not less than three (3)~~
21 ~~years~~ as provided for in subsections B through F of Section 20N of
22 this title, or by both such fine and imprisonment. This
23 proscription of conduct shall not modify or remove any restrictions
24

1 currently applicable to the person by court order, conditions of
2 probation or as provided by other provision of law.

3 C. 1. A person shall be exempt from the prohibition of this
4 section regarding a school or a licensed or permitted child care
5 facility only under the following circumstances and limited to a
6 reasonable amount of time to complete such tasks:

7 a. the person is the custodial parent or legal guardian
8 of a child who is an enrolled student at the school or
9 child care facility, and

10 b. the person is enrolling, delivering or retrieving such
11 child at the school or licensed or permitted child
12 care center during regular school or facility hours or
13 for school-sanctioned or licensed-or-permitted-child-
14 care-center-sanctioned extracurricular activities.

15 Prior to entering the zone of safety for the purposes listed in
16 this paragraph, the person shall inform school or child care center
17 administrators of his or her status as a registered sex offender.
18 The person shall update monthly, or as often as required by the
19 school or center, information about the specific times the person
20 will be within the zone of safety as established by this section.

21 2. This exception shall not be construed to modify or remove
22 any restrictions applicable to the person by court order, conditions
23 of probation, or as provided by other provision of law.

1 D. The provisions of subsection A of this section shall not
2 apply to any person receiving medical treatment at a hospital or
3 other facility certified or licensed by the State of Oklahoma to
4 provide medical services. As used in this subsection, "medical
5 treatment" shall not include any form of psychological, social or
6 rehabilitative counseling services or treatment programs for sex
7 offenders.

8 E. Nothing in this section shall prohibit a person, who is
9 registered as a sex offender pursuant to the Sex Offenders
10 Registration Act, from attending a recognized church or religious
11 denomination for worship; provided, the person has notified the
12 religious leader of his or her status as a registered sex offender
13 and the person has been granted written permission by the religious
14 leader.

15 F. For purpose of prosecution of any violation of this section,
16 the provisions of Section 51.1 of this title shall not apply.

17 G. As used in this section, "park" means any outdoor public
18 area specifically designated as being used for recreational purposes
19 that is operated or supported in whole or in part by a homeowners'
20 association or a city, town, county, state, federal or tribal
21 governmental authority.

22 SECTION 401. AMENDATORY 21 O.S. 2021, Section 1161, is
23 amended to read as follows:
24

1 Section 1161. A. No person shall intentionally remove the dead
2 body of a human being or any part thereof from the initial site
3 where such dead body is located for any purpose, unless such removal
4 is authorized by a district attorney or his authorized
5 representative or medical examiner or his authorized representative,
6 or is not required to be investigated pursuant to the provisions of
7 Section 938 of Title 63 of the Oklahoma Statutes, said authorization
8 by the district attorney or medical examiner shall not be required
9 prior to the removal of said body. A district attorney having
10 jurisdiction may refuse to prosecute a violation of this subsection
11 if the district attorney determines that circumstances existed which
12 would justify such removal or that such removal was not an act of
13 malice or wantonness.

14 B. No person shall remove any part of the dead body of a human
15 being from any grave or other place where the same has been buried,
16 or from any place where the same is deposited while awaiting burial,
17 with intent to sell the same, or to dissect it without authority of
18 law, or from malice or wantonness.

19 C. No person shall willfully or with malicious intent violate
20 or cause damage to the casket or burial vault holding the deceased
21 human remains.

22 D. Any person convicted of violating any of the provisions of
23 this section shall be guilty of a Class D1 felony offense and shall
24 be punished by imprisonment ~~in the State Penitentiary not exceeding~~

1 ~~five (5) years, or in the county jail not exceeding one (1) year as~~
2 provided for in subsections B through F of Section 20N of this
3 title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
4 or by both such fine and imprisonment.

5 SECTION 402. AMENDATORY 21 O.S. 2021, Section 1162, is
6 amended to read as follows:

7 Section 1162. Whoever purchases, or who receives, except for
8 the purpose of burial, any dead body of a human being, knowing the
9 same has been removed contrary to Section 1161 of this title shall
10 be guilty of a Class D1 felony offense punishable by imprisonment ~~in~~
11 ~~the State Penitentiary not exceeding five (5) years, or in a county~~
12 ~~jail not exceeding one (1) year as provided for in subsections B~~
13 ~~through F of Section 20N of this title~~, or by a fine not exceeding
14 Five Hundred Dollars (\$500.00), or by both such fine and
15 imprisonment.

16 SECTION 403. AMENDATORY 21 O.S. 2021, Section 1171, is
17 amended to read as follows:

18 Section 1171. A. Every person who hides, waits or otherwise
19 loiters in the vicinity of any private dwelling house, apartment
20 building, any other place of residence, or in the vicinity of any
21 locker room, dressing room, restroom or any other place where a
22 person has a right to a reasonable expectation of privacy, with the
23 unlawful and willful intent to watch, gaze, or look upon any person
24 in a clandestine manner, shall, upon conviction, be guilty of a

1 misdemeanor. The violator shall be punished by imprisonment in the
2 county jail for a term of not more than one (1) year, or by a fine
3 not to exceed Five Thousand Dollars (\$5,000.00), or by both such
4 fine and imprisonment.

5 B. Every person who uses photographic, electronic or video
6 equipment in a clandestine manner for any illegal, illegitimate,
7 prurient, lewd or lascivious purpose with the unlawful and willful
8 intent to view, watch, gaze or look upon any person without the
9 knowledge and consent of such person when the person viewed is in a
10 place where there is a right to a reasonable expectation of privacy,
11 or who publishes or distributes any image obtained from such act,
12 shall, upon conviction, be guilty of a Class D1 felony offense. The
13 violator shall be punished by imprisonment ~~in the custody of the~~
14 ~~Department of Corrections for a term of not more than five (5) years~~
15 as provided for in subsections B through F of Section 20N of this
16 title, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
17 or by both such fine and imprisonment.

18 C. Every person who uses photographic, electronic or video
19 equipment in a clandestine manner for any illegal, illegitimate,
20 prurient, lewd or lascivious purpose with the unlawful and willful
21 intent to view, watch, gaze or look upon any person and capture an
22 image of a private area of a person without the knowledge and
23 consent of such person and knowingly does so under circumstances in
24 which a reasonable person would believe that the private area of the

1 person would not be visible to the public, regardless of whether the
2 person is in a public or private place shall, upon conviction, be
3 guilty of a misdemeanor. The violator shall be punished by
4 imprisonment in the county jail for a term of not more than one (1)
5 year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
6 or by both such fine and imprisonment.

7 D. As used in this section, the phrase "private area of the
8 person" means the naked or undergarment-clad genitals, pubic area,
9 buttocks, or any portion of the areola of the female breast of that
10 individual.

11 SECTION 404. AMENDATORY 21 O.S. 2021, Section 1172, is
12 amended to read as follows:

13 Section 1172. A. It shall be unlawful for a person who, by
14 means of a telecommunication or other electronic communication
15 device, willfully either:

16 1. Makes any comment, request, suggestion, or proposal which is
17 obscene, lewd, lascivious, filthy, or indecent;

18 2. Makes a telecommunication or other electronic communication
19 including text, sound or images with intent to terrify, intimidate
20 or harass, or threaten to inflict injury or physical harm to any
21 person or property of that person;

22 3. Makes a telecommunication or other electronic communication,
23 whether or not conversation ensues, with intent to put the party
24 called in fear of physical harm or death;

1 4. Makes a telecommunication or other electronic communication,
2 including text, sound or images whether or not conversation ensues,
3 without disclosing the identity of the person making the call or
4 communication and with intent to annoy, abuse, threaten, or harass
5 any person at the called number;

6 5. Knowingly permits any telecommunication or other electronic
7 communication under the control of the person to be used for any
8 purpose prohibited by this section; and

9 6. In conspiracy or concerted action with other persons, makes
10 repeated calls or electronic communications or simultaneous calls or
11 electronic communications solely to harass any person at the called
12 number(s).

13 B. As used in this section, "telecommunication" and "electronic
14 communication" mean any type of telephonic, electronic or radio
15 communications, or transmission of signs, signals, data, writings,
16 images and sounds or intelligence of any nature by telephone,
17 including cellular telephones, wire, cable, radio, electromagnetic,
18 photoelectronic or photo-optical system or the creation, display,
19 management, storage, processing, transmission or distribution of
20 images, text, voice, video or data by wire, cable or wireless means,
21 including the Internet. The term includes:

22 1. A communication initiated by electronic mail, instant
23 message, network call, or facsimile machine including text, sound or
24 images;

1 2. A communication made to a pager; or

2 3. A communication including text, sound or images posted to a
3 social media or other public media source.

4 C. Use of a telephone or other electronic communications
5 facility under this section shall include all use made of such a
6 facility between the points of origin and reception. Any offense
7 under this section is a continuing offense and shall be deemed to
8 have been committed at either the place of origin or the place of
9 reception.

10 D. Except as provided in subsection E of this section, any
11 person who is convicted of the provisions of subsection A of this
12 section, shall be guilty of a misdemeanor.

13 E. Any person who is convicted of a second offense under this
14 section shall be guilty of a Class D1 felony offense and shall be
15 punished by imprisonment as provided for in subsections B through F
16 of Section 20N of this title.

17 SECTION 405. AMENDATORY 21 O.S. 2021, Section 1192, is
18 amended to read as follows:

19 Section 1192. Any person who shall inoculate himself or any
20 other person or shall suffer himself to be inoculated with smallpox,
21 syphilis or gonorrhea and shall spread or cause to be spread to any
22 other persons with intent to or recklessly be responsible for the
23 spread of or prevalence of such infectious disease, shall be deemed
24 a felon, and, upon conviction thereof, guilty of a Class D1 felony

1 offense and shall be punished by imprisonment ~~in the State~~
2 ~~Penitentiary for not more than five (5) years nor less than two (2)~~
3 ~~years~~ as provided for in subsections B through F of Section 20N of
4 this title.

5 SECTION 406. AMENDATORY 21 O.S. 2021, Section 1229, is
6 amended to read as follows:

7 Section 1229. For livestock utilized for exhibition purposes,
8 it shall be unlawful for any person to inject into the livestock or
9 cause the livestock to ingest any drug, chemical or substance that
10 is not labeled for use on animals, or to administer any chemical or
11 substance used on livestock for the specific purpose of altering the
12 appearance of livestock or to alter the muscle or fat content of the
13 animal's carcass or to perform any surgical procedure to alter the
14 appearance of the livestock. Ordinary and customary veterinarian
15 procedures, including but not limited to dehorning, branding,
16 tagging or notching ears, castrating, deworming, vaccinating or
17 docking the tail of farm animals shall not be prohibited. Surgery
18 of any kind performed to change the natural contour or appearance of
19 the animal's body or hide, shall be prohibited by this section. Any
20 violation of the provisions of this section shall be a misdemeanor,
21 upon conviction, punishable by a fine of not less than One Thousand
22 Dollars (\$1,000.00), nor more than Ten Thousand Dollars
23 (\$10,000.00), or by imprisonment in the county jail for a term not
24 less than thirty (30) days nor more than one (1) year, or by both

1 such fine and imprisonment. A second or subsequent violation of the
2 provisions of this section shall be a Class D1 felony offense, upon
3 conviction, punishable by a fine of not less than One Thousand
4 Dollars (\$1,000.00), nor more than Ten Thousand Dollars
5 (\$10,000.00), or by imprisonment ~~in the State Penitentiary for a~~
6 ~~term not less than one (1) year nor more than five (5) years~~ as
7 provided for in subsections B through F of Section 20N of this
8 title, or by both such fine and imprisonment.

9 SECTION 407. AMENDATORY 21 O.S. 2021, Section 1230.3, is
10 amended to read as follows:

11 Section 1230.3. Any person who knowingly and willfully
12 transports or causes the transportation of hazardous waste within
13 the State of Oklahoma without a proper manifest, as prescribed in
14 the Oklahoma Hazardous Waste Management Act, commits the offense of
15 unlawful hazardous waste transportation which shall be deemed a
16 Class D1 felony offense.

17 SECTION 408. AMENDATORY 21 O.S. 2021, Section 1230.4, is
18 amended to read as follows:

19 Section 1230.4. Any person required by law to have a permit or
20 authorization from the Oklahoma Department of Environmental Quality,
21 the Oklahoma Corporation Commission or the Oklahoma Department of
22 Agriculture to receive, store, treat, process, recycle or dispose of
23 waste, who without such permit or authorization knowingly and
24 willfully receives, stores, treats, processes, recycles or disposes

1 of waste, commits the offense of unlawful waste management which
2 shall be deemed a Class D1 felony offense.

3 SECTION 409. AMENDATORY 21 O.S. 2021, Section 1230.5, is
4 amended to read as follows:

5 Section 1230.5. A. It shall be unlawful to knowingly and
6 willfully:

7 1. Make false statements, include false data or omit material
8 information in an application for a waste permit, or for a waste
9 authorization, from the Oklahoma Department of Environmental
10 Quality, the Oklahoma Corporation Commission or the Oklahoma
11 Department of Agriculture;

12 2. Make false statements, include false data or omit material
13 information in a waste manifest, waste label, or other waste
14 compliance document, record or plan required by law to be created,
15 maintained or submitted to any state agency;

16 3. Submit a false sample of waste for laboratory analysis;

17 4. Make false statements or include false data in, or omit
18 material information from, a laboratory analysis of waste;

19 5. Tamper with an environmental monitoring device to compromise
20 or impair the accuracy of the device; or

21 6. Provide hazardous waste to another person for transportation
22 without providing a proper manifest as prescribed in the Oklahoma
23 Hazardous Waste Management Act.

1 B. Any person who violates the provisions of this section
2 commits the offense of unlawful misrepresentation of waste which
3 shall be deemed a Class D1 felony offense.

4 SECTION 410. AMENDATORY 21 O.S. 2021, Section 1230.6, is
5 amended to read as follows:

6 Section 1230.6. Any person who knowingly and willfully fails to
7 secure a permit required by or pursuant to law, and who, without
8 lawful permit or authorization, knowingly and willfully disposes,
9 directs the disposal or aids and abets the disposal of hazardous
10 waste into a sanitary sewer system without appropriate pretreatment,
11 or at a solid waste landfill, transfer station or processing
12 facility, or at any unpermitted disposal place commits the offense
13 of unlawful disposal of hazardous waste which shall be deemed a
14 Class D1 felony offense.

15 SECTION 411. AMENDATORY 21 O.S. 2021, Section 1265.4, is
16 amended to read as follows:

17 Section 1265.4. Whoever attempts to commit any of the crimes
18 defined by Sections 1265.1 through 1265.14 of this title shall be
19 liable to one-half (1/2) the punishment prescribed for the completed
20 crime. In addition to the acts which constitute an attempt to
21 commit a crime under the law of this state, the solicitation or
22 incitement of another to commit any of the crimes defined by
23 Sections 1265.1 through 1265.14 of this title not followed by the
24 commission of the crime, the collection or assemblage of any

1 materials with the intent that the same are to be used then or at a
2 later time in the commission of such crime, or the entry, with or
3 without permission, of a building, enclosure or other premises of
4 another with the intent to commit any such crime therein or thereon
5 shall constitute an attempt to commit such crime and shall be deemed
6 a Class D1 felony offense.

7 SECTION 412. AMENDATORY 21 O.S. 2021, Section 1278, is
8 amended to read as follows:

9 Section 1278.

10 UNLAWFUL INTENT TO CARRY

11 Any person in this state who carries or wears any deadly weapons
12 or dangerous instrument whatsoever with the intent or for the avowed
13 purpose of unlawfully injuring another person shall, upon
14 conviction, be guilty of a Class D1 felony offense punishable by a
15 fine not exceeding Five Thousand Dollars (\$5,000.00), or by
16 imprisonment ~~in the custody of the Department of Corrections for a~~
17 ~~period not exceeding two (2) years~~ as provided for in subsections B
18 through F of Section 20N of this title, or by both such fine and
19 imprisonment. The mere possession of such a weapon or dangerous
20 instrument, without more, however, shall not be sufficient to
21 establish intent as required by this section.

22 Any person convicted of violating the provisions of this section
23 after having been issued a handgun license pursuant to the
24 provisions of the Oklahoma Self-Defense Act shall have the license

1 revoked and shall be liable for an administrative fine of One
2 Thousand Dollars (\$1,000.00) upon a hearing and determination by the
3 Oklahoma State Bureau of Investigation that the person is in
4 violation of the provisions of this section.

5 SECTION 413. AMENDATORY 21 O.S. 2021, Section 1320.10,
6 is amended to read as follows:

7 Section 1320.10. No person, except those specifically
8 authorized by the state or federal government, shall:

9 1. Teach or demonstrate to any group of persons the use,
10 application or making of any firearm, explosive or incendiary device
11 or application of physical force capable of causing injury or death
12 to a person knowing or intending that such firearm, explosive or
13 incendiary device or application of physical force will be employed
14 for use in, or in furtherance of, a riot or civil disorder; or

15 2. Assemble with one or more persons for the purpose of
16 training with, practicing with or being instructed in the use of any
17 firearm, explosive or incendiary device or application of physical
18 force capable of causing injury or death to a person, intending to
19 employ such firearm, explosive or incendiary device or application
20 of physical force for use in, or in furtherance of, a riot or civil
21 disorder. Any violation of this section shall be a Class D1 felony
22 offense and shall be punishable by imprisonment as provided for in
23 subsections B through F of Section 20N of this title.
24

SECTION 414. AMENDATORY 21 O.S. 2021, Section 1411, is amended to read as follows:

Section 1411. Any person being the master, owner or agent of any vessel, or officer or agent of any railroad, express or transportation company, or otherwise being or representing any carrier who delivers any bill of lading, receipt or other voucher, or by which it appears that any merchandise of any description has been shipped on board of any vessel, or delivered to any railroad, express or transportation company or other carrier, unless the same has been so shipped or delivered, and is at the time actually under the control of such carrier, or the master, owner or agent of such vessel, or some officer or agent of such company, to be forwarded as expressed in such bill of lading, receipt or voucher, shall be guilty of a Class D1 felony offense punishable by imprisonment ~~in the State Penitentiary not exceeding five (5) years~~ as provided for in subsections B through F of Section 20N of this title, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both.

SECTION 415. AMENDATORY 21 O.S. 2021, Section 1412, is amended to read as follows:

Section 1412. Any person carrying on the business of a warehouseman, wharfinger or other depositary of property, who issues any receipt, bill of lading or other voucher for any merchandise of any description which has not been actually received upon the premises of such person, and is not under his actual control at the

1 time of issuing such instrument, whether such instrument is issued
2 to a person as being the owner of such merchandise, or as security
3 for any indebtedness, shall be guilty of a Class D1 felony offense
4 punishable by imprisonment ~~in the State Penitentiary not exceeding~~
5 ~~five (5) years~~ as provided for in subsections B through F of Section
6 20N of this title, or by a fine not exceeding One Thousand Dollars
7 (\$1,000.00), or both.

8 SECTION 416. AMENDATORY 21 O.S. 2021, Section 1414, is
9 amended to read as follows:

10 Section 1414. Any person mentioned in Section 1411 or 1412 of
11 this title, who issued any second or duplicate receipt or voucher of
12 a kind specified in those two sections, at a time while any former
13 receipt or voucher for the merchandise specified in the second
14 receipt is outstanding and uncanceled, without writing across the
15 face of the same the word "Duplicate," in a plain and legible
16 manner, shall be guilty of a Class D1 felony offense punishable by
17 imprisonment ~~in the State Penitentiary not exceeding five (5) years~~
18 as provided for in subsections B through F of Section 20N of this
19 title, or by a fine not exceeding One Thousand Dollars (\$1,000.00),
20 or both.

21 SECTION 417. AMENDATORY 21 O.S. 2021, Section 1415, is
22 amended to read as follows:

23 Section 1415. Any person mentioned in Section 1411 or 1412 of
24 this title, who sells, hypothecates or pledges any merchandise for

1 which any bill of lading, receipt or voucher has been issued by him
2 without the consent in writing thereto of the person holding such
3 bill, receipt or voucher, shall be guilty of a Class D1 felony
4 offense punishable by imprisonment in the State Penitentiary not
5 exceeding five (5) years as provided for in subsections B through F
6 of Section 20N of this title, or by a fine not exceeding One
7 Thousand Dollars (\$1,000.00), or both.

8 SECTION 418. AMENDATORY 21 O.S. 2021, Section 1483, is
9 amended to read as follows:

10 Section 1483. Every person who extorts or attempts to extort
11 any money or other property from another, under circumstances not
12 amounting to robbery, by means of force or any threat such as is
13 mentioned in Section 1482 of this title, upon conviction, shall be
14 guilty of a Class D1 felony offense. A conviction for extortion is
15 punishable by imprisonment ~~in the State Penitentiary for a term not~~
16 ~~exceeding five (5) years as provided for in subsections B through F~~
17 of Section 20N of this title. A conviction for attempted extortion
18 is a Class D3 felony offense punishable by imprisonment in the State
19 ~~Penitentiary for a term not exceeding two (2) years as provided for~~
20 in subsections B through F of Section 20P of this title.

21 SECTION 419. AMENDATORY 21 O.S. 2021, Section 1485, is
22 amended to read as follows:

23 Section 1485. Every person, who by any extortionate means,
24 obtains from another his signature to any paper or instrument,

1 whereby, if such signature were freely given, any property would be
2 transferred, or any debt, demand, charge or right of action created,
3 is, upon conviction, guilty of a Class D1 felony offense punishable
4 ~~in the same manner as if the actual delivery of such property or~~
5 ~~payment of the amount of such debt, demand, charge or right of~~
6 ~~action were obtained~~ as provided for in subsections B through F of
7 Section 20N of this title.

8 SECTION 420. AMENDATORY 21 O.S. 2021, Section 1486, is
9 amended to read as follows:

10 Section 1486. Every person who, with intent to extort any money
11 or other property from another, sends to any person any letter or
12 other writing, whether subscribed or not, expressing or implying, or
13 adapted to imply, any threat, such as is specified in the second
14 section of this article, is, upon conviction, guilty of a Class D1
15 felony offense punishable ~~in the same manner as if such money or~~
16 ~~property were actually obtained by means of such threat~~ as provided
17 for in subsections B through F of Section 20N of this title.

18 SECTION 421. AMENDATORY 21 O.S. 2021, Section 1488, is
19 amended to read as follows:

20 Section 1488. Blackmail is verbally or by written or printed
21 communication and with intent to extort or gain any thing of value
22 from another or to compel another to do an act against his or her
23 will:
24

1 1. Accusing or threatening to accuse any person of a crime or
2 conduct which would tend to degrade and disgrace the person accused;

3 2. Exposing or threatening to expose any fact, report or
4 information concerning any person which would in any way subject
5 such person to the ridicule or contempt of society; or

6 3. Threatening to report a person as being illegally present in
7 the United States, and is coupled with the threat that such
8 accusation or exposure will be communicated to a third person or
9 persons unless the person threatened or some other person pays or
10 delivers to the accuser or some other person some thing of value or
11 does some act against his or her will. Blackmail is a Class D1
12 felony offense punishable by imprisonment ~~in the State Penitentiary~~
13 ~~for not to exceed five (5) years~~ as provided for in subsections B
14 through F of Section 20N of this title, or a fine not to exceed Ten
15 Thousand Dollars (\$10,000.00), or by both such imprisonment and
16 fine.

17 SECTION 422. AMENDATORY 21 O.S. 2021, Section 1521, is
18 amended to read as follows:

19 Section 1521. Every person who shall lease or rent, for any
20 period of time whatsoever, any motor vehicle and, with intent to
21 cheat and defraud, who pays the fees for such lease or rental by
22 means of a false, bogus or worthless check written for the sum of
23 less than One Thousand Dollars (\$1,000.00) shall be guilty of a
24 misdemeanor and upon conviction thereof shall be punished by a fine

1 not to exceed Five Hundred Dollars (\$500.00), or by imprisonment in
2 the county jail for not more than six (6) months, or both such fine
3 and imprisonment. If the value of the worthless check is One
4 Thousand Dollars (\$1,000.00) or more, any person convicted hereunder
5 shall be deemed guilty of a Class D1 felony offense and shall be
6 punished by imprisonment ~~in the State Penitentiary for a term not~~
7 ~~exceeding seven (7) years~~ as provided for in subsections B through F
8 of Section 20N of this title, or by a fine not to exceed Five
9 Hundred Dollars (\$500.00), or both such fine and imprisonment.

10 SECTION 423. AMENDATORY 21 O.S. 2021, Section 1533.1, is
11 amended to read as follows:

12 Section 1533.1. A. It is unlawful for any person to willfully
13 and with fraudulent intent obtain the name, address, Social Security
14 number, date of birth, place of business or employment, debit,
15 credit or account numbers, driver license number or any other
16 personal identifying information of another person, living or dead,
17 with intent to use, sell or allow any other person to use or sell
18 such personal identifying information to obtain or attempt to obtain
19 money, credit, goods, property or service in the name of the other
20 person without the consent of that person.

21 B. It is unlawful for any person to use with fraudulent intent
22 the personal identity of another person, living or dead, or any
23 information relating to the personal identity of another person,
24

1 living or dead, to obtain or attempt to obtain credit or anything of
2 value.

3 C. It is unlawful for any person with fraudulent intent to
4 lend, sell, or otherwise offer the use of such person's own name,
5 address, Social Security number, date of birth or any other personal
6 identifying information or document to any other person with the
7 intent to allow such other person to use the personal identifying
8 information or document to obtain or attempt to obtain any
9 identifying document in the name of such other person.

10 D. It is unlawful for any person to willfully create, modify,
11 alter or change any personal identifying information of another
12 person with fraudulent intent to obtain any money, credit, goods,
13 property, service or any benefit or thing of value, or to control,
14 use, waste, hinder or encumber another person's credit, accounts,
15 goods, property, title, interests, benefits or entitlements without
16 the consent of that person.

17 E. Any person convicted of violating any provision of this
18 section shall be guilty of identity theft. Any person who violates
19 the provisions of subsection A, B or D of this section shall, upon
20 conviction, be guilty of a Class D1 felony offense punishable by
21 ~~imprisonment in the custody of the Department of Corrections for a~~
22 ~~term of not less than one (1) year nor more than five (5) years as~~
23 provided for in subsections B through F of Section 20N of this
24 title, or a fine not to exceed One Hundred Thousand Dollars

1 (\$100,000.00), or by both such fine and imprisonment. Any person
2 who violates the provisions of subsection A, B or D of this section,
3 and the victim is an individual who is less than eighteen (18) years
4 of age, shall, upon conviction, be guilty of a Class D1 felony
5 offense punishable by imprisonment in the custody of the Department
6 of Corrections for a term of not less than two (2) years nor more
7 than ten (10) years as provided for in subsections B through F of
8 Section 20N of this title, or a fine not to exceed One Hundred
9 Thousand Dollars (\$100,000.00), or by both such fine and
10 imprisonment. Any person who violates the provisions of subsection
11 C of this section shall, upon conviction, be guilty of a misdemeanor
12 punishable by imprisonment in the county jail for a term not to
13 exceed one (1) year, or a fine not to exceed One Hundred Thousand
14 Dollars (\$100,000.00), or by both such fine and imprisonment.
15 Restitution to the victim may be ordered in addition to any criminal
16 penalty imposed by the court. The victim of identity theft may
17 bring a civil action for damages against any person participating in
18 furthering the crime or attempted crime of identity theft.

19 SECTION 424. AMENDATORY 21 O.S. 2021, Section 1544, is
20 amended to read as follows:

21 Section 1544. If the false token by which any money or property
22 is obtained in violation of the first and second preceding sections
23 of this article, is a promissory note or negotiable evidence of debt
24 purporting to be issued by or under the authority of any banking

1 company or corporation not in existence, the person guilty of such
2 cheat shall be guilty of a Class D1 felony offense punishable by
3 imprisonment ~~in the State Penitentiary not exceeding seven (7) years~~
4 as provided for in subsections B through F of Section 20N of this
5 title, instead of by punishment prescribed by those sections.

6 SECTION 425. AMENDATORY 21 O.S. 2021, Section 1550.28,
7 is amended to read as follows:

8 Section 1550.28. ~~(a)~~ A. A person other than the cardholder or
9 a person authorized by him who, with intent to defraud (1) the
10 issuer, (2) a person or organization providing money, goods,
11 services or anything else of value, or (3) any other person, signs a
12 credit card or debit card violates this subsection and ~~is~~, upon
13 conviction, is guilty of a Class D1 felony offense and subject to
14 the penalties set forth in subsection A of Section 1550.33(a)
15 1550.33 of Title 21 of the Oklahoma Statutes this title.

16 ~~(b)~~ B. When a person, other than the cardholder or a person
17 authorized by him, possesses any credit card or debit card which is
18 signed or not signed, such possession shall be a ~~crime~~ Class D1
19 felony offense and subject to the penalties set forth in Section
20 1550.33 of Title 21 of the Oklahoma Statutes this title.

21 SECTION 426. AMENDATORY 21 O.S. 2021, Section 1550.31,
22 is amended to read as follows:

23 Section 1550.31. ~~(a)~~ A. A person other than the cardholder
24 possessing one or more incomplete credit cards or debit cards, with

1 intent to complete them without the consent of the issuer, or a
2 person possessing, with knowledge of its character, machinery,
3 plates or any other contrivance designed to reproduce instruments
4 purporting to be the credit cards or debit cards of an issuer who
5 has not consented to the preparation of such credit cards or debit
6 cards, is, upon conviction, guilty of an a Class D1 felony offense
7 and is subject to the penalties set forth in subsection B of Section
8 ~~1550.33(b)~~ 1550.33 of this title.

9 ~~(b)~~ B. A credit card or debit card is "incomplete" if part of
10 the matter, other than the signature of the cardholder, which an
11 issuer requires to appear on the credit card or debit card before it
12 can be used by a cardholder has not yet been stamped, embossed,
13 imprinted or written on it.

14 SECTION 427. AMENDATORY 21 O.S. 2021, Section 1550.33,
15 is amended to read as follows:

16 Section 1550.33. A. A person who is subject to the penalties
17 of this subsection shall be guilty of a ~~misdemeanor~~ Class D1 felony
18 offense and fined not more than One Thousand Dollars (\$1,000.00), or
19 ~~imprisoned in the county jail not to exceed one (1) year as provided~~
20 for in subsections B through F of Section 20N of this title, or both
21 fined and imprisoned.

22 B. A person who is subject to the penalties of this subsection
23 shall be guilty of a Class D1 felony offense and shall be punished
24 by imprisonment ~~in the custody of the Department of Corrections for~~

1 ~~not more than seven (7) years~~ as provided for in subsections B
2 through F of Section 20N of this title.

3 C. A person subject to the penalties of this subsection who
4 received goods or services or any other item which has a value of
5 One Thousand Dollars (\$1,000.00) or more shall be guilty of a Class
6 D3 felony offense and fined not more than Three Thousand Dollars
7 (\$3,000.00), or ~~imprisoned in the custody of the Department of~~
8 ~~Corrections for not more than three (3) years~~ as provided for in
9 subsections B through F of Section 20P of this title, or both fined
10 and imprisoned. If the value is less than One Thousand Dollars
11 (\$1,000.00), the person shall be guilty of a misdemeanor and fined
12 not more than One Thousand Dollars (\$1,000.00), imprisoned in the
13 county jail for not more than one (1) year, or both fined and
14 imprisoned. For purposes of this subsection, a series of offenses
15 may be aggregated into one offense when they are the result of the
16 formulation of a plan or scheme or the setting up of a mechanism
17 which, when put into operation, results in the taking or diversion
18 of money or property on a recurring basis. When all acts result
19 from a continuing course of conduct, they may be aggregated into one
20 crime. Acts forming an integral part of the first taking which
21 facilitate subsequent takings, or acts taken in preparation of
22 several takings which facilitate subsequent takings, are relevant to
23 determine the intent of the party to commit a continuing crime.

SECTION 428. AMENDATORY 21 O.S. 2021, Section 1550.41,
is amended to read as follows:

Section 1550.41. A. As used in this section and Section
1550.42 of this title, "identification document", "identification
card", or "identification certificate" means any printed form which
contains:

1. The name and photograph of a person;
 2. The name and any physical description of a person;
 3. The name and social security number of a person; or
 4. Any combination of information provided for in paragraphs 1
through 3 of this subsection; and
- which by its format, is capable of leading a person to believe said
document, card, or certificate has been issued for the purpose of
identifying the person named thereon, but shall not include any
printed form which, on its face, conspicuously bears the term "NOT
FOR IDENTIFICATION" in not less than six-point type.

B. It is a misdemeanor for any person:

1. To purchase an identification document, identification card,
or identification certificate which bears altered or fictitious
information concerning the date of birth, sex, height, eye color,
weight, a fictitious or forged name or signature or a photograph of
any person, other than the person named thereon;
2. To display or cause or permit to be displayed or to
knowingly possess an identification document, identification card or

1 identification certificate which bears altered or fictitious
2 information concerning the date of birth, sex, height, eye color,
3 weight, or fictitious or forged name or signature or a photograph of
4 any person, other than the person named thereon;

5 3. To display or cause or permit to be displayed or to
6 knowingly possess any counterfeit or fictitious identification
7 document, identification card, or identification certificate; or

8 4. To use the "Great Seal of the State of Oklahoma" or
9 facsimile thereof, on any identification document, identification
10 card, or identification certificate which is not issued by an entity
11 of this state or political subdivision thereof, or by the United
12 States. Provided, nothing in this paragraph shall be construed to
13 prohibit the use of the "Great Seal of the State of Oklahoma" for
14 authorized advertising, including, but not limited to, business
15 cards, calling cards and stationery.

16 C. It is a Class D1 felony offense for any person:

17 1. To create, publish or otherwise manufacture an
18 identification document, identification card or identification
19 certificate or facsimile thereof, or to create, manufacture or
20 possess an engraved plate or other such device for the printing of
21 an identification document, identification card or identification
22 certificate or facsimile thereof, which purports to identify the
23 bearer of such document, card, or certificate whether or not
24 intended for use as identification, and includes, but is not limited

1 to, documents, cards, and certificates purporting to be driver
2 licenses, nondriver identification cards, birth certificates, social
3 security cards, and employee identification cards, except as
4 authorized by state or federal law;

5 2. To sell or offer for sale an identification document,
6 identification card, or identification certificate or facsimile
7 thereof, which purports to identify the bearer of such document,
8 card, or certificate whether or not intended for use as
9 identification, and includes, but is not limited to, documents,
10 cards, and certificates purporting to be driver licenses, nondriver
11 identification cards, birth certificates, social security cards, and
12 employee identification cards, except as authorized by state or
13 federal law; or

14 3. To display or present an identification document,
15 identification card or identification certificate which bears
16 altered, false or fictitious information for the purpose of:

- 17 a. committing or aiding in the commission of a felony in
18 any commercial or financial transaction,
19 b. misleading a peace officer in the performance of
20 duties, or
21 c. avoiding prosecution.

22 D. 1. The violation of any of the provisions of subsection B
23 of this section shall constitute a misdemeanor and, upon conviction
24

1 thereof, shall be punishable by a fine of not less than Twenty-five
2 Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00).

3 2. The violation of any of the provisions of subsection C of
4 this section shall constitute a Class D1 felony offense and, upon
5 conviction thereof, shall be punishable by a fine not exceeding Ten
6 Thousand Dollars (\$10,000.00), or a term of imprisonment in the
7 State Penitentiary not to exceed seven (7) years as provided for in
8 subsections B through F of Section 20N of this title, or by both
9 such fine and imprisonment.

10 E. Notwithstanding any provision of this section, the chief
11 administrator of a federal or state law enforcement, military, or
12 intelligence agency may request the Commissioner of the Department
13 of Public Safety or State Commissioner of Health to authorize the
14 issuance of an identification document, identification card, or
15 identification certificate within the scope of their authority which
16 would otherwise be a violation of this section, to identify a law
17 enforcement officer or agent as another person for the sole purpose
18 of aiding in a criminal investigation or a military or intelligence
19 operation. A person displaying or possessing such identification
20 shall not be prosecuted for a violation of this section. Upon
21 termination of the investigation or operation, the person to whom
22 such identification document, identification card or identification
23 certificate was issued shall return such identification to the
24

1 Department of Public Safety or State Department of Health, as
2 appropriate.

3 SECTION 429. AMENDATORY 21 O.S. 2021, Section 1550, is
4 amended to read as follows:

5 Section 1550. A. Any person who, while in the commission or
6 attempted commission of a felony, has in his possession or under his
7 control a firearm, the factory serial number or identification
8 number of which has been removed, defaced, altered, obliterated or
9 mutilated in any manner, upon conviction, shall be guilty of a Class
10 D1 felony offense punishable by imprisonment ~~in the State~~
11 ~~Penitentiary for a period of not less than two (2) years nor more~~
12 ~~than five (5) years~~ as provided for in subsections B through F of
13 Section 20N of this title, or by a fine of not less than One
14 Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars
15 (\$10,000.00), or by both such fine and imprisonment.

16 B. Any person who removes, defaces, alters, obliterates or
17 mutilates in any manner the factory serial number or identification
18 number of a firearm, or in any manner participates therein, upon
19 conviction, shall be guilty of a misdemeanor punishable by
20 imprisonment in the county jail for not to exceed one (1) year, or
21 by a fine of not to exceed One Thousand Dollars (\$1,000.00), or by
22 both such fine and imprisonment.

23 C. 1. Upon a conviction of a violation of this section, the
24 court clerk, sheriff, peace officer or other person having custody

1 of the firearm shall immediately deliver the firearm to the
2 Commissioner of Public Safety, who shall preserve the firearm
3 pending an order of the court.

4 2. At the conclusion of a trial or proceeding for a violation
5 of this section, if a finding is made that the factory serial number
6 or identification number of the firearm has been removed, defaced,
7 altered, obliterated or mutilated, the court shall issue a written
8 order to the Commissioner of Public Safety for destruction of the
9 firearm, unless the defendant files a timely motion to preserve the
10 firearm pending appeal. At the conclusion of the appeal, if a
11 finding is made that the factory serial number or identification
12 number of the firearm has been removed, defaced, altered,
13 obliterated or mutilated, the Court of Criminal Appeals or the trial
14 court shall issue a written order to the Commissioner for
15 destruction of the firearm.

16 SECTION 430. AMENDATORY 21 O.S. 2021, Section 1571, is
17 amended to read as follows:

18 Section 1571. Every person who, with intent to defraud, forges,
19 or counterfeits the great or privy seal of this state, the seal of
20 any public office authorized by law, the seal of any court of
21 record, including judge of county seals, or the seal of any
22 corporation created by the laws of this state, or of any other
23 state, government or country, or any other public seal authorized or
24 recognized by the laws of this state, or of any other state,

1 government or country, or who falsely makes, forges or counterfeits
2 any impression purporting to be the impression of any such seal, is
3 guilty of forgery in the second degree, a Class D1 felony offense.

4 SECTION 431. AMENDATORY 21 O.S. 2021, Section 1572, is
5 amended to read as follows:

6 Section 1572. Every person who, with intent to defraud, falsely
7 alters, destroys, corrupts or falsifies:

8 1. Any record of any will, codicil, conveyance or other
9 instrument, the record of which is, by law, evidence; or,

10 2. Any record of any judgment in a court of record, or any
11 enrollment of any decree of a court of equity; or,

12 3. The return of any officer, court or tribunal to any process
13 of any court,
14 is guilty of forgery in the second degree, a Class D1 felony
15 offense.

16 SECTION 432. AMENDATORY 21 O.S. 2021, Section 1573, is
17 amended to read as follows:

18 Section 1573. Every person who, with intent to defraud, falsely
19 makes, forges or alters, any entry in any book of records, or any
20 instrument purporting to be any record or return specified in the
21 last section; and any abstracter, his officer, agent or employee,
22 who, with intent to defraud, falsely makes or alters any abstract
23 entry or copy thereof in any material matter, is guilty of forgery
24 in the second degree, a Class D1 felony offense.

1 SECTION 433. AMENDATORY 21 O.S. 2021, Section 1574, is
2 amended to read as follows:

3 Section 1574. If any officer authorized to take the
4 acknowledgment or proof of any conveyance of real property, or of
5 any other instrument which by law may be recorded, knowingly and
6 falsely certifies that any such conveyance or instrument was
7 acknowledged by any party thereto, or was proved by any subscribing
8 witness, when in truth such conveyance or instrument was not
9 acknowledged or proved as certified, he is guilty of forgery in the
10 second degree, a Class D1 felony offense.

11 SECTION 434. AMENDATORY 21 O.S. 2021, Section 1580, is
12 amended to read as follows:

13 Section 1580. Any officer or agent of any corporation or joint
14 stock association formed or existing under or by virtue of the laws
15 of this state, or of any other state, government or country, who,
16 within this state, willfully signs or procures to be signed, with
17 intent to issue, sell or pledge, or to cause to be issued, sold or
18 pledged, or who willfully issues, sells or pledges, or causes to be
19 issued, sold or pledged, any false or fraudulent certificate or
20 other evidence of the ownership or transfer of any share or shares
21 of the capital stock of such corporation or association, whether of
22 full paid shares or otherwise, or of any interest in its property or
23 profits, or of any certificate or other evidence of such ownership,
24 transfer or interest, or any instrument purporting to be a

1 certificate or other evidence of such ownership, transfer or
2 interest, the signing, issuing, selling or pledging of which has not
3 been duly authorized by the board of directors or other managing
4 body of such corporation or association having authority to issue
5 the same, is guilty of forgery in the second degree, a Class D1
6 felony offense.

7 SECTION 435. AMENDATORY 21 O.S. 2021, Section 1581, is
8 amended to read as follows:

9 Section 1581. Any officer or agent of any corporation or joint
10 stock association formed or existing under or by virtue of the laws
11 of this state, or of any other state, government or country, who,
12 within this state, willfully reissues, sells or pledges, or causes
13 to be reissued, sold or pledged, any surrendered or canceled
14 certificate, or other evidence of the ownership or transfer of any
15 share or shares of the capital stock of such corporation or
16 association, or of an interest in its property or profits, with
17 intent to defraud, is guilty of forgery in the second degree, a
18 Class D1 felony offense.

19 SECTION 436. AMENDATORY 21 O.S. 2021, Section 1582, is
20 amended to read as follows:

21 Section 1582. Any officer or agent of any corporation,
22 municipal or otherwise, of any joint stock association formed or
23 existing under or by virtue of the laws of this state, or of any
24 other state, government or country, who, within this state,

1 willfully signs or procures to be signed with intent to issue, sell
2 or pledge, or cause to be issued, sold or pledged, or who willfully
3 issues, sells or pledges, or causes to be issued, sold or pledged,
4 any false or fraudulent bond or other evidence of debt against such
5 corporation or association of any instrument purporting to be a bond
6 or other evidence of debt against such corporation or association,
7 the signing, issuing, selling or pledging of which has not been duly
8 authorized by the board of directors or common council or other
9 managing body of officers of such corporation having authority to
10 issue the same, is guilty of forgery in the second degree, a Class
11 D1 felony offense.

12 SECTION 437. AMENDATORY 21 O.S. 2021, Section 1583, is
13 amended to read as follows:

14 Section 1583. Every person who counterfeits any gold or silver
15 coin, whether of the United States or any foreign government or
16 country, with intent to sell, utter, use or circulate the same as
17 genuine, within this state, is guilty of forgery in the second
18 degree, a Class D1 felony offense.

19 SECTION 438. AMENDATORY 21 O.S. 2021, Section 1584, is
20 amended to read as follows:

21 Section 1584. Every person who counterfeits any gold or silver
22 coin, whether of the United States or of any foreign country or
23 government, with intent to export the same, or permit them to be
24 exported to injure or defraud any foreign government, or the

1 subjects thereof, is guilty of forgery in the second degree, a Class
2 D1 felony offense.

3 SECTION 439. AMENDATORY 21 O.S. 2021, Section 1585, is
4 amended to read as follows:

5 Section 1585. Every person who, with intent to defraud, falsely
6 marks, alters, forges or counterfeits:

7 1. Any instrument in writing, being or purporting to be any
8 process issued by any competent court, magistrate, or officer of
9 being or purporting to be any pleading, proceeding, bond or
10 undertaking filed or entered in any court, or being or purporting to
11 be any license or authority authorized by any statute; or,

12 2. Any instrument of writing, being or purporting to be the act
13 of another by which any pecuniary demand or obligation is, or
14 purports to be created, increased, discharged or diminished, or by
15 which any rights or property whatever, are, or purport to be,
16 transferred, conveyed, discharged, diminished, or in any manner
17 affected, the punishment of which is not hereinbefore prescribed, by
18 which false marking, altering, forging or counterfeiting, any person
19 may be affected, bound or in any way injured in his person or
20 property, is guilty of a forgery in the second degree, a Class D1
21 felony offense.

22 SECTION 440. AMENDATORY 21 O.S. 2021, Section 1586, is
23 amended to read as follows:

1 Section 1586. Every person who, with intent to defraud, makes
2 any false entry or falsely alters any entry made in any book of
3 accounts kept in the office of the State Auditor and Inspector, or
4 in the office of the Treasurer of this state or of any county
5 treasurer, by which any demand or obligation, claim, right or
6 interest either against or in favor of the people of this state, or
7 any county or town, or any individual, is or purports to be
8 discharged, diminished, increased, created, or in any manner
9 affected, is guilty of forgery in the second degree, a Class D1
10 felony offense.

11 SECTION 441. AMENDATORY 21 O.S. 2021, Section 1587, is
12 amended to read as follows:

13 Section 1587. Every person who, with intent to defraud, forges,
14 counterfeits, or falsely alters any ticket, check or other paper or
15 writing to entitle the holder or proprietor thereof to a passage
16 upon any railroad, or in any vessel or other public conveyance; and
17 every person who, with like intent, sells, exchanges or delivers, or
18 keeps or offers for sale, exchange or delivery, or receives upon any
19 purchase, exchange or delivery any such ticket, knowing the same to
20 have been forged, counterfeited or falsely altered is guilty of
21 forgery in the second degree, a Class D1 felony offense.

22 SECTION 442. AMENDATORY 21 O.S. 2021, Section 1588, is
23 amended to read as follows:

24

1 Section 1588. Every person who forges, counterfeits or alters
2 any postage or revenue stamp of the United States, or who sells or
3 offers to keep for sale, as genuine or as forged, any such stamp,
4 knowing it to be forged, counterfeited or falsely altered, is guilty
5 of forgery in the second degree, a Class D1 felony offense.

6 SECTION 443. AMENDATORY 21 O.S. 2021, Section 1589, is
7 amended to read as follows:

8 Section 1589. Every person who, with intent to defraud, makes
9 any false entry, or falsely alters any entry made in any book of
10 accounts kept by any corporation within this state, or in any book
11 of accounts kept by any such corporation or its officers, and
12 delivered or intended to be delivered to any person dealing with
13 such corporation, by which any pecuniary obligation, claim or credit
14 is, or purports to be, discharged, diminished, increased, created or
15 in any manner affected, is guilty of forgery in the second degree, a
16 Class D1 felony offense.

17 SECTION 444. AMENDATORY 21 O.S. 2021, Section 1590, is
18 amended to read as follows:

19 Section 1590. Every person who being a member or officer or in
20 the employment of any corporation, association or partnership,
21 falsifies, alters, erases, obliterates or destroys any account or
22 book of accounts or records belonging to such corporation,
23 association or partnership, or appertaining to their business or
24 makes any false entries in such account or book or keeps any false

1 account in such business with intent to defraud his employers, or to
2 conceal any embezzlement of their money, or property, or any
3 defalcation or other misconduct, committed by any person in the
4 management of their business, is guilty of forgery in the second
5 degree, a Class D1 felony offense.

6 SECTION 445. AMENDATORY 21 O.S. 2021, Section 1591, is
7 amended to read as follows:

8 Section 1591. Every person who has in his possession any
9 counterfeit of any gold or silver coin, whether of the United States
10 or any foreign country or government, knowing the same to be
11 counterfeit, with intent to sell or to use, circulate or export the
12 same, as true or as false, or by causing the same to be uttered or
13 passed, is guilty of forgery in the second degree, a Class D1 felony
14 offense.

15 SECTION 446. AMENDATORY 21 O.S. 2021, Section 1593, is
16 amended to read as follows:

17 Section 1593. Every person who, by any false representation,
18 artifice or deceit, procures from another his signature to any
19 instrument, the false making of which would be forgery, and which
20 the party signing would not have executed had he known the facts and
21 effect of the instrument, is guilty of forgery in the second degree,
22 a Class D1 felony offense.

23 SECTION 447. AMENDATORY 21 O.S. 2021, Section 1621, is
24 amended to read as follows:

Section 1621. Forgery is punishable as follows:

1. Forgery in the first degree is a Class B3 felony offense punishable by imprisonment not less than seven (7) years nor more than twenty (20) years; and

2. Forgery in the second degree is a Class D1 felony offense punishable by imprisonment ~~not exceeding seven (7) years~~ as provided for in subsections B through F of Section 20N of this title.

3. Forgery in the third degree is:

a. If the value of the forgery is less than One Thousand Dollars (\$1,000.00), a misdemeanor punishable by confinement for not more than one (1) year and by a fine not exceeding One Thousand Dollars (\$1,000.00).

b. If the value of the forgery is One Thousand Dollars (\$1,000.00) or more, a Class D1 felony offense punishable by imprisonment ~~not exceeding seven (7) years~~ as provided for in subsections B through F of Section 20N of this title.

c. If the total or aggregate value of the forgery is Two Thousand Dollars (\$2,000.00) or more, a Class D1 felony offense punishable by imprisonment ~~not exceeding seven (7) years~~ as provided for in subsections B through F of Section 20N of this title.

SECTION 448. AMENDATORY 21 O.S. 2021, Section 1639, is amended to read as follows:

1 Section 1639. A. In every case of a fraudulent insolvency of a
2 moneyed corporation not licensed to conduct insurance business in
3 the State of Oklahoma, every director thereof who participated in
4 such fraud is guilty of a misdemeanor.

5 B. In every case of a fraudulent insolvency of a moneyed
6 corporation licensed to conduct the business of insurance in the
7 State of Oklahoma, every director thereof who participated in such
8 fraud is guilty of a Class D1 felony offense punishable by up to
9 five (5) years of incarceration as provided for in subsections B
10 through F of Section 20N of this title and a fine of up to Fifty
11 Thousand Dollars (\$50,000.00).

12 SECTION 449. AMENDATORY 21 O.S. 2021, Section 1663, is
13 amended to read as follows:

14 Section 1663. A. Any person who commits workers' compensation
15 fraud, upon conviction, shall be guilty of a Class D1 felony offense
16 punishable by imprisonment in the State Penitentiary for not
17 exceeding seven (7) years as provided for in subsections B through F
18 of Section 20N of this title, or by a fine not exceeding Ten
19 Thousand Dollars (\$10,000.00), or by both such fine and
20 imprisonment. Any person who commits workers' compensation fraud
21 and who has a prior felony conviction of workers' compensation fraud
22 shall receive a two-year penalty enhancement for each prior
23 conviction in addition to the sentence provided above.

1 B. For the purposes of this section, workers' compensation
2 fraud shall include, but not be limited to, any act or omission
3 prohibited by subsection C of this section and committed by a person
4 with the intent to injure, defraud or deceive another with respect
5 to any of the following:

6 1. A claim for payment or other benefit pursuant to a contract
7 of insurance;

8 2. An application for the issuance of a contract of insurance;

9 3. The rating of a contract of insurance or any risk associated
10 with the contract;

11 4. Premiums paid on any contract of insurance whether or not
12 the contract was actually issued;

13 5. Payments made in accordance with the terms of a contract of
14 insurance;

15 6. An application for any license which is required by the
16 Oklahoma Insurance Code, Title 36 of the Oklahoma Statutes;

17 7. An application for a license which is required for the
18 organization, operation or maintenance of a health maintenance
19 organization pursuant to Section 2501 et seq. of Title 63 of the
20 Oklahoma Statutes;

21 8. A request for any approval, license, permit or permission
22 required by the Workers' Compensation Act, by the rules of the
23 Workers' Compensation Court or by the rules of the Workers'

1 Compensation Court Administrator necessary to secure compensation as
2 required by Section 61 of Title 85 of the Oklahoma Statutes;

3 9. The financial condition of an insurer or purported insurer;

4 10. The acquisition of any insurer; or

5 11. A contract of insurance or a Certification of Non-Coverage
6 Under the Workers' Compensation Act.

7 C. A person is guilty of workers' compensation fraud who:

8 1. Presents, causes to be presented or intends to present to
9 another, any statement as part of or in support of any of the
10 purposes described in subsection B of this section knowing that such
11 statement contains any false, fraudulent, incomplete or misleading
12 information concerning any fact or thing material to the purpose for
13 the statement;

14 2. Assists, abets, solicits or conspires with another to
15 prepare or make any statement that is intended to be presented to,
16 used by or relied upon by another in connection with or in support
17 of any of the purposes described in subsection B of this section
18 knowing that such statement contains any false, fraudulent,
19 incomplete or misleading information concerning any fact or thing
20 material to the purpose of the statement;

21 3. Conceals, attempts to conceal or conspires to conceal any
22 information concerning any fact material to any of the purposes
23 described in subsection B of this section;

1 4. Solicits, accepts or conspires to solicit or accept new or
2 renewal insurance risks by or for an insolvent insurer;

3 5. Removes, attempts to remove or conspires to remove the
4 assets or records of the insurer or a material part thereof, from
5 the place of business of the insurer or from a place of safekeeping
6 of the insurer;

7 6. Conceals, attempts to conceal or conspires to conceal the
8 assets or records of the insurer or a material part thereof;

9 7. Diverts, attempts to divert, or conspires to divert funds of
10 an insurer or other person in connection with:

11 a. a contract of insurance,

12 b. the business of an insurer, or

13 c. the formation, acquisition or dissolution of an
14 insurer;

15 8. Solicits, accepts or conspires to solicit or accept any
16 benefit in exchange for violating any provision of this section;

17 9. Conceals, attempts to conceal, conspires to conceal or fails
18 to disclose any change in any material fact, circumstance or thing
19 for which there is a duty to disclose to another; or

20 10. Alters, falsifies, forges, distorts, counterfeits or
21 otherwise changes any material statement, form, document, contract,
22 application, certificate, or other writing with the intent to
23 defraud, deceive, or mislead another.

1 D. It shall not be a defense to an allegation of a violation of
2 this section that the person accused did not have a contractual
3 relationship with the insurer.

4 E. For the purposes of this section:

5 1. "Contract of insurance" includes, but is not limited to,
6 workers' compensation insurance or any other means of securing
7 compensation permitted by the Workers' Compensation Act or
8 reinsurance for such insurance or other means of securing
9 compensation;

10 2. "Insurer" includes, but is not limited to, any person who is
11 engaged in the business of making contracts of insurance;

12 3. "Person" means any individual or entity, whether
13 incorporated or not, and in the case of an entity, includes those
14 persons directly responsible for the fraudulent actions of the
15 entity;

16 4. "Statement" includes, but is not limited to, any oral,
17 written, computer-generated or otherwise produced notice, proof of
18 loss, bill of lading, receipt for payment, invoice, account,
19 certificate, survey affidavit, book, paper, writing, estimate of
20 property damage, bill for services, diagnosis, prescription, medical
21 record, x-ray, test result or other evidence of loss, injury or
22 expense; and

23 5. "Work" does not include activities that result in nominal
24 economic gain.

1 SECTION 450. AMENDATORY 21 O.S. 2021, Section 1681, is
2 amended to read as follows:

3 Section 1681. Any person who willfully administers poison to
4 any animal, the property of another, and every person who
5 maliciously exposes any poisonous substance with intent that the
6 same shall be taken by any such animal, shall be guilty of a Class
7 D1 felony offense and shall be punishable by imprisonment ~~in the~~
8 ~~State Penitentiary not exceeding three (3) years, or in a county~~
9 ~~jail not exceeding one (1) year~~ as provided for in subsections B
10 through F of Section 20N of this title, or by a fine not exceeding
11 Two Hundred Fifty Dollars (\$250.00), or by both such fine and
12 imprisonment.

13 SECTION 451. AMENDATORY 21 O.S. 2021, Section 1719, is
14 amended to read as follows:

15 Section 1719. Every person who shall take, steal and carry away
16 any domestic fowl, or fowls, and any person purchasing or receiving
17 such domestic fowl, or fowls, knowing them to have been stolen,
18 shall be guilty of grand larceny, a Class D1 felony offense,
19 regardless of the value thereof, and upon conviction shall be
20 punished by imprisonment ~~in the State Penitentiary not exceeding~~
21 ~~five (5) years~~ as provided for in subsections B through F of Section
22 20N of this title, or by a fine not exceeding Two Hundred Dollars
23 (\$200.00), ~~or by confinement in the county jail not exceeding two~~
24 ~~(2) months~~, or by both such fine and imprisonment.

SECTION 452. AMENDATORY 21 O.S. 2021, Section 1719.1, is amended to read as follows:

Section 1719.1. A. For the purpose of this section:

1. "Domesticated fish or game" means all birds, mammals, fish and other aquatic forms and all other animals, regardless of classifications, whether resident, migratory or imported, protected or unprotected, dead or alive, and shall extend to and include every part of any individual species when such domesticated fish or game are not in the wild and are in the possession of a person currently licensed to possess such fish or game; and

2. "Taking" means the pursuing, killing, capturing, trapping, snaring and netting of domesticated fish or game or placing, setting, drawing or using any net, trap or other device for taking domesticated fish or game and includes specifically every attempt to take such domesticated fish or game.

B. Any domesticated fish or game shall be considered the personal property of the owner.

C. Any person who shall take any domesticated fish or game, with the intent to deprive the owner of said fish or game, and any person purchasing or receiving such domesticated fish or game knowing them to have been stolen, shall:

1. Upon conviction, if the current market value of said domesticated fish or game is less than One Thousand Dollars (\$1,000.00), be guilty of a misdemeanor and shall be punished by a

1 fine of not more than Five Hundred Dollars (\$500.00) or by
2 imprisonment in the county jail for a term not to exceed sixty (60)
3 days, or by both such fine and imprisonment; or

4 2. Upon conviction, if the current market value of said
5 domesticated fish or game is One Thousand Dollars (\$1,000.00) or
6 more, be guilty of a Class D1 felony offense and shall be punished
7 by a fine of not less than One Thousand Dollars (\$1,000.00) nor more
8 than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the~~
9 ~~State Penitentiary for a term of not more than five (5) years as~~
10 provided for in subsections B through F of Section 20N of this
11 title, or by both such fine and imprisonment.

12 SECTION 453. AMENDATORY 21 O.S. 2021, Section 1723, is
13 amended to read as follows:

14 Section 1723. Any person entering and stealing any money or
15 other thing of value from any house, railroad car, tent, booth or
16 temporary building shall be guilty of larceny from the house.
17 Larceny from the house is a Class D1 felony offense and shall be
18 punished by imprisonment as provided for in subsections B through F
19 of Section 20N of this title.

20 SECTION 454. AMENDATORY 21 O.S. 2021, Section 1726, is
21 amended to read as follows:

22 Section 1726. A. Any person who may be found in this state
23 with more than one (1) pound of mercury in his possession, and who
24 does not have valid written evidence of his title to such mercury,

1 shall be guilty of a Class D1 felony offense and upon conviction
2 thereof shall be punishable by imprisonment ~~in the State~~
3 ~~Penitentiary for a term not less than one (1) year nor more than~~
4 ~~five (5) years~~ as provided for in subsections B through F of Section
5 20N of this title, or by a fine not exceeding Five Hundred Dollars
6 (\$500.00), or by both such fine and imprisonment.

7 B. It shall be a defense to any charge under this section that
8 the person so charged (1) is a bona fide miner or processor of
9 mercury or (2) that the mercury possessed by such person is, while
10 in his possession, an integral part of a tool, instrument, or device
11 used for a beneficial purpose. In any complaint, information, or
12 indictment brought under this section, it shall not be necessary to
13 negative any exception, excuse, exemption, or defense provided in
14 this section, and the burden of proof of any such exception, excuse,
15 exemption or defense shall be upon the defendant.

16 SECTION 455. AMENDATORY 21 O.S. 2021, Section 1727, is
17 amended to read as follows:

18 Section 1727. Any person who shall enter upon any premises,
19 easement, or right_of_way with intent to steal or remove without the
20 consent of the owner, or with intent to aid or assist in stealing or
21 removing any copper wire, copper cable, or copper tubing from and
22 off of any appurtenance on such premises, easement, or right_of_way
23 shall be guilty of a Class D1 felony offense and upon conviction
24 shall be punished by confinement ~~in the State Penitentiary for not~~

1 ~~less than one (1) year nor more than five (5) years, or by~~
2 ~~confinement in the county jail for not less than ninety (90) days~~
3 ~~nor more than two hundred (200) days as provided for in subsections~~
4 ~~B through F of Section 20N of this title,~~ or shall be fined not less
5 than One Hundred Dollars (\$100.00) nor more than Five Hundred
6 Dollars (\$500.00), or by both such fine and imprisonment.

7 SECTION 456. AMENDATORY 21 O.S. 2021, Section 1728, is
8 amended to read as follows:

9 Section 1728. Any person who shall receive, transport, or
10 possess in this state stolen copper wire, copper cable, or copper
11 tubing under such circumstances that he knew or should have known
12 that the same was stolen shall upon conviction thereof be guilty of
13 a Class D1 felony offense and shall be confined ~~in the State~~
14 ~~Penitentiary for a term of not less than one (1) year nor more than~~
15 ~~five (5) years, or shall be confined in the county jail for not less~~
16 ~~than ninety (90) days nor more than two hundred (200) days as~~
17 ~~provided for in subsections B through F of Section 20N of this~~
18 ~~title,~~ or shall be fined not less than One Hundred Dollars (\$100.00)
19 nor more than Five Hundred Dollars (\$500.00), or both such fine and
20 imprisonment.

21 SECTION 457. AMENDATORY 21 O.S. 2021, Section 1751, is
22 amended to read as follows:

23 Section 1751. Any person who maliciously, wantonly or
24 negligently either:

1 1. Removes, displaces, injures or destroys any part of any
2 railroad, or railroad equipment, whether for steam or horse cars, or
3 any track of any railroad, or of any branch or branchway, switch,
4 turnout, bridge, viaduct, culvert, embankment, station house, or
5 other structure or fixture, or any part thereof, attached to or
6 connected with any railroad; or

7 2. Places any obstruction upon the rails or tracks of any
8 railroad, or any branch, branchway, or turnout connected with any
9 railroad,

10 shall be guilty of a Class D1 felony offense punishable by
11 ~~imprisonment in the State Penitentiary not exceeding four (4) years~~
12 ~~or in a county jail not less than six (6) months~~ as provided for in
13 subsections B through F of Section 20N of this title.

14 SECTION 458. AMENDATORY 21 O.S. 2021, Section 1752.1, is
15 amended to read as follows:

16 Section 1752.1. A. Any person shall be guilty of a misdemeanor
17 if the person:

18 1. Without consent of the owner or the owner's agent, enters or
19 remains on railroad property, knowing that it is railroad property;

20 2. Throws an object at a train, or rail-mounted work equipment;
21 or

22 3. Maliciously or wantonly causes in any manner the derailment
23 of a train, railroad car or rail-mounted work equipment.
24

1 B. Any person shall be guilty of a Class D1 felony offense if
2 the person commits an offense specified in subsection A of this
3 section which results in a demonstrable monetary loss, damage or
4 destruction of railroad property when said loss is valued at more
5 than One Thousand Five Hundred Dollars (\$1,500.00) or results in
6 bodily injury to a person. Any person shall be guilty of a Class D1
7 felony offense if the person discharges a firearm or weapon at a
8 train, or rail-mounted work equipment.

9 C. Any person violating the misdemeanor provisions of this
10 section shall be deemed guilty of a misdemeanor and upon conviction
11 shall be punished by imprisonment in the county jail not exceeding
12 one (1) year or by a fine not exceeding One Thousand Dollars
13 (\$1,000.00), or both such fine and imprisonment. Any person
14 violating the felony provisions of this section shall be deemed
15 guilty of a Class D1 felony offense, and upon conviction shall be
16 punished by imprisonment ~~in the State Penitentiary not exceeding~~
17 ~~four (4) years. If personal injury results, such person shall be~~
18 ~~punished by imprisonment in the State Penitentiary~~ as provided for
19 in subsections B through F of Section 20N of this title.

20 D. Subsection A of this section shall not be construed to
21 interfere with the lawful use of a public or private crossing.

22 E. Nothing in this section shall be construed as limiting a
23 representative of a labor organization which represents or is
24 seeking to represent the employees of the railroad, from conducting

1 such business as provided under the Railway Labor Act, 45 U.S.C.,
2 Section 151 et seq.

3 F. As used in this section "railroad property" includes, but is
4 not limited to, any train, locomotive, railroad car, caboose, rail-
5 mounted work equipment, rolling stock, work equipment, safety
6 device, switch, electronic signal, microwave communication
7 equipment, connection, railroad track, rail, bridge, trestle, right-
8 of-way or other property that is owned, leased, operated or
9 possessed by a railroad.

10 SECTION 459. AMENDATORY 21 O.S. 2021, Section 1767.1, is
11 amended to read as follows:

12 Section 1767.1. A. Any person who shall willfully or
13 maliciously commit any of the following acts shall be deemed guilty
14 of a Class D1 felony offense:

15 1. Place in, upon, under, against or near to any building, car,
16 truck, aircraft, motor or other vehicle, vessel, railroad, railway
17 car, or locomotive or structure, any explosive or incendiary device
18 with unlawful intent to destroy, throw down, or injure, in whole or
19 in part, such property, or conspire, aid, counsel or procure the
20 destruction of any building, public or private, or any car, truck,
21 aircraft, motor or other vehicle, vessel, railroad, railway car, or
22 locomotive or structure; or

23 2. Place in, upon, under, against or near to any building, car,
24 truck, aircraft, motor or other vehicle, vessel, railroad, railway

1 car, or locomotive or structure, any explosive or incendiary device
2 with intent to destroy, throw down, or injure in whole or in part,
3 under circumstances that, if such intent were accomplished, human
4 life or safety would be endangered thereby; or

5 3. By the explosion of any explosive or the igniting of any
6 incendiary device destroy, throw down, or injure any property of
7 another person, or cause injury to another person; or

8 4. Manufacture, sell, transport, or possess any explosive, the
9 component parts of an explosive, an incendiary device, or simulated
10 bomb with knowledge or intent that it or they will be used to
11 unlawfully kill, injure or intimidate any person, or unlawfully
12 damage any real or personal property; or

13 5. Place in, upon, under, against or near to any building, car,
14 truck, aircraft, motor or other vehicle, vessel, railroad, railway
15 car, or locomotive or structure, any foul, poisonous, offensive or
16 injurious substance or compound, explosive, incendiary device, or
17 simulated bomb with intent to wrongfully injure, molest or coerce
18 another person or to injure or damage the property of another
19 person; or

20 6. Injure, damage or attempt to damage by an explosive or
21 incendiary device any person, persons, or property, whether real or
22 personal; or

23 7. Make any threat or convey information known to be false,
24 concerning an attempt or alleged attempt to kill, injure or

1 intimidate any person or unlawfully damage any real or personal
2 property by means of an explosive, incendiary device, or simulated
3 bomb; or

4 8. Manufacture, sell, deliver, mail or send an explosive,
5 incendiary device, or simulated bomb to another person; or

6 9. While committing or attempting to commit any felony,
7 possess, display, or threaten to use any explosive, incendiary
8 device, or simulated bomb.

9 B. Nothing contained herein shall be construed to apply to, or
10 repeal any laws pertaining to, the acts of mischief of juveniles
11 involving no injurious firecrackers or devices commonly called
12 "stink bombs".

13 SECTION 460. AMENDATORY 21 O.S. 2021, Section 1777, is
14 amended to read as follows:

15 Section 1777. Any person who maliciously draws up or removes or
16 cuts or otherwise injures any piles fixed in the ground and used for
17 securing any bank or dam of any river, canal, drain, aqueduct,
18 marsh, reservoir, pool, port, dock, quay, jetty or lock, shall be
19 guilty of a Class D1 felony offense punishable by imprisonment ~~in~~
20 ~~the State Penitentiary not exceeding five (5) years and not less~~
21 ~~than two (2) years, or by imprisonment in a county jail not~~
22 ~~exceeding one (1) year~~ as provided for in subsections B through F of
23 Section 20N of this title, or by a fine not exceeding Five Hundred
24 Dollars (\$500.00), or by both such fine and imprisonment.

1 SECTION 461. AMENDATORY 21 O.S. 2021, Section 1837, is
2 amended to read as follows:

3 Section 1837. Any person who shall designedly place any hard or
4 solid substance or article in any stack, shock, sheaf or load of
5 unthreshed grain, or in any bin, bag, sack or load of unthreshed
6 grain, or seed, or shall designedly place any matches or other
7 inflammable, combustible or explosive substance in any unginned
8 cotton with the intent to injure or destroy any such grain, seed, or
9 cotton, or any machinery which may be used for threshing or grinding
10 such grain or seed or ginning such cotton, shall be deemed guilty of
11 a Class D1 felony offense, and upon conviction shall be punished by
12 ~~confinement in the State Penitentiary for a term of not less than~~
13 ~~one (1) year nor more than five (5) years as provided for in~~
14 subsections B through F of Section 20N of this title.

15 SECTION 462. AMENDATORY 21 O.S. 2021, Section 1873, is
16 amended to read as follows:

17 Section 1873. A. Any person who intentionally sells an
18 unlawful telecommunication device or material, including hardware,
19 data, computer software, or other information or equipment, knowing
20 that the purchaser or a third person intends to use such material in
21 the manufacture of an unlawful telecommunication device shall, upon
22 conviction, be guilty of a ~~schedule F~~ Class D3 felony, ~~if the~~
23 ~~offense occurs on or after the effective date of Section 20.1 of~~
24 ~~this title. If the offense occurs before the effective date of~~

1 ~~Section 20.1 of this title, the crime shall be punishable by~~
2 ~~incarceration in the custody of the Department of Corrections for a~~
3 ~~term not to exceed two (2) years as provided for in subsections B~~
4 ~~through F of Section 20P of this title.~~

5 B. If the offense under this section involves the intentional
6 sale of five or more unlawful telecommunication devices within a
7 six-month period, the person committing the offense, upon
8 conviction, shall be guilty of a ~~Schedule E~~ Class D1 felony, ~~if the~~
9 ~~offense occurs on or after the effective date of Section 20.1 of~~
10 ~~this title. If the offense occurs before the effective date of~~
11 ~~Section 20.1 of this title, the crime shall be punishable by~~
12 ~~incarceration in the custody of the Department of Corrections for a~~
13 ~~term not to exceed five (5) years as provided for in subsections B~~
14 ~~through F of Section 20N of this title.~~

15 SECTION 463. AMENDATORY 21 O.S. 2021, Section 1874, is
16 amended to read as follows:

17 Section 1874. A. Any person who intentionally ~~manufacturers~~
18 manufactures an unlawful telecommunication device shall, upon
19 conviction, be guilty of a ~~Schedule F~~ Class D3 felony, ~~if the~~
20 ~~offense occurs on or after the effective date of Section 20.1 of~~
21 ~~this title. If the offense occurs before the effective date of~~
22 ~~Section 20.1 of this title, the crime shall be punishable by~~
23 ~~incarceration in the custody of the Department of Corrections for a~~
24

1 ~~term not to exceed two (2) years as provided for in subsections B~~
2 ~~through F of Section 20P of this title.~~

3 B. If the offense under this section involves the intentional
4 manufacture of five or more unlawful telecommunication devices
5 within a six-month period, the person committing the offense shall,
6 upon conviction, be guilty of a ~~Schedule E~~ Class D1 felony, ~~if the~~
7 ~~offense occurs on or after the effective date of Section 20.1 of~~
8 ~~this title. If the offense occurs before the effective date of~~
9 ~~Section 20.1 of this title, the crime shall be~~ punishable by
10 incarceration ~~in the custody of the Department of Corrections for a~~
11 ~~term not to exceed five (5) years as provided for in subsections B~~
12 ~~through F of Section 20N of this title.~~

13 SECTION 464. AMENDATORY 21 O.S. 2021, Section 1904, is
14 amended to read as follows:

15 Section 1904. It shall be unlawful to remove any baggage, cargo
16 or other item transported upon a bus or stored in a terminal without
17 consent of the owner of such property or the company, or its duly
18 authorized representative. Any person violating this section shall
19 be guilty of a Class D1 felony offense and, upon conviction, shall
20 be punished by a fine of not more than Ten Thousand Dollars
21 (\$10,000.00), or by imprisonment ~~in the custody of the Department of~~
22 ~~Corrections for not more than five (5) years as provided for in~~
23 subsection B through F of Section 20N of this title, or by both
24 such fine and imprisonment.

1 The actual value of an item removed in violation of this section
2 shall not be material to the crime herein defined.

3 SECTION 465. AMENDATORY 21 O.S. 2021, Section 1958, is
4 amended to read as follows:

5 Section 1958. No person shall communicate with, store data in,
6 or retrieve data from a computer system or computer network for the
7 purpose of using such access to violate any of the provisions of the
8 Oklahoma Statutes.

9 Any person convicted of violating the provisions of this section
10 shall be guilty of a Class D1 felony offense punishable by
11 ~~imprisonment in the State Penitentiary for a term of not more than~~
12 ~~five (5) years~~ as provided for in subsections B through F of Section
13 20N of this title, or by a fine of not more than Five Thousand
14 Dollars (\$5,000.00), or by both such imprisonment and fine.

15 SECTION 466. AMENDATORY 21 O.S. 2021, Section 1976, is
16 amended to read as follows:

17 Section 1976. A. It shall be unlawful for any person to
18 knowingly reproduce for sale any sound recording produced without
19 the written consent of the owner of the original recording,
20 provided, however, that this section shall only apply to sound
21 recordings initially fixed prior to February 15, 1972, and shall not
22 apply to motion pictures or other audiovisual works.

23 B. A violation of this section involving less than one hundred
24 articles shall constitute a misdemeanor, and shall, upon conviction,

1 be punishable by a fine not to exceed Five Thousand Dollars
2 (\$5,000.00).

3 C. A violation of this section involving one hundred or more
4 articles shall constitute a Class D1 felony offense, and shall, upon
5 conviction, be punishable by a fine not to exceed Fifty Thousand
6 Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary~~
7 ~~for a term not to exceed five (5) years~~ as provided for in
8 subsections B through F of Section 20N of this title, or both such
9 fine and imprisonment.

10 D. A second or subsequent conviction for a violation of this
11 section shall constitute a Class D1 felony offense and shall, upon
12 conviction, be punishable by a fine not to exceed One Hundred
13 Thousand Dollars (\$100,000.00), or by imprisonment ~~in the State~~
14 ~~Penitentiary for a term not less than two (2) years nor more than~~
15 ~~five (5) years~~ as provided for in subsections B through F of Section
16 20N of this title, or both such fine and imprisonment.

17 SECTION 467. AMENDATORY 21 O.S. 2021, Section 1977, is
18 amended to read as follows:

19 Section 1977. A. It shall be unlawful for any person to
20 knowingly sell or offer for sale any sound recording that has been
21 produced or reproduced in violation of the provisions of Sections
22 1975 through 1981 of this title, knowing, or having reasonable
23 grounds to know, that the sounds or images thereon have been
24 produced or reproduced without the consent of the owner.

1 B. A violation of this section involving less than one hundred
2 articles shall constitute a misdemeanor, and shall, upon conviction,
3 be punishable by a fine not to exceed Five Thousand Dollars
4 (\$5,000.00).

5 C. A violation of this section involving one hundred or more
6 articles shall constitute a Class D1 felony offense, and shall, upon
7 conviction, be punishable by a fine not to exceed Fifty Thousand
8 Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary~~
9 ~~for a term not more than five (5) years~~ as provided for in
10 subsections B through F of Section 20N of this title, or both such
11 fine and imprisonment.

12 D. A second or subsequent conviction for a violation of this
13 section shall constitute a Class D1 felony offense, and shall, upon
14 conviction, be punishable by a fine not to exceed One Hundred
15 Thousand Dollars (\$100,000.00), or by imprisonment ~~in the State~~
16 ~~Penitentiary for a term not less than two (2) years nor more than~~
17 ~~five (5) years~~ as provided for in subsections B through F of Section
18 20N of this title, or both such fine and imprisonment.

19 SECTION 468. AMENDATORY 21 O.S. 2021, Section 1978, is
20 amended to read as follows:

21 Section 1978. A. It shall be unlawful for any person to
22 knowingly and without the written consent of the owner, transfer or
23 cause to be transferred to any article or sound recording or
24 otherwise reproduce for sale, any performance, whether live before

1 an audience or transmitted by wire or through the air by radio or
2 television, with the intent to sell or cause to be sold for profit
3 or used to promote the sale of any article or product.

4 B. A violation of this section involving less than one hundred
5 articles shall constitute a misdemeanor, and shall, upon conviction,
6 be punishable by a fine not to exceed Five Thousand Dollars
7 (\$5,000.00).

8 C. A violation of this section involving one hundred or more
9 articles shall constitute a Class D1 felony offense, and shall, upon
10 conviction, be punishable by a fine not to exceed Fifty Thousand
11 Dollars (\$50,000.00), or by imprisonment ~~in the State Penitentiary~~
12 ~~for a term not more than five (5) years~~ as provided for in
13 subsections B through F of Section 20N of this title, or both such
14 fine and imprisonment.

15 D. A second or subsequent conviction for a violation of this
16 section shall constitute a Class D1 felony offense, and shall, upon
17 conviction, be punishable by a fine not to exceed One Hundred
18 Thousand Dollars (\$100,000.00) or by imprisonment ~~in the State~~
19 ~~Penitentiary for a term not less than two (2) years nor more than~~
20 ~~five (5) years~~ as provided for in subsections B through F of Section
21 20N of this title, or both such fine and imprisonment.

22 SECTION 469. AMENDATORY 21 O.S. 2021, Section 1979, is
23 amended to read as follows:
24

1 Section 1979. A. It shall be unlawful for any person to
2 advertise, or offer for rental, sale, resale, distribution or
3 circulation, or rent, sell, resell, distribute or circulate, or
4 cause to be sold, resold, distributed or circulated, or possess for
5 such purposes any article, which does not clearly and conspicuously
6 display thereon in clearly readable print the actual true name and
7 address of the manufacturer thereof.

8 B. A violation of this section involving less than seven
9 articles upon which motion pictures or other audiovisual works are
10 recorded or less than one hundred other articles or sound
11 recordings, shall constitute a misdemeanor, and shall, upon
12 conviction, be punishable by a fine not to exceed Five Thousand
13 Dollars (\$5,000.00).

14 C. A violation of this section involving seven or more articles
15 upon which motion pictures or other audiovisual works are recorded
16 or one hundred or more other articles or sound recordings, shall
17 constitute a Class D1 felony offense, and shall, upon conviction, be
18 punishable by a fine not to exceed Fifty Thousand Dollars
19 (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a~~
20 ~~term not more than five (5) years~~ as provided for in subsections B
21 through F of Section 20N of this title, or both such fine and
22 imprisonment.

23 D. A second or subsequent conviction for a violation of this
24 section shall constitute a Class D1 felony offense, and shall, upon

conviction, be punishable by a fine not to exceed One Hundred
Thousand Dollars (\$100,000.00) or by imprisonment ~~in the State~~
~~Penitentiary for a term not less than two (2) years nor more than~~
~~five (5) years~~ as provided for in subsections B through F of Section
20N of this title, or both such fine and imprisonment.

SECTION 470. AMENDATORY 21 O.S. 2021, Section 1980, is
amended to read as follows:

Section 1980. A. It shall be unlawful for any person to make,
manufacture, sell, distribute, offer for sale, issue or place in
circulation or knowingly have in his possession for purposes of
commercial advantage or private financial gain, a counterfeit label
affixed or designed to be affixed to a phonorecord, a copy of a
motion picture or other audiovisual work, recording or article.

B. A violation of this section involving less than seven
articles upon which motion pictures or other audiovisual works are
recorded or less than one hundred other articles or sound
recordings, shall constitute a misdemeanor, and shall, upon
conviction, be punishable by a fine not to exceed Five Thousand
Dollars (\$5,000.00).

C. A violation of this section involving seven or more articles
upon which motion pictures or other audiovisual works are recorded
or one hundred or more other articles or sound recordings, shall
constitute a Class D1 felony offense, and shall, upon conviction, be
punishable by a fine not to exceed Fifty Thousand Dollars

1 (\$50,000.00), or by imprisonment ~~in the State Penitentiary for a~~
2 ~~term not more than five (5) years~~ as provided for in subsections B
3 through F of Section 20N of this title, or both such fine and
4 imprisonment.

5 D. A second or subsequent conviction for a violation of this
6 section shall constitute a Class D1 felony offense, and shall, upon
7 conviction, be punishable by a fine not to exceed One Hundred
8 Thousand Dollars (\$100,000.00), or by imprisonment in the State
9 ~~Penitentiary for a term not less than two (2) years nor more than~~
10 ~~five (5) years~~ as provided for in subsections B through F of Section
11 20N of this title, or both such fine and imprisonment.

12 SECTION 471. AMENDATORY 21 O.S. 2021, Section 1990.2, is
13 amended to read as follows:

14 Section 1990.2. A. Except as provided in subsections B and C
15 of this section, a person who knowingly and with intent to sell or
16 distribute, uses, displays, advertises, distributes, offers for
17 sale, sells or possesses any item that bears a counterfeit mark or
18 any service that is identified by a counterfeit mark shall, upon
19 conviction, be guilty of a misdemeanor punishable by imprisonment in
20 the county jail not exceeding one (1) year, or by a fine not
21 exceeding One Thousand Dollars (\$1,000.00), or by both such fine and
22 imprisonment.

23 B. Any person who commits any prohibited act proscribed in
24 subsection A of this section shall, upon conviction, be guilty of a

1 ~~Schedule G~~ Class D1 felony offense punishable by imprisonment as
2 ~~provided in the state's sentencing matrix~~ for in subsections B
3 through F of Section 20N of this title, or by a fine of not more
4 than the retail value of such items or services, or both such fine
5 and imprisonment, if either:

6 1. The person has one previous conviction under any provision
7 of this section; or

8 2. At least one of the following exists:

9 a. the violation involves more than one hundred but fewer
10 than one thousand items that bear the counterfeit
11 mark, or

12 b. the total retail value of all of the items or services
13 that bear or are identified by the counterfeit mark is
14 more than One Thousand Dollars (\$1,000.00) but less
15 than Ten Thousand Dollars (\$10,000.00).

16 C. Any person who knowingly manufactures or produces with
17 intent to sell or distribute any item that bears a counterfeit mark
18 or any service that is identified by a counterfeit mark shall, upon
19 conviction, be guilty of a ~~Schedule F~~ Class D1 felony offense
20 punishable by imprisonment as provided ~~in the state's sentencing~~
21 ~~matrix~~ for in subsections B through F of Section 20N of this title,
22 or by a fine not exceeding three times the retail value of such
23 items or services, or by both such fine and imprisonment.

1 D. Any person who commits any prohibited act proscribed by
2 subsection A of this section shall, upon conviction, be guilty of a
3 ~~Schedule E Class D1 felony offense punishable by imprisonment as~~
4 ~~provided in the state's sentencing matrix~~ for in subsections B
5 through F of Section 20N of this title, or by a fine not exceeding
6 three times the retail value of such items or services, or by both
7 such fine and imprisonment if either:

8 1. The person has two or more previous convictions under this
9 section; or

10 2. At least one of the following exists:

11 a. the violation involves at least one thousand items
12 that bear the counterfeit mark, or

13 b. the total retail value of all of the items or services
14 that bear or are identified by the counterfeit mark is
15 at least Ten Thousand Dollars (\$10,000.00).

16 E. For purposes of this section, any person who knowingly has
17 possession, custody or control of at least twenty-six items that
18 bear a counterfeit mark is presumed to possess the items with intent
19 to sell or distribute the items.

20 F. In any criminal proceeding in which a person is convicted of
21 a violation of any provision of this section, the court may order
22 the convicted person to pay restitution to the intellectual property
23 owner in addition to any other provision allowed by law.

1 G. The investigating law enforcement officer may seize any item
2 that bears a counterfeit mark and all other personal property that
3 is employed or used in connection with a violation of this section,
4 including any items, objects, tools, machines, equipment,
5 instrumentalities or vehicles. All personal property seized
6 pursuant to this section shall be subject to forfeiture according to
7 Section 1738 of ~~Title 21 of the Oklahoma Statutes~~ this title.

8 H. After a forfeiture has been ordered by the district court, a
9 law enforcement officer shall destroy all seized items that bear a
10 counterfeit mark; however, if the counterfeit mark is removed from
11 the seized items, the intellectual property owner may recommend to
12 the court that the seized items be donated to a charitable
13 organization.

14 I. Any certificate of registration of any intellectual property
15 pursuant to state or federal law is prima facie evidence of the
16 facts stated in the certificate of registration and may be used at
17 trial.

18 J. In addition to other remedies allowed by law, an
19 intellectual property owner who sustains a loss as a result of any
20 violation of this section may file a civil action against the
21 defendant for recovery of up to treble damages and the costs of the
22 suit including reasonable attorney fees.

23 K. The remedies provided in this section are cumulative to all
24 other civil and criminal remedies provided by law.

1 L. For the purposes of this section, the quantity or retail
2 value of items or services includes the aggregate quantity or retail
3 value of all items that the defendant manufactures, uses, displays,
4 advertises, distributes, offers for sale, sells or possesses and
5 that bear a counterfeit mark or that are identified by a counterfeit
6 mark.

7 SECTION 472. AMENDATORY 21 O.S. 2021, Section 1993, is
8 amended to read as follows:

9 Section 1993. A. It shall be unlawful for any unauthorized
10 person to refocus, reposition, cover, manipulate, disconnect, or
11 otherwise tamper with or disable a security or surveillance camera
12 or security system. Any person violating the provisions of this
13 subsection shall be guilty, upon conviction, of a misdemeanor
14 punishable by a fine of not more than Five Thousand Dollars
15 (\$5,000.00).

16 B. It shall be unlawful for any person to use, refocus,
17 reposition, cover, manipulate, disconnect, or otherwise tamper with
18 or disable a security or surveillance camera or security system for
19 the purpose of avoiding detection when committing, attempting to
20 commit, or aiding another person to commit or attempt to commit any
21 misdemeanor. Any person violating the provisions of this section
22 shall be guilty, upon conviction, of a misdemeanor punishable by
23 imprisonment for not more than one year in the county jail, or a
24

1 fine of not more than Five Thousand Dollars (\$5,000.00), or by both
2 such imprisonment and fine.

3 C. It shall be unlawful for any person to use, refocus,
4 reposition, cover, manipulate, disconnect, or otherwise tamper with
5 or disable a security or surveillance camera or security system for
6 the purpose of avoiding detection when committing, attempting to
7 commit, or aiding another person to commit or attempt to commit any
8 felony. Any person violating the provisions of this section shall
9 be guilty, upon conviction, of a Class D1 felony offense, punishable
10 by imprisonment ~~for not more than five (5) years~~ as provided for in
11 subsections B through F of Section 20N of this title, or a fine of
12 not more than Ten Thousand Dollars (\$10,000.00), or by both such
13 imprisonment and fine.

14 SECTION 473. AMENDATORY 21 O.S. 2021, Section 2100.1, is
15 amended to read as follows:

16 Section 2100.1. Any sex offender required to be registered
17 pursuant to the Oklahoma Sex Offenders Registration Act who engages
18 in ice cream truck vending, whether or not licensed in this state as
19 a mobile food unit, shall ~~be~~, upon conviction, be guilty of a Class
20 D1 felony offense and shall be punished by imprisonment in the
21 custody of the Department of Corrections for a term up to two and
22 one-half (2 1/2) years as provided for in subsections B through F of
23 Section 20N of this title, or by a fine in an amount not exceeding
24 One Thousand Dollars (\$1,000.00), or by both such fine and

1 imprisonment. A sheriff or police officer may arrest without a
2 warrant any person who the officer has probable cause to believe has
3 violated the provisions of this section.

4 SECTION 474. AMENDATORY 22 O.S. 2021, Section 60.6, is
5 amended to read as follows:

6 Section 60.6. A. Except as otherwise provided by this section,
7 any person who:

8 1. Has been served with an emergency temporary, ex parte or
9 final protective order or foreign protective order and is in
10 violation of such protective order, upon conviction, shall be guilty
11 of a misdemeanor and shall be punished by a fine of not more than
12 One Thousand Dollars (\$1,000.00) or by a term of imprisonment in the
13 county jail of not more than one (1) year, or by both such fine and
14 imprisonment; and

15 2. After a previous conviction of a violation of a protective
16 order, is convicted of a second or subsequent offense pursuant to
17 the provisions of this section shall, upon conviction, be guilty of
18 a Class D1 felony offense and shall be punished by a term of
19 ~~imprisonment in the custody of the Department of Corrections for not~~
20 ~~less than one (1) year nor more than three (3) years~~ as provided for
21 in subsections B through F of Section 20N of Title 21 of the
22 Oklahoma Statutes, or by a fine of not less than Two Thousand
23 Dollars (\$2,000.00) nor more than Ten Thousand Dollars (\$10,000.00),
24 or by both such fine and imprisonment.

1 B. 1. Any person who has been served with an emergency
2 temporary, ex parte or final protective order or foreign protective
3 order who violates the protective order and causes physical injury
4 or physical impairment to the plaintiff or to any other person named
5 in said protective order shall, upon conviction, be guilty of a
6 misdemeanor and shall be punished by a term of imprisonment in the
7 county jail for not less than twenty (20) days nor more than one (1)
8 year. In addition to the term of imprisonment, the person may be
9 punished by a fine not to exceed Five Thousand Dollars (\$5,000.00).

10 2. Any person who is convicted of a second or subsequent
11 violation of a protective order which causes physical injury or
12 physical impairment to a plaintiff or to any other person named in
13 the protective order shall be guilty of a Class D1 felony offense
14 and shall be punished by a term of imprisonment in the custody of
15 the Department of Corrections of not less than one (1) year nor more
16 than five (5) years, or by a fine of not less than Three Thousand
17 Dollars (\$3,000.00) nor more than Ten Thousand Dollars (\$10,000.00),
18 or by both such fine and imprisonment.

19 3. In determining the term of imprisonment required by this
20 section, the jury or sentencing judge shall consider the degree of
21 physical injury or physical impairment to the victim.

22 4. The provisions of this subsection shall not affect the
23 applicability of Sections 644, 645, 647 and 652 of Title 21 of the
24 Oklahoma Statutes.

1 C. The minimum sentence of imprisonment issued pursuant to the
2 provisions of paragraph 2 of subsection A and paragraph 2 of
3 subsection B of this section shall not be subject to statutory
4 provisions for suspended sentences, deferred sentences or probation,
5 provided the court may subject any remaining penalty under the
6 jurisdiction of the court to the statutory provisions for suspended
7 sentences, deferred sentences or probation.

8 D. In addition to any other penalty specified by this section,
9 the court shall require a defendant to undergo the treatment or
10 participate in the counseling services necessary to bring about the
11 cessation of domestic abuse against the victim or to bring about the
12 cessation of stalking or harassment of the victim. For every
13 conviction of violation of a protective order:

14 1. The court shall specifically order as a condition of a
15 suspended sentence or probation that a defendant participate in
16 counseling or undergo treatment to bring about the cessation of
17 domestic abuse as specified in paragraph 2 of this subsection;

18 2. a. The court shall require the defendant to participate
19 in counseling or undergo treatment for domestic abuse
20 by an individual licensed practitioner or a domestic
21 abuse treatment program certified by the Attorney
22 General. If the defendant is ordered to participate
23 in a domestic abuse counseling or treatment program,
24 the order shall require the defendant to attend the

1 program for a minimum of fifty-two (52) weeks,
2 complete the program, and be evaluated before and
3 after attendance of the program by a program counselor
4 or a private counselor.

- 5 b. A program for anger management, couples counseling, or
6 family and marital counseling shall not solely qualify
7 for the counseling or treatment requirement for
8 domestic abuse pursuant to this subsection. The
9 counseling may be ordered in addition to counseling
10 specifically for the treatment of domestic abuse or
11 per evaluation as set forth below. If, after
12 sufficient evaluation and attendance at required
13 counseling sessions, the domestic violence treatment
14 program or licensed professional determines that the
15 defendant does not evaluate as a perpetrator of
16 domestic violence or does evaluate as a perpetrator of
17 domestic violence and should complete other programs
18 of treatment simultaneously or prior to domestic
19 violence treatment, including but not limited to
20 programs related to the mental health, apparent
21 substance or alcohol abuse or inability or refusal to
22 manage anger, the defendant shall be ordered to
23 complete the counseling as per the recommendations of
24

1 the domestic violence treatment program or licensed
2 professional;

3 3. a. The court shall set a review hearing no more than one
4 hundred twenty (120) days after the defendant is
5 ordered to participate in a domestic abuse counseling
6 program or undergo treatment for domestic abuse to
7 assure the attendance and compliance of the defendant
8 with the provisions of this subsection and the
9 domestic abuse counseling or treatment requirements.

10 b. The court shall set a second review hearing after the
11 completion of the counseling or treatment to assure
12 the attendance and compliance of the defendant with
13 the provisions of this subsection and the domestic
14 abuse counseling or treatment requirements. The court
15 may suspend sentencing of the defendant until the
16 defendant has presented proof to the court of
17 enrollment in a program of treatment for domestic
18 abuse by an individual licensed practitioner or a
19 domestic abuse treatment program certified by the
20 Attorney General and attendance at weekly sessions of
21 such program. Such proof shall be presented to the
22 court by the defendant no later than one hundred
23 twenty (120) days after the defendant is ordered to
24 such counseling or treatment. At such time, the court

1 may complete sentencing, beginning the period of the
2 sentence from the date that proof of enrollment is
3 presented to the court, and schedule reviews as
4 required by subparagraphs a and b of this paragraph
5 and paragraphs 4 and 5 of this subsection. The court
6 shall retain continuing jurisdiction over the
7 defendant during the course of ordered counseling
8 through the final review hearing;

9 4. The court may set subsequent or other review hearings as the
10 court determines necessary to assure the defendant attends and fully
11 complies with the provisions of this subsection and the domestic
12 abuse counseling or treatment requirements;

13 5. At any review hearing, if the defendant is not
14 satisfactorily attending individual counseling or a domestic abuse
15 counseling or treatment program or is not in compliance with any
16 domestic abuse counseling or treatment requirements, the court may
17 order the defendant to further or continue counseling, treatment, or
18 other necessary services. The court may revoke all or any part of a
19 suspended sentence, deferred sentence, or probation pursuant to
20 Section 991b of this title and subject the defendant to any or all
21 remaining portions of the original sentence;

22 6. At the first review hearing, the court shall require the
23 defendant to appear in court. Thereafter, for any subsequent review
24 hearings, the court may accept a report on the progress of the

1 defendant from individual counseling, domestic abuse counseling, or
2 the treatment program. There shall be no requirement for the victim
3 to attend review hearings; and

4 7. If funding is available, a referee may be appointed and
5 assigned by the presiding judge of the district court to hear
6 designated cases set for review under this subsection. Reasonable
7 compensation for the referees shall be fixed by the presiding judge.
8 The referee shall meet the requirements and perform all duties in
9 the same manner and procedure as set forth in Sections 1-8-103 and
10 2-2-702 of Title 10A of the Oklahoma Statutes pertaining to referees
11 appointed in juvenile proceedings.

12 E. Emergency temporary, ex parte and final protective orders
13 shall include notice of these penalties.

14 F. When a minor child violates the provisions of any protective
15 order, the violation shall be heard in a juvenile proceeding and the
16 court may order the child and the parent or parents of the child to
17 participate in family counseling services necessary to bring about
18 the cessation of domestic abuse against the victim and may order
19 community service hours to be performed in lieu of any fine or
20 imprisonment authorized by this section.

21 G. Any district court of this state and any judge thereof shall
22 be immune from any liability or prosecution for issuing an order
23 that requires a defendant to:

1 1. Attend a treatment program for domestic abusers certified by
2 the Attorney General;

3 2. Attend counseling or treatment services ordered as part of
4 any final protective order or for any violation of a protective
5 order; and

6 3. Attend, complete, and be evaluated before and after
7 attendance by a treatment program for domestic abusers certified by
8 the Attorney General.

9 H. At no time, under any proceeding, may a person protected by
10 a protective order be held to be in violation of that protective
11 order. Only a defendant against whom a protective order has been
12 issued may be held to have violated the order.

13 I. In addition to any other penalty specified by this section,
14 the court may order a defendant to use an active, real-time, twenty-
15 four-hour Global Positioning System (GPS) monitoring device as a
16 condition of a sentence. The court may further order the defendant
17 to pay costs and expenses related to the GPS device and monitoring.

18 SECTION 475. AMENDATORY 22 O.S. 2021, Section 1263, is
19 amended to read as follows:

20 Section 1263. Any officer who shall sell, barter, give away, or
21 otherwise dispose of any whiskey or any intoxicating liquor,
22 including beer, so seized by order of the court, shall be guilty of
23 a Class D1 felony offense. A violation of any provision of this
24 section shall be punished by a fine of not less than Fifty Dollars

1 (\$50.00), nor more than Two Thousand Dollars (\$2,000.00), and
2 imprisonment of not less than thirty (30) days in jail, nor more
3 than five (5) years in the State Penitentiary.

4 SECTION 476. AMENDATORY 22 O.S. 2021, Section 1264, is
5 amended to read as follows:

6 Section 1264. Any officer willfully making a false affidavit,
7 as provided in Section 1261 of this title, shall be guilty of the
8 felony of perjury, a Class D1 felony offense, and, upon conviction
9 therefor, shall be imprisoned ~~in the State Penitentiary not less~~
10 ~~than two (2) years nor more than five (5) years for each offense as~~
11 provided for in subsections B through F of Section 20N of Title 21
12 of the Oklahoma Statutes.

13 SECTION 477. AMENDATORY 26 O.S. 2021, Section 9-118, is
14 amended to read as follows:

15 Section 9-118. Any person who defaces a voting device, breaks,
16 tampers with, impairs, impedes or otherwise interferes with the
17 maintenance, adjustment, delivery, use or operation of any voting
18 device or part thereof shall be guilty of a Class D1 felony offense
19 and shall be punished by imprisonment as provided for in subsections
20 B through F of Section 20N of Title 21 of the Oklahoma Statutes.

21 SECTION 478. AMENDATORY 26 O.S. 2021, Section 16-101, is
22 amended to read as follows:

23 Section 16-101. Any person deemed guilty of a Class D1 felony
24 offense under the provisions of this act shall, upon conviction, be

1 ~~confined in the State Penitentiary for not more than five (5) years~~
2 as provided for in subsections B through F of Section 20N of Title
3 21 of the Oklahoma Statutes, or fined not more than Fifty Thousand
4 Dollars (\$50,000.00), or both.

5 SECTION 479. AMENDATORY 26 O.S. 2021, Section 16-102, is
6 amended to read as follows:

7 Section 16-102. Any person who votes more than once at any
8 election, who votes in a precinct after having transferred voter
9 registration to a new precinct, or who, knowing that he or she is
10 not eligible to vote at an election, willfully votes at said
11 election shall be deemed guilty of a Class D1 felony offense. Any
12 voter covered by Section 14-116 of this title who willingly votes
13 and submits an absentee ballot pursuant to Section 14-104.1 of this
14 title later than the day of the election shall be deemed guilty of a
15 Class D1 felony offense. Any person who knowingly votes and submits
16 an absentee ballot issued to another person shall be deemed guilty
17 of a Class D1 felony offense.

18 SECTION 480. AMENDATORY 26 O.S. 2021, Section 16-102.1,
19 is amended to read as follows:

20 Section 16-102.1. Any unauthorized person who knowingly removes
21 a ballot from a polling place or who knowingly carries a ballot into
22 a polling place shall be deemed guilty of a Class D1 felony offense.

23 SECTION 481. AMENDATORY 26 O.S. 2021, Section 16-102.2,
24 is amended to read as follows:

1 Section 16-102.2. Any person who knowingly executes a false
2 application for an absentee ballot shall be deemed guilty of a Class
3 D1 felony offense.

4 SECTION 482. AMENDATORY 26 O.S. 2021, Section 16-103, is
5 amended to read as follows:

6 Section 16-103. Any person who knowingly swears or affirms a
7 false affidavit in order to become eligible to vote, to obtain and
8 vote a provisional ballot, to obtain and vote an absentee ballot, or
9 to cause the cancellation of a qualified elector's voter
10 registration, shall be deemed guilty of a Class D1 felony offense.

11 SECTION 483. AMENDATORY 26 O.S. 2021, Section 16-103.1,
12 is amended to read as follows:

13 Section 16-103.1. Any person who knowingly causes any qualified
14 elector to be invalidly registered or anyone who knowingly causes
15 any unqualified person to be registered shall be deemed guilty of a
16 Class D1 felony offense. Any person who knowingly causes the
17 collection or submission of voter registration forms containing
18 false, fraudulent or fictitious information shall be deemed guilty
19 of a Class D1 felony offense.

20 SECTION 484. AMENDATORY 26 O.S. 2021, Section 16-104, is
21 amended to read as follows:

22 Section 16-104. Any person, notary public or other official
23 authorized to administer oaths who notarizes, verifies, acknowledges
24 or attests to the signature on the affidavit of an absent voter or

1 on the attestation of an incapacitated voter, without the person
2 whose affidavit or attestation is being taken actually appearing in
3 person before said person, notary public or official authorized to
4 administer oaths, shall be deemed guilty of a Class D1 felony
5 offense.

6 SECTION 485. AMENDATORY 26 O.S. 2021, Section 16-105, is
7 amended to read as follows:

8 Section 16-105. A. Any person who knowingly conspires to
9 commit fraud or perpetrates fraud, or who steals supplies used to
10 conduct an election, in order to change a voter's vote, or to change
11 the composition of the official ballot or ballots, or to change the
12 counting of the ballots, or to change the certification of the
13 results of an election, shall be deemed guilty of a Class D1 felony
14 offense.

15 B. At every precinct there shall be posted information,
16 provided by the State Election Board, which states the penalties for
17 voter fraud and states that, if voter fraud is suspected, complaints
18 should be reported to the State Election Board.

19 C. The State Election Board shall, upon receiving the
20 complaint:

21 1. Document such complaint and request the name and mailing
22 address of the person making the complaint;
23
24

1 2. Send a letter to the person making the complaint, stating
2 the penalties for voter fraud and the option of contacting the
3 district attorney in the county where such fraud is suspected; and

4 3. Provide the district attorney's name and phone number.

5 D. All information relating to voter complaints shall remain
6 confidential until after the complaint has resulted in a conviction
7 or a plea of guilty or nolo contendere.

8 SECTION 486. AMENDATORY 26 O.S. 2021, Section 16-106, is
9 amended to read as follows:

10 Section 16-106. Any person who offers, solicits or accepts
11 something of value intended to directly or indirectly influence the
12 vote of the person soliciting or accepting same shall be deemed
13 guilty of a Class D1 felony offense; provided, the gifting of an
14 envelope, stamp, or both an envelope and stamp for the purpose of
15 mailing in a ballot shall not be considered something of value.

16 SECTION 487. AMENDATORY 26 O.S. 2021, Section 16-107, is
17 amended to read as follows:

18 Section 16-107. Any person who shall offer or give to another
19 anything of value to induce or cause such other person to withdraw
20 from a political contest as a candidate or nominee at any election
21 shall be deemed guilty of a Class D1 felony offense.

22 SECTION 488. AMENDATORY 26 O.S. 2021, Section 16-108, is
23 amended to read as follows:

1 Section 16-108. Any person who shall solicit or accept from
2 another anything of value for withdrawing from any political contest
3 as a candidate or nominee for any office at any election shall be
4 deemed guilty of a Class D1 felony offense.

5 SECTION 489. AMENDATORY 26 O.S. 2021, Section 16-109, as
6 amended by Section 3, Chapter 147, O.S.L. 2023 (26 O.S. Supp. 2024,
7 Section 16-109), is amended to read as follows:

8 Section 16-109. A. Any person who, by means of coercion,
9 providing false or misleading information or any other method,
10 knowingly attempts to prevent a qualified elector from becoming
11 registered, or a registered voter from voting, shall be deemed
12 guilty of a Class D1 felony offense.

13 B. Any person who, directly or indirectly, utters or addresses
14 any threat or intimidation to any election official with intent to
15 improperly influence an election shall be deemed guilty of a
16 misdemeanor punishable by a fine not to exceed One Thousand Dollars
17 (\$1,000.00) or by imprisonment in the county jail for a term not to
18 exceed six (6) months, or by both such fine and imprisonment.

19 SECTION 490. AMENDATORY 26 O.S. 2021, Section 16-120, is
20 amended to read as follows:

21 Section 16-120. Any person who causes to be printed, or who has
22 in his or her possession ballots or blank or fraudulent voter
23 identification cards not authorized by law shall be deemed guilty of
24 a Class D1 felony offense.

SECTION 491. AMENDATORY 27A O.S. 2021, Section 2-7-109,

is amended to read as follows:

Section 2-7-109. A. In order to protect the public health and safety and the environment of this state, the Department, pursuant to the Oklahoma Hazardous Waste Management Act, shall not issue, renew, or transfer a permit for a hazardous waste facility for treatment, storage, recycling or disposal to any person who:

1. Is not in substantial compliance with a final agency order or any final order or judgment of a court of record secured by any state or federal agency relating to the generation, storage, transportation, treatment, recycling or disposal of "hazardous waste", as such term is defined by the Oklahoma Hazardous Waste Management Act, or by the United States Environmental Protection Agency pursuant to the federal Resource Conservation and Recovery Act;

2. Has evidenced a reckless disregard for the protection of the public and the environment as demonstrated by a history of noncompliance with environmental laws and rules resulting in endangerment of human health or the environment; or

3. Has as an affiliated person any person who is described by paragraph 1 or 2 of this subsection.

B. 1. Except as provided in paragraph 2 of this subsection, all applicants for the issuance, renewal or transfer of any hazardous waste permit, license, certification or operational

1 authority issued by the Department shall file a disclosure statement
2 with their applications.

3 2. If the applicant is a publicly held company required to file
4 periodic reports under the Securities and Exchange Act of 1934, or a
5 wholly owned subsidiary of a publicly held company, the applicant
6 shall not be required to submit a disclosure statement, but shall
7 submit the most recent annual and quarterly reports required by the
8 Securities and Exchange Commission, which provide information
9 regarding legal proceedings in which the applicant has been
10 involved. The applicant shall submit such other relevant
11 information as the Department may require that relates to the
12 competency, reliability, or responsibility of the applicant and
13 affiliated persons.

14 C. The Department is authorized to revoke, or to refuse to
15 issue, to renew, or to transfer a permit for a hazardous waste
16 facility for treatment, storage, recycling or disposal to any person
17 who:

18 1. Is not, due solely to the actions or inactions of the
19 applicant or affiliated person, in substantial compliance with any
20 final agency order or final order or judgment of a court of record
21 secured by the Department issued pursuant to the provisions of the
22 Oklahoma Hazardous Waste Management Act;

23 2. Is not, due solely to the actions or inactions of the
24 applicant or affiliated person, in substantial compliance with any

1 final agency order or final order or judgment of a court of record
2 secured by any state or federal agency, as determined by that
3 agency, relating to the generation, storage, transportation,
4 treatment, recycling or disposal of any "hazardous waste", as such
5 term is defined by the Oklahoma Hazardous Waste Management Act, or
6 by the United States Environmental Protection Agency pursuant to the
7 federal Resource Conservation and Recovery Act;

8 3. Has evidenced a history of a reckless disregard for the
9 protection of the public health and safety or the environment
10 through a history of noncompliance with state or federal
11 environmental laws, including without limitation the rules of the
12 Department or the United States Environmental Protection Agency
13 regarding the generation, storage, transportation, treatment,
14 recycling or disposal of any "hazardous waste", as such term is
15 defined by the Oklahoma Hazardous Waste Management Act, or by the
16 United States Environmental Protection Agency pursuant to the
17 federal Resource Conservation and Recovery Act; or

18 4. Has as an affiliated person any person who is described by
19 paragraphs 1, 2 or 3 of this subsection.

20 D. 1. An application for a permit for a hazardous waste
21 facility for treatment, storage, recycling or disposal or a renewal
22 thereof shall be signed under oath by the applicant.

23 2. The Department may refuse to renew, or may suspend or
24 revoke, a permit issued pursuant to the Oklahoma Hazardous Waste

1 Management Act for a hazardous waste facility for treatment,
2 storage, recycling or disposal to any person who has failed to
3 disclose or states falsely any information required pursuant to the
4 provisions of this section. Any person who willfully fails to
5 disclose or states falsely any such information, upon conviction,
6 shall be guilty of a Class D1 felony offense and may be punished by
7 imprisonment for not more than five (5) years or fined not more than
8 One Hundred Thousand Dollars (\$100,000.00), or both such fine and
9 imprisonment.

10 E. Noncompliance with a final agency order or final order or
11 judgment of a court of record which has been set aside by a court on
12 appeal of such final order or judgment shall not be considered a
13 final order or judgment for the purposes of this section.

14 F. The Board shall promulgate rules pursuant to the
15 Administrative Procedures Act as may be necessary and appropriate to
16 implement the provisions of this section.

17 G. The provisions of this section shall apply to:

18 1. Any pending or future application for a permit for land
19 disposal or treatment of hazardous waste, except treatment at a
20 facility accepting hazardous waste exclusively for the purpose of
21 conducting research and design tests; and

22 2. Any application for a permit for hazardous waste treatment,
23 storage, recycling or disposal which is initially submitted to the
24 Department after July 31, 1992, or which has not been determined by

1 the Department to be technically complete by December 31, 1993,
2 regardless of the initial submittal date.

3 SECTION 492. AMENDATORY 27A O.S. 2021, Section 2-10-302,
4 is amended to read as follows:

5 Section 2-10-302. A. 1. Except as provided in paragraph 2 of
6 this subsection, all applicants for the issuance or transfer of any
7 solid waste permit, license, certification or operational authority
8 shall file a disclosure statement with their applications.

9 2. If the applicant is a publicly held company required to file
10 periodic reports under the Securities and Exchange Act of 1934, or a
11 wholly owned subsidiary of a publicly held company, the applicant
12 shall not be required to submit a disclosure statement, but shall
13 submit the most recent annual and quarterly reports required by the
14 Securities and Exchange Commission, which provide information
15 regarding legal proceedings in which the applicant has been
16 involved. The applicant shall submit such other information as the
17 Department of Environmental Quality may require pursuant to this
18 section that relates to the competency, reliability, or
19 responsibility of the applicant and affiliated persons.

20 B. The Department is authorized to revoke or to refuse to
21 issue, amend, modify, renew or transfer a permit for the disposal of
22 solid waste from or to any person or an affiliated person who:

23 1. Is not, due solely to the applicant's actions or inactions,
24 in substantial compliance with any final agency order or final order

1 or judgment of a court of record secured by the Department issued
2 pursuant to the provisions of the Oklahoma Solid Waste Management
3 Act; or

4 2. Is not in substantial compliance with any final agency order
5 or final order or judgment of a court of record secured by any state
6 or federal agency, as determined by that agency, relating to the
7 storage, transfer, transportation, treatment or disposal of any
8 solid waste; or

9 3. Has evidenced a history of a reckless disregard for the
10 protection of the public health and safety or the environment
11 through a history of noncompliance with state or federal
12 environmental laws, including without limitation the rules of the
13 Department, regarding the storage, transfer, transportation,
14 treatment or disposal of any solid or hazardous waste.

15 C. The application shall be signed under oath by the applicant.

16 D. The Department may suspend or revoke a permit issued
17 pursuant to the Oklahoma Solid Waste Management Act to any person
18 who has failed to disclose or states falsely any information
19 required pursuant to the provisions of this section.

20 E. Any person who willfully fails to disclose or states falsely
21 any such information, upon conviction, shall be guilty of a Class D1
22 felony offense and ~~may~~ shall be punished by imprisonment ~~for not~~
23 ~~more than five (5) years~~ as provided for in subsections B through F
24 of Section 20N of Title 21 of the Oklahoma Statutes, or a fine of

1 not more than One Hundred Thousand Dollars (\$100,000.00), or both
2 such fine and imprisonment.

3 F. Noncompliance with a final agency order or final order or
4 judgment of a court of record which has been set aside by a court on
5 appeal of such final order or judgment shall not be considered a
6 final order or judgment for the purposes of this section.

7 SECTION 493. AMENDATORY 27A O.S. 2021, Section 2-10-801,
8 is amended to read as follows:

9 Section 2-10-801. A. In order to protect public health and
10 preserve the expectation of future disposal capability of areas
11 local to a disposal site, except as otherwise provided by this
12 section, no disposal site shall accept more than two hundred (200)
13 tons per day of solid waste generated more than fifty (50) miles
14 from the disposal site unless a permit application for a new
15 disposal site is submitted and approved by the Department for such
16 waste.

17 The waste generated within the fifty-mile local area shall not
18 be considered in calculating the two-hundred-ton limit.

19 B. New and existing landfills, incinerators, or other sites
20 designed, constructed and operated in accordance with the most
21 environmentally protective solid waste regulations adopted by the
22 Board shall be subject to neither the two-hundred-ton nor the
23 fifty-mile limit.

24

1 C. The Department may grant a temporary waiver to the limit
2 specified in this section in the event of an emergency. Any such
3 waiver so granted may be conditioned on development of additional
4 capacity in the area where the waste is generated.

5 D. Before any disposal site accepts for disposal any solid
6 waste generated outside the territorial limits of this state in
7 excess of two hundred (200) tons per day:

8 1. The operator of the disposal site shall submit to the
9 Department for approval a disposal plan prepared by either the
10 generator or shipper as set out in the rules promulgated by the
11 Board. Such plans as a minimum shall indicate the type and amount
12 of solid waste generated, the handling, storage, treatment, disposal
13 method and the disposal site to be used. The disposal plans shall
14 be kept current by the persons submitting the original disposal
15 plans and the Department shall be advised not less than five (5)
16 working days prior to the day on which such changes are to be
17 implemented.

18 Persons storing or shipping recyclable materials in an
19 environmentally acceptable manner for the purpose of recycling shall
20 be required to file disposal plans required by this subsection only
21 for those wastes which are to be disposed.

22 2. The disposal site shall be designed, constructed and
23 operated in accordance with the most environmentally protective
24 solid waste rules promulgated by the Board. For landfills, the most

1 environmentally protective solid waste regulations shall be any of
2 those regulations promulgated by the Board for the largest
3 population category and which include leachate collection in the
4 landfill design, and which were effective when the application for
5 disposal plan approval was filed with the Department.

6 E. Operators of solid waste disposal sites shall reject
7 shipments of solid waste brought into this state which do not meet
8 all the applicable requirements of this section. All rejected solid
9 waste shall be taken out of state by the same persons who brought it
10 into this state in violation of the provisions of this section.

11 F. Fly ash and bottom ash generated by coal-fired facilities
12 located outside the territorial limits of this state in excess of
13 two hundred (200) tons per day shall be constructively reutilized or
14 disposed of only in an active or inactive mining operation subject
15 to the provisions contained in Title 45 of the Oklahoma Statutes.

16 G. Willful violation of this section shall constitute a Class
17 D1 felony offense punishable by a fine of not more than Ten Thousand
18 Dollars (\$10,000.00), or imprisonment of not more than five (5)
19 years as provided for in subsections B through F of Section 20N of
20 Title 21 of the Oklahoma Statutes, or both such fine and
21 imprisonment.

22 SECTION 494. AMENDATORY 36 O.S. 2021, Section 311.1, is
23 amended to read as follows:
24

1 Section 311.1. A. Any insurer who files with the Insurance
2 Commissioner any statement required by this Code knowing such
3 statement to be fraudulent and materially false, upon conviction,
4 shall be guilty of a Class D1 felony offense, for which the
5 punishment shall be a fine of not to exceed Fifty Thousand Dollars
6 (\$50,000.00). Any officer, actuary, or employee of such insurer who
7 causes such statement to be filed, knowing the fraudulent and
8 materially false nature thereof, upon conviction, shall be guilty of
9 a Class D1 felony offense, for which the punishment for each
10 occurrence shall be a fine of not to exceed Twenty-five Thousand
11 Dollars (\$25,000.00), or ~~commitment to the custody of the Department~~
12 ~~of Corrections for not less than one (1) year and not more than five~~
13 ~~(5) years imprisonment as provided for in subsections B through F of~~
14 Section 20N of Title 21 of the Oklahoma Statutes, or both said fine
15 and ~~commitment~~ imprisonment, and shall never again be permitted to
16 act as an actuary, officer, or director of any insurer licensed to
17 do business in this state.

18 B. Any insurer who fails without reasonable cause and
19 permission of the Commissioner to timely file any statement required
20 by this Code shall be subject, after notice and opportunity for
21 hearing, to censure, suspension or revocation of certificate.
22 Annual statements filed after the first day of March without express
23 written advance permission of the Commissioner shall be accompanied
24 by a late filing fee in the amount of Two Hundred Fifty Dollars

1 (\$250.00) or One Hundred Dollars (\$100.00) per day, whichever is
2 greater. Repeated willful violations, after notice and opportunity
3 for hearing, may subject the insurer to both censure, suspension, or
4 revocation of certificate and civil penalty of not less than One
5 Hundred Dollars (\$100.00) nor more than Ten Thousand Dollars
6 (\$10,000.00) for each occurrence in addition to the late filing fee.

7 C. Prosecution or administrative action for any violation of
8 the provisions of this section shall be commenced within four (4)
9 years after the violation is discovered.

10 SECTION 495. AMENDATORY 36 O.S. 2021, Section 1435.26,
11 as amended by Section 6, Chapter 225, O.S.L. 2022 (36 O.S. Supp.
12 2024, Section 1435.26), is amended to read as follows:

13 Section 1435.26. A. It shall be unlawful for any person whose
14 license to act as an insurance producer, limited lines producer,
15 managing general agent, or surplus lines insurance broker has been
16 suspended, revoked, surrendered, or refused to do or perform any of
17 the acts of an insurance producer, limited lines producer, managing
18 general agent, or surplus lines insurance broker. Any person
19 convicted of violating the provisions of this section shall be
20 guilty of a Class D1 felony offense and shall be punished by the
21 imposition of a fine of not more than Five Thousand Dollars
22 (\$5,000.00), ~~or shall be committed to the custody of the Department~~
23 ~~of Corrections for not less than one (1) year nor more than five (5)~~
24 ~~years imprisonment~~ as provided for in subsections B through F of

1 Section 20N of Title 21 of the Oklahoma Statutes, or be punished by
2 both said fine and ~~commitment to custody~~ imprisonment.

3 B. It shall be unlawful for any insurance producer, limited
4 lines producer, managing general agent, or surplus lines insurance
5 broker to assist, aid, or conspire with a person whose license as an
6 insurance producer, limited lines producer, managing general agent,
7 or surplus lines insurance broker, has been suspended, revoked,
8 surrendered, or refused to engage in any acts as an insurance
9 producer, limited lines producer, managing general agent, or surplus
10 lines insurance broker. Any person convicted of violating the
11 provisions of this section shall be guilty of a Class D1 felony
12 offense and shall be punished by the imposition of a fine of not
13 more than Five Thousand Dollars (\$5,000.00), or shall be committed
14 ~~to the custody of the Department of Corrections for not less than~~
15 ~~one (1) year nor more than five (5) years~~ imprisonment as provided
16 for in subsections B through F of Section 20N of Title 21 of the
17 Oklahoma Statutes, or be punished by both said fine and ~~commitment~~
18 ~~to custody~~ imprisonment.

19 C. Except for those persons exempt from licensure, it shall be
20 unlawful for any person to do or perform any of the acts of an
21 insurance producer, limited lines producer, managing general agent,
22 or surplus lines insurance broker without being duly licensed. Any
23 person convicted of violating the provisions of this section shall
24 be guilty of a misdemeanor and shall be punished by the imposition

1 of a fine of not more than Five Hundred Dollars (\$500.00) or
2 imprisonment in the county jail for not less than six (6) months nor
3 more than one (1) year, or be punished by both said fine and
4 imprisonment.

5 SECTION 496. AMENDATORY 36 O.S. 2021, Section 1643, is
6 amended to read as follows:

7 Section 1643. A. Any insurer failing, without just cause, to
8 file any registration statement as required in this act shall be
9 required, after notice and hearing, to pay a penalty of Five Hundred
10 Dollars (\$500.00) for each day's delay, to be recovered by the
11 Insurance Commissioner and the penalty so recovered shall be paid as
12 provided in Section 307.5 of Title 36 of the Oklahoma Statutes. The
13 maximum penalty under this section is One Hundred Thousand Dollars
14 (\$100,000.00). The Commissioner may reduce the penalty if the
15 insurer demonstrates to the Commissioner that the imposition of the
16 penalty would constitute a financial hardship to the insurer.

17 B. Every director or officer of an insurance holding company
18 system who knowingly violates, participates in or assents to, or who
19 knowingly shall permit any of the officers or agents of the insurer
20 to engage in, transactions or make investments which have not been
21 properly reported or submitted pursuant to subsection A of Section 5
22 of this act, paragraph 2 of subsection A of Section 6 of this act or
23 subsection B of Section 6 of this act, or which violate this act,
24 shall pay, in their individual capacity, a civil forfeiture of not

1 more than Twenty-five Thousand Dollars (\$25,000.00) per violation,
2 after notice and hearing before the Commissioner. In determining
3 the amount of the civil forfeiture, the Commissioner shall take into
4 account the appropriateness of the forfeiture with respect to the
5 gravity of the violation, the history of previous violations, and
6 such other matters as justice may require.

7 C. Whenever it appears to the Commissioner that any insurer
8 subject to this act or any director, officer, employee or agent
9 thereof has engaged in any transaction or entered into a contract
10 which is subject to Section 6 of this act and which would not have
11 been approved had the approval been requested, the Commissioner may
12 order the insurer to cease and desist immediately any further
13 activity under that transaction or contract. After notice and
14 hearing the Commissioner may also order the insurer to void any
15 contracts and restore the status quo if the action is in the best
16 interest of the policyholders, creditors or the public.

17 D. Whenever it appears to the Commissioner that any insurer or
18 any director, officer, employee or agent thereof has committed a
19 willful violation of this act, the Commissioner may submit such
20 information to the district attorney for Oklahoma County for
21 appropriate action against the insurer or the responsible director,
22 officer, employee or agent thereof. Any insurer which willfully
23 violates this act may be fined not more than One Hundred Thousand
24 Dollars (\$100,000.00). Any individual who willfully violates this

1 act ~~may~~ shall, upon conviction, be guilty of a Class D3 felony
2 offense and shall be fined in his or her individual capacity not
3 more than Fifty Thousand Dollars (\$50,000.00), or be imprisoned for
4 ~~not more than one (1) to three (3) years~~ as provided for in
5 subsections B through F of Section 20P of Title 21 of the Oklahoma
6 Statutes, or both.

7 E. Any officer, director or employee of an insurance holding
8 company system who willfully and knowingly subscribes to or makes or
9 causes to be made any false statements or false reports or false
10 filings with the intent to deceive the Commissioner in the
11 performance of his or her duties under this act, upon conviction,
12 shall be guilty of a Class D1 felony offense and shall be imprisoned
13 ~~for not more than five (5) years~~ as provided for in subsections B
14 through F of Section 20N of Title 21 of the Oklahoma Statutes, or
15 fined One Hundred Fifty Thousand Dollars (\$150,000.00), or both.
16 Any fines imposed shall be paid by the officer, director or employee
17 in his or her individual capacity.

18 F. Whenever it appears to the Commissioner that any person has
19 committed a violation of Section 3 of this act which prevents the
20 full understanding of the enterprise risk to the insurer by
21 affiliates or by the insurance holding company system, the violation
22 may serve as an independent basis for disapproving dividends or
23 distributions and for placing the insurer under an order of
24

1 supervision in accordance with Article 18 of Title 36 of the
2 Oklahoma Statutes.

3 SECTION 497. AMENDATORY 36 O.S. 2021, Section 6130, is
4 amended to read as follows:

5 Section 6130. A. Any officer, director, agent, or employee of
6 any organization subject to the terms of Sections 6121 through
7 6136.18 of this title who makes or attempts to make any contract in
8 violation of the provisions of Sections 6121 through 6136.18 of this
9 title, or who refuses to allow an inspection of the records of the
10 organization, or who violates any other provision of Sections 6121
11 through 6136.18 of this title, upon conviction, shall be guilty of a
12 Class D1 felony offense and shall be punished by imprisonment ~~in the~~
13 ~~custody of the Department of Corrections for a term of not more than~~
14 ~~ten (10) years~~ as provided for in subsections B through F of Section
15 20N of Title 21 of the Oklahoma Statutes, and a fine not exceeding
16 Ten Thousand Dollars (\$10,000.00), and ordered to pay restitution to
17 the victim. Each violation of any provision of Sections 6121
18 through 6136.18 of this title shall be deemed a separate offense and
19 prosecuted individually.

20 B. The violation of any provision of Sections 6121 through
21 6136.18 of this title shall constitute a cause for the Oklahoma
22 Funeral Board to revoke, or to refuse to issue or renew, any license
23 issued pursuant to the provisions of Sections 396 through 396.33 of
24 Title 59 of the Oklahoma Statutes. The violation of any provision

1 of Sections 6121 through 6136.18 of this title shall constitute a
2 cause for the Insurance Commissioner to issue a notice and order to
3 show cause why the licensee shall not be censured, have the license
4 of the licensee suspended or revoked, be subject to a fine of not
5 less than One Hundred Dollars (\$100.00) and not more than One
6 Thousand Dollars (\$1,000.00), or be subject to both such fine and
7 punishment.

8 SECTION 498. AMENDATORY 37A O.S. 2021, Section 3-101, is
9 amended to read as follows:

10 Section 3-101. A. No person shall manufacture, rectify, sell,
11 possess, store, import into or export from this state, transport or
12 deliver any alcoholic beverage except as specifically provided in
13 the Oklahoma Alcoholic Beverage Control Act. Provided, that nothing
14 herein shall prevent the possession and transportation of alcoholic
15 beverages for the personal use of the possessor and his or her
16 family and guests, so long as the Oklahoma excise tax has been paid
17 thereon, except for beer. Provided, further, that nothing herein
18 shall prevent a person from making beer, cider or wine, by simple
19 fermentation and without distillation for personal use if the maker
20 of such beverages has first applied for and possesses a valid
21 personal use permit issued by the ABLE Commission and the total
22 volume of beer, cider or wine produced in any given calendar year is
23 less than two hundred (200) gallons. No beverages made pursuant to
24 a personal use permit shall be sold or offered for sale.

1 B. 1. Any duly licensed physician or dentist may possess and
2 use alcoholic beverages in the strict practice of the profession and
3 any hospital or other institution caring for sick or diseased
4 persons may possess and use alcoholic beverages for the treatment of
5 bona fide patients of such hospital or institution. Any drugstore
6 employing a licensed pharmacist may possess and use alcoholic
7 beverages in the preparation of prescriptions of duly licensed
8 physicians.

9 2. The possession, transportation and dispensation of wine by
10 any authorized representative of any church for the conducting of a
11 bona fide rite or religious ceremony conducted by such church shall
12 not be prohibited by the Oklahoma Alcoholic Beverage Control Act;
13 nor shall such act prevent the sale, shipping or delivery of
14 sacramental wine by any person holding a sacramental wine supplier
15 license issued pursuant to the Oklahoma Alcoholic Beverage Control
16 Act to any religious corporation or society of this state holding a
17 valid exemption from taxation issued pursuant to Section 501(a) of
18 the Internal Revenue Code, 1954, and listed as an exempt
19 organization in Section 501(c)(3) of the Internal Revenue Code,
20 1954, of the United States, as amended.

21 3. Provided further, that nothing in the Oklahoma Alcoholic
22 Beverage Control Act shall prevent the possession, transportation
23 and sale of alcoholic beverages within military reservations and in
24 accordance with the laws and rules governing such military

1 reservations, provided that the Oklahoma excise tax has been paid on
2 such beverages.

3 C. 1. Except as otherwise authorized by law, it is unlawful
4 for any brewer, manufacturer, wine and spirits wholesaler, beer
5 distributor or retailer of alcoholic beverages, located and doing
6 business from outside this state, to make retail sales of alcoholic
7 beverages to purchasers located in this state or to ship alcoholic
8 beverages sold at retail to persons located in this state. Any
9 person who engages in the sale or shipping of alcoholic beverages in
10 violation of the provisions of this subsection, upon conviction,
11 shall be guilty of a Class D1 felony offense punishable by
12 imprisonment ~~for not more than five (5) years~~ as provided for in
13 subsections B through F of Section 20N of Title 21 of the Oklahoma
14 Statutes, if the sale or delivery is made to a person under twenty-
15 one (21) years of age, or a misdemeanor, if the sale or delivery is
16 made to a person twenty-one (21) years of age or older.

17 2. The fine for a violation of this subsection shall be not
18 more than Five Thousand Dollars (\$5,000.00).

19 3. In addition, if the person holds a license issued by the
20 ABLE Commission, the license shall be revoked pursuant to Section 60
21 of this act.

22 D. All brewers, importers, brokers and others who sell beer or
23 cider to licensed beer distributors in Oklahoma or manufacturers,
24 importers, brokers and others who sell cider to licensed beer

1 distributors in Oklahoma, regardless of whether such sales are
2 consummated within or without the state, must obtain a license, as
3 the case may be, in order to sell beer or cider intended for
4 consumption within the State of Oklahoma.

5 SECTION 499. AMENDATORY 37A O.S. 2021, Section 6-101, is
6 amended to read as follows:

7 Section 6-101. A. No person shall:

8 1. Knowingly sell, deliver or furnish alcoholic beverages to
9 any person under twenty-one (21) years of age;

10 2. Sell, deliver or knowingly furnish alcoholic beverages to an
11 intoxicated person or to any person who has been adjudged insane or
12 mentally deficient;

13 3. Open a retail container or consume alcoholic beverages on
14 the premises of a package store, grocery store, convenience store or
15 drug store, unless otherwise permitted by law;

16 4. Import into this state, except as provided for in the
17 Oklahoma Alcoholic Beverage Control Act, any alcoholic beverages;
18 provided, that nothing herein shall prohibit the importation or
19 possession for personal use of not more than one (1) liter of
20 alcoholic beverages upon which the Oklahoma excise tax is
21 delinquent;

22 5. Receive, possess or use any alcoholic beverage in violation
23 of the provisions of the Oklahoma Alcoholic Beverage Control Act;
24

1 6. Knowingly transport into, within or through this state more
2 than one (1) liter of alcoholic beverages upon which the Oklahoma
3 excise tax has not been paid unless the person accompanying or in
4 charge of the vehicle transporting same shall possess a true copy of
5 a bill of lading, invoice, manifest or other document particularly
6 identifying that alcoholic beverages are being transported and
7 showing the name and address of the consignor and consignee;
8 provided, this prohibition shall not apply to the first one hundred
9 eighty (180) liters of alcoholic beverages classified as household
10 goods by military personnel, age twenty-one (21) or older, when
11 entering Oklahoma from temporary active assignment outside the
12 contiguous United States;

13 7. Knowingly transport in any vehicle upon a public highway,
14 street or alley any alcoholic beverage except in the original
15 container which shall not have been opened and the seal upon which
16 shall not have been broken and from which the original cap or cork
17 shall not have been removed, unless the opened container be in the
18 rear trunk or rear compartment, which shall include the spare tire
19 compartment in a vehicle commonly known as a station wagon and panel
20 truck, or any outside compartment which is not accessible to the
21 driver or any other person in the vehicle while it is in motion;

22 8. Consume spirits in public except on the premises of a
23 licensee of the ABLE Commission who is authorized to sell or serve
24 spirits by the individual drink, or be intoxicated in a public

1 place. This provision shall be cumulative and in addition to
2 existing law;

3 9. Forcibly resist lawful arrest, or by physical contact
4 interfere with an investigation of any infringement of the Oklahoma
5 Alcoholic Beverage Control Act or with any lawful search or seizure
6 being made by a law enforcement officer or an employee of the ABLE
7 Commission, when such person knows or should know that such acts are
8 being performed by a state, county or municipal officer or employee
9 of the ABLE Commission;

10 10. Manufacture, duplicate, counterfeit or in any way imitate
11 any bottle club membership card required to be issued by the ABLE
12 Commission without the permission of the ABLE Commission;

13 11. Consume or possess alcoholic beverages on the licensed
14 premises of a bottle club unless such person possesses a valid
15 membership card for that club issued by the club;

16 12. Knowingly possess any bottle club membership card required
17 to be issued by the ABLE Commission which has been manufactured,
18 counterfeited, imitated or in any way duplicated without the
19 permission of the ABLE Commission; or

20 13. Knowingly and willfully permit any individual under twenty-
21 one (21) years of age who is an invitee to the person's residence,
22 any building, structure or room owned, occupied, leased or otherwise
23 procured by the person or on any land owned, occupied, leased or
24 otherwise procured by the person, to possess or consume any

1 alcoholic beverage as defined by Section 1-103 of this title, any
2 controlled dangerous substance as defined in the Uniform Controlled
3 Dangerous Substances Act, or any combination thereof, in such place.

4 B. Except as provided for in subsection C of this section,
5 punishment for violation of paragraph 13 of subsection A of this
6 section shall be as follows:

7 1. Any person who is convicted of a violation of the provisions
8 of paragraph 13 of subsection A of this section shall be deemed
9 guilty of a misdemeanor for the first offense and be punished by a
10 fine of not more than Five Hundred Dollars (\$500.00) and shall be
11 required to attend a victims impact panel program as defined in
12 Section 991a of Title 22 of the Oklahoma Statutes;

13 2. Any person who, within ten (10) years after previous
14 convictions of a violation:

- 15 a. of paragraph 13 of subsection A of this section,
- 16 b. of the provisions of any law of another state
17 prohibiting the offense provided for in paragraph 13
18 of subsection A of this section, or
- 19 c. in a municipal criminal court of record for the
20 violation of a municipal ordinance prohibiting the
21 offense provided for in paragraph 13 of subsection A
22 of this section,

23 shall be guilty of a misdemeanor and shall be punished by a fine of
24 not more than One Thousand Dollars (\$1,000.00) and shall be required

1 to attend a victims impact panel program as defined in Section 991a
2 of Title 22 of the Oklahoma Statutes;

3 3. Any person who, within ten (10) years after two or more
4 previous convictions of a violation:

5 a. of paragraph 13 of subsection A of this section,

6 b. of the provisions of any law of another state
7 prohibiting the offense provided for in paragraph 13
8 of subsection A of this section, or

9 c. in a municipal criminal court of record for the
10 violation of a municipal ordinance prohibiting the
11 offense provided for in paragraph 13 of subsection A
12 of this section, or

13 d. or any combination of two or more thereof,

14 shall be guilty of a Class D1 felony offense and shall be punished

15 by a fine of not more than Two Thousand Five Hundred Dollars

16 (\$2,500.00), or by imprisonment ~~in the custody of the Department of~~

17 ~~Corrections for not more than five (5) years~~ as provided for in

18 subsections B through F of Section 20N of Title 21 of the Oklahoma

19 Statutes, or by both such fine and imprisonment and shall be

20 required to attend a victims impact panel program as defined in

21 Section 991a of Title 22 of the Oklahoma Statutes.

22 C. Any person who violates paragraph 13 of subsection A of this
23 section, and such actions cause great bodily injury or the death of
24 a person, shall, in addition to any other penalty provided by law,

1 be guilty of a Class D1 felony offense, punishable by imprisonment
2 ~~in the custody of the Department of Corrections for not more than~~
3 ~~five (5) years~~ as provided for in subsections B through F of Section
4 20N of Title 21 of the Oklahoma Statutes, a fine of not less than
5 Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five
6 Thousand Dollars (\$5,000.00), or both such fine and imprisonment and
7 shall be required to attend a victims impact panel program as
8 defined in Section 991a of Title 22 of the Oklahoma Statutes.

9 D. Except as provided in subsection C of Section 6-126 of this
10 title, any person who shall engage in any of the following and
11 disturb the peace of any person:

12 1. In any public place, or in or upon any passenger coach,
13 streetcar, or in or upon any other vehicle commonly used for the
14 transportation of passengers, or in or about any depot, platform,
15 waiting station or room, drink or otherwise consume any intoxicating
16 liquor unless authorized by the Oklahoma Alcoholic Beverage Control
17 Act, intoxicating substance or intoxicating compound of any kind, or
18 inhale glue, paint or other intoxicating substance;

19 2. Be drunk or intoxicated in any public or private road, or in
20 any passenger coach, streetcar or any public place or building, or
21 at any public gathering, from drinking or consuming such
22 intoxicating liquor, intoxicating substance or intoxicating compound
23 or from inhalation of glue, paint or other intoxicating substance;
24 or

1 3. Be drunk or intoxicated from any cause,
2 shall be guilty of a misdemeanor, and upon conviction thereof shall
3 be punished by a fine of not less than Ten Dollars (\$10.00), nor
4 more than One Hundred Dollars (\$100.00) or by imprisonment for not
5 less than five (5) days nor more than thirty (30) days or by both
6 such fine and imprisonment.

7 SECTION 500. AMENDATORY 37A O.S. 2021, Section 6-123, is
8 amended to read as follows:

9 Section 6-123. Any person selling or keeping a package store
10 open to sell any alcoholic beverage during any day or hours not
11 authorized by the Oklahoma Alcoholic Beverage Control Act, and any
12 person selling or permitting the sale of alcoholic beverages at a
13 grocery store, convenience store or drug store during any day or
14 hours not authorized by the Oklahoma Alcoholic Beverage Control Act
15 shall be guilty of a misdemeanor for a first violation, and upon
16 conviction shall be fined not more than Five Hundred Dollars
17 (\$500.00), or imprisoned in the county jail for not more than one
18 (1) year, or by both such fine and imprisonment. Any person
19 convicted of a second or subsequent violation shall be guilty of a
20 Class D1 felony offense, and shall be fined not less than Two
21 Thousand Five Hundred Dollars (\$2,500.00) nor more than Five
22 Thousand Dollars (\$5,000.00), or imprisoned ~~in the State~~
23 ~~Penitentiary for not more than five (5) years~~ as provided for in
24 subsections B through F of Section 20N of Title 21 of the Oklahoma

1 Statutes, or by both such fine and imprisonment. The ABLE
2 Commission shall revoke the license of any person convicted of a
3 violation of this section.

4 SECTION 501. AMENDATORY 40 O.S. 2021, Section 5-107, is
5 amended to read as follows:

6 Section 5-107.

7 WRONGFUL DISCLOSURE OF INFORMATION.

8 If any employee or member of the Board of Review or the Oklahoma
9 Employment Security Commission or any employee of the Commission, or
10 any employee of a governmental unit, private business or nonprofit
11 entity that is allowed access to information under Section 4-508 of
12 this title, makes any disclosure of confidential information or
13 otherwise violates Section 4-508 of this title, or if any person who
14 has obtained any list of applicants for work, or of claimants or
15 recipients of benefits, under Section 5-101 et seq. of this title
16 shall use or permit the use of such list for any political purpose,
17 such individual shall be guilty of a ~~misdemeanor~~ Class D1 felony
18 offense and shall be punished by a fine of not less than Fifty
19 Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or
20 imprisoned ~~for not longer than ninety (90) days~~ as provided for in
21 subsections B through F of Section 20N of Title 21 of the Oklahoma
22 Statutes, or both.

23 SECTION 502. AMENDATORY 40 O.S. 2021, Section 169, is
24 amended to read as follows:

1 Section 169. Any person who shall hire, aid, abet or assist in
2 hiring through private detective agencies or otherwise, persons to
3 guard with arms or deadly weapons of any kind, other persons or
4 property, or any person who shall come into this state armed with
5 deadly weapons of any kind for any such purpose, without a permit,
6 in writing, from the Governor, shall be guilty of a Class D1 felony
7 offense, and on conviction thereof shall be imprisoned ~~in the State~~
8 ~~Penitentiary not less than one (1) year nor more than five (5) years~~
9 as provided for in subsections B through F of Section 20N of Title
10 21 of the Oklahoma Statutes. Provided, that nothing herein
11 contained shall be construed to interfere with the right of any
12 person, corporations, society, association or organization in
13 guarding and protecting their property as provided by law; but this
14 section shall be construed only to apply in cases where workmen are
15 brought into the state or induced to go from one place to another in
16 the state by any false pretenses, false advertising, or deceptive
17 representation, or brought into the state under arms or removed from
18 one place to another in the state under arms.

19 SECTION 503. AMENDATORY 40 O.S. 2021, Section 183, is
20 amended to read as follows:

21 Section 183. Should any employee enter such boiler, firebox, or
22 smoke chamber, while the same is under pressure of steam, at the
23 command or order of his employer, or the agent of such employer, and
24 while inside of such boiler, firebox or smoke chamber, meet with an

1 accident resulting in his death, the person or persons commanding or
2 ordering him to enter such boiler, firebox, or smoke chamber, shall
3 be guilty of manslaughter in the second degree, a Class D1 felony
4 offense punishable as provided for in subsections B through F of
5 Section 20N of Title 21 of the Oklahoma Statutes.

6 SECTION 504. AMENDATORY 42 O.S. 2021, Section 142.4, is
7 amended to read as follows:

8 Section 142.4. Any original contractor who falsifies any
9 statement regarding liens on labor or material to any owner of a
10 dwelling, upon conviction, shall be guilty of a Class D1 felony
11 offense punishable as provided for in subsections B through F of
12 Section 20N of Title 21 of the Oklahoma Statutes.

13 SECTION 505. AMENDATORY 42 O.S. 2021, Section 142.6, is
14 amended to read as follows:

15 Section 142.6. A. For the purposes of this section:

16 1. "Claimant" means a person, other than an original
17 contractor, that is entitled or may be entitled to a lien pursuant
18 to Section 141 of this title; and

19 2. "Person" means any individual, corporation, partnership,
20 unincorporated association, or other entity.

21 B. 1. Prior to the filing of a lien statement pursuant to
22 Section 143.1 of this title, but no later than seventy-five (75)
23 days after the last date of supply of material, services, labor, or
24 equipment in which the claimant is entitled or may be entitled to

1 lien rights, the claimant shall send to the last-known address of
2 the original contractor and an owner of the property a pre-lien
3 notice pursuant to the provisions of this section. Provided
4 further, no lien affecting property then occupied as a dwelling by
5 an owner shall be valid unless the pre-lien notice provided in this
6 section was sent within seventy-five (75) days of the last
7 furnishing of materials, services, labor or equipment by the
8 claimant.

9 2. The provisions of this section shall not be construed to
10 require:

- 11 a. a pre-lien notice with respect to any retainage held
12 by agreement between an owner, contractor, or
13 subcontractor, or
- 14 b. more than one pre-lien notice during the course of a
15 construction project in which material, services,
16 labor, or equipment is furnished.

17 A pre-lien notice sent in compliance with this section for the
18 supply of material, services, labor, or equipment that entitles or
19 may entitle a claimant to lien rights shall protect the claimant's
20 lien rights for any subsequent supply of material, services, labor,
21 or equipment furnished during the course of a construction project.

22 3. Except as otherwise required in paragraph 1 of this
23 subsection, the pre-lien notice requirements shall not apply to a
24 claimant:

1 a. whose claim relates to the supply of material,
2 services, labor, or equipment furnished in connection
3 with a residential project. For the purposes of this
4 subparagraph, the term "residential" shall mean a
5 single family or multifamily project of four or fewer
6 dwelling units, none of which are occupied by an
7 owner, or

8 b. whose aggregate claim is less than Ten Thousand
9 Dollars (\$10,000.00).

10 4. The pre-lien notice shall be in writing and shall contain,
11 but not be limited to, the following:

- 12 a. a statement that the notice is a pre-lien notice,
13 b. the complete name, address, and telephone number of
14 the claimant, or the claimant's representative,
15 c. the date of supply of material, services, labor, or
16 equipment,
17 d. a description of the material, services, labor, or
18 equipment,
19 e. the name and last-known address of the person who
20 requested that the claimant provide the material,
21 services, labor, or equipment,
22 f. the address, legal description, or location of the
23 property to which the material, services, labor, or
24 equipment has been supplied,

1 g. a statement of the dollar amount of the material,
2 services, labor, or equipment furnished or to be
3 furnished, and

4 h. the signature of the claimant, or the claimant's
5 representative.

6 5. A rebuttable presumption of compliance with paragraph 1 of
7 this subsection shall be created if the pre-lien notice is sent as
8 follows:

9 a. hand delivery supported by a delivery confirmation
10 receipt,

11 b. automated transaction pursuant to Section 15-115 of
12 Title 12A of the Oklahoma Statutes, or

13 c. certified mail, return receipt requested. Notice by
14 certified mail, return receipt requested, shall be
15 effective on the date mailed.

16 6. The claimant may request in writing, the request to be sent
17 in the manner as provided in paragraph 5 of this subsection, that
18 the original contractor provide to the claimant the name and last-
19 known address of an owner of the property. Failure of the original
20 contractor to provide the claimant with the information requested
21 within five (5) days from the date of receipt of the request shall
22 render the pre-lien notice requirement to the owner of the property
23 unenforceable.

1 C. At the time of the filing of the lien statement, the
2 claimant shall furnish to the county clerk a notarized affidavit
3 verifying compliance with the pre-lien notice requirements of this
4 section. Any claimant who falsifies the affidavit shall be guilty
5 of a misdemeanor, and upon conviction thereof may be punished by a
6 fine of not more than Five Thousand Dollars (\$5,000.00), or by
7 imprisonment in the county jail for not more than thirty (30) days,
8 or by both such fine and imprisonment. If the value of the property
9 embezzled is Two Thousand Five Hundred Dollars (\$2,500.00) or more
10 but less than Fifteen Thousand Dollars (\$15,000.00), the claimant
11 shall, upon conviction, be guilty of a Class D1 felony offense and
12 shall be punished by imprisonment as provided for in subsections B
13 through F of Section 20N of Title 21 of the Oklahoma Statutes.

14 D. Failure of the claimant to comply with the pre-lien notice
15 requirements of this section shall render that portion of the lien
16 claim for which no notice was sent invalid and unenforceable.

17 SECTION 506. AMENDATORY 43 O.S. 2021, Section 14, is
18 amended to read as follows:

19 Section 14. Any minister of the Gospel, or other person
20 authorized to solemnize the rites of matrimony within this state,
21 who shall knowingly solemnize the rites of matrimony between persons
22 prohibited by this chapter, from intermarrying shall be deemed
23 guilty of a Class D1 felony offense, and upon conviction thereof
24 shall be fined in any sum not exceeding Five Hundred Dollars

1 (~~\$500.00~~) and imprisonment ~~in the State Penitentiary not less than~~
2 ~~one (1) year nor more than five (5) years~~ as provided for in
3 subsections B through F of Section 20N of Title 21 of the Oklahoma
4 Statutes.

5 SECTION 507. AMENDATORY 43 O.S. 2021, Section 123, is
6 amended to read as follows:

7 Section 123. It shall be unlawful for either party to an action
8 for divorce whose former husband or wife is living to marry in this
9 state a person other than the divorced spouse within six (6) months
10 from date of decree of divorce granted in this state, or to cohabit
11 with such other person in this state during said period if the
12 marriage took place in another state; and if an appeal be commenced
13 from said decree, it shall be unlawful for either party to such
14 cause to marry any other person and cohabit with such person in this
15 state until the expiration of thirty (30) days from the date on
16 which final judgment shall be rendered pursuant to such appeal. Any
17 person violating the provisions of this section by such marriage
18 shall be deemed guilty of the Class D1 felony offense of bigamy and
19 shall be punished as provided for in subsections B through F of
20 Section 20N of Title 21 of the Oklahoma Statutes. Any person
21 violating the provisions of this section by such cohabitation shall
22 be deemed guilty of the Class D1 felony offense of adultery and
23 shall be punished as provided for in subsections B through F of
24 Section 20N of Title 21 of the Oklahoma Statutes.

1 An appeal from a judgment granting or denying a divorce shall be
2 made in the same manner as in any other civil case.

3 SECTION 508. AMENDATORY 43A O.S. 2021, Section 2-219, is
4 amended to read as follows:

5 Section 2-219. Any officer or employee of a facility who
6 maliciously assaults, beats, batters, abuses, or uses mechanical
7 restraints, or willfully aids, abets, advises or permits any
8 consumer confined therein to be maliciously assaulted, beaten,
9 battered, abused, or mechanically restrained shall be guilty of a
10 Class D1 felony offense, and on conviction thereof shall be punished
11 ~~by imprisonment in the State Penitentiary for not more than five (5)~~
12 ~~years~~ as provided for in subsections B through F of Section 20N of
13 Title 21 of the Oklahoma Statutes, or a fine not exceeding Five
14 Hundred Dollars (\$500.00), or both fine and imprisonment.

15 SECTION 509. AMENDATORY 43A O.S. 2021, Section 3-601, as
16 amended by Section 2, Chapter 250, O.S.L. 2023 (43A O.S. Supp. 2024,
17 Section 3-601), is amended to read as follows:

18 Section 3-601. A. Any Class II controlled dangerous substance,
19 when used in this state by an opioid substitution treatment program
20 for persons with a history of opioid addiction to or physiologic
21 dependence on controlled dangerous substances, shall only be used:

- 22 1. In treating persons with a history of addiction;
- 23 2. In treating persons with a one-year history of opioid
- 24 addiction to or physiologic dependence on controlled dangerous

1 substances, as defined by the Code of Federal Regulations, and
2 documentation of attempting another type of treatment; or

3 3. If clinically appropriate, the program physician may waive
4 the requirement of a one-year history of opioid addiction for
5 consumers within six (6) months of release from a penal institution,
6 for consumers with a pregnancy verified by the program physician, or
7 for consumers having previously received treatment for opioid
8 addiction and within two (2) years of discharge from that treatment
9 episode.

10 B. Any conviction for a violation of the provisions of this
11 section or any rules promulgated pursuant to the provisions of this
12 section shall be a Class D1 felony offense and shall be punished as
13 provided for in subsections B through F of Section 20N of Title 21
14 of the Oklahoma Statutes.

15 C. For the purposes of this section, "opioid substitution
16 treatment program" means a person, private physician, or
17 organization that administers or dispenses an opioid drug to a
18 narcotic addict for the purposes of detoxification or maintenance
19 treatment or provides, when necessary and appropriate, comprehensive
20 medical and rehabilitation services. A private physician who
21 administers buprenorphine with a waiver from the Drug Enforcement
22 Administration shall not be considered an opioid substitution
23 treatment program.

1 D. An opioid substitution treatment program shall be certified
2 by the Board of Mental Health and Substance Abuse Services, or the
3 Commissioner of Mental Health and Substance Abuse Services upon
4 delegation by the Board, and registered with the federal Drug
5 Enforcement Administration for the use of an opioid drug to treat
6 narcotic addiction.

7 E. The Board of Mental Health and Substance Abuse Services
8 shall promulgate rules and standards for the certification of all
9 programs, private facilities, and organizations which provide opioid
10 substitution treatment directed to those physiologically dependent
11 on or addicted to opioids. These facilities and organizations shall
12 be known as "Opioid Substitution Treatment Programs". Only
13 certified facilities may receive and assist opioid-dependent and
14 addicted persons by providing Class II controlled substances in
15 opioid substitution treatment and rehabilitation.

16 F. The Board of Mental Health and Substance Abuse Services
17 shall promulgate rules and standards regulating the treatment and
18 services provided by opioid substitution treatment programs.
19 Failure to comply with rules and standards promulgated by the Board
20 shall be grounds for revocation, suspension or nonrenewal of
21 certification.

22 G. An opioid substitution treatment program shall comply with
23 all federal requirements for opioid treatment programs provided by
24 42 C.F.R., Subpart C including but not limited to the requirement to

1 provide drug abuse testing services provided by 42 C.F.R., Section
2 8.12(f) (6). Drug abuse testing shall be directly observed by an
3 employee or contractor of the opioid substitution treatment program.

4 H. Opioid substitution treatment programs shall notify the
5 Department of Mental Health and Substance Abuse Services of plans to
6 close or relocate within a minimum of thirty (30) days prior to
7 closure or relocation.

8 I. Failure to comply with rules and standards promulgated by
9 the Board of Mental Health and Substance Abuse Services pursuant to
10 this section or failure to comply with the requirements of 42
11 C.F.R., Subpart C shall be grounds for reprimand, suspension,
12 revocation or nonrenewal of certification.

13 SECTION 510. AMENDATORY 43A O.S. 2021, Section 11-113,
14 is amended to read as follows:

15 Section 11-113. A. Any person who willfully conceals, cancels,
16 defaces, alters, or obliterates the advance directive for mental
17 health treatment of another without the declarant's consent, or who
18 falsifies or forges a revocation of an advance directive of another,
19 shall be, upon conviction, guilty of a misdemeanor.

20 B. A person who in any way falsifies or forges the advance
21 directive for mental health treatment of another person, or who
22 willfully conceals or withholds personal knowledge of a revocation
23 of an advance directive for mental health treatment, shall be, upon
24 conviction, guilty of a misdemeanor.

1 C. A person who requires or prohibits the execution of an
2 advance directive for mental health treatment as a condition for
3 being insured for, or receiving, health care services shall be, upon
4 conviction, guilty of a misdemeanor.

5 D. A person who coerces or fraudulently induces another person
6 to execute a declaration or revocation shall be, upon conviction,
7 guilty of a Class D1 felony offense and shall be punished as
8 provided for in subsections B through F of Section 20N of Title 21
9 of the Oklahoma Statutes.

10 E. The sanctions provided in this section do not displace any
11 sanction applicable under any other law.

12 SECTION 511. AMENDATORY 47 O.S. 2021, Section 4-102, is
13 amended to read as follows:

14 Section 4-102. A. A person not entitled to possession of a
15 vehicle who, without the consent of the owner and with intent to
16 deprive the owner, temporarily or otherwise, of the vehicle or its
17 possession, takes, uses or drives the vehicle shall, upon
18 conviction, be guilty of a Class D3 felony offense punishable by
19 ~~imprisonment in the custody of the Department of Corrections for a~~
20 ~~term not to exceed two (2) years~~ as provided for in subsections B
21 through F of Section 20P of Title 21 of the Oklahoma Statutes.

22 B. A person not entitled to possession of an implement of
23 husbandry who, without the consent of the owner and with intent to
24 deprive the owner, temporarily or otherwise, of the implement of

1 husbandry or its possession, takes, uses or drives the implement of
2 husbandry shall, upon conviction, be guilty of a Class D1 felony
3 offense punishable in accordance with the provisions of Section 17-
4 102 of this title.

5 SECTION 512. AMENDATORY 47 O.S. 2021, Section 4-103, is
6 amended to read as follows:

7 Section 4-103. A. A person not entitled to the possession of a
8 vehicle who receives, possesses, conceals, sells, or disposes of it,
9 knowing the vehicle to be stolen or converted under circumstances
10 constituting a crime shall, upon conviction, be guilty of a Class D3
11 felony offense punishable by imprisonment ~~in the custody of the~~
12 ~~Department of Corrections for a term not to exceed two (2) years as~~
13 provided for in subsections B through F of Section 20P of Title 21
14 of the Oklahoma Statutes.

15 B. A person not entitled to the possession of an implement of
16 husbandry who receives, possesses, conceals, sells or disposes of
17 it, knowing the implement of husbandry to be stolen or converted
18 under circumstances constituting a crime shall, upon conviction, be
19 guilty of a Class D1 felony offense punishable in accordance with
20 the provisions of Section 17-102 of this title.

21 SECTION 513. AMENDATORY 47 O.S. 2021, Section 4-107, as
22 amended by Section 35, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024,
23 Section 4-107), is amended to read as follows:

1 Section 4-107. A. Any person or persons who shall destroy,
2 remove, cover, alter or deface, or cause to be destroyed, removed,
3 covered, altered or defaced, the engine number or other
4 distinguishing number of any vehicle in this state, without first
5 giving notice of such act to Service Oklahoma, upon such form as
6 Service Oklahoma may prescribe, or any person who shall give a wrong
7 description in any application for the registration of any vehicle
8 in this state for the purpose of concealing or hiding the identity
9 of such vehicle, shall be deemed guilty of a Class D1 felony offense
10 and upon conviction thereof shall be punished by imprisonment ~~in the~~
11 ~~custody of the Oklahoma Department of Corrections for a term of not~~
12 ~~less than one (1) year nor more than five (5) years as provided for~~
13 in subsections B through F of Section 20N of Title 21 of the
14 Oklahoma Statutes.

15 B. A person who buys, receives, possesses, sells or disposes of
16 a vehicle or an engine for a vehicle, knowing that the
17 identification number of the vehicle or engine has been removed or
18 falsified, shall, upon conviction, be guilty of a misdemeanor.

19 C. A person who buys, receives, possesses, sells or disposes of
20 a vehicle or an engine for a vehicle, with knowledge that the
21 identification number of the vehicle or engine has been removed or
22 falsified and with intent to conceal or misrepresent the identity of
23 the vehicle or engine, shall, upon conviction, be guilty of a Class
24 D1 felony offense and shall be punished as provided for in

1 subsections B through F of Section 20N of Title 21 of the Oklahoma
2 Statutes.

3 D. A person who removes a license plate from a vehicle or
4 affixes to a vehicle a license plate not authorized by law for use
5 on said vehicle with intent to conceal or misrepresent the identity
6 of the vehicle or its owner shall, upon conviction, be guilty of a
7 misdemeanor.

8 E. As used in this section:

9 1. "Identification number" includes an identifying number,
10 serial number, engine number or other distinguishing number or mark,
11 placed on a vehicle or engine by its manufacturer or by authority of
12 the Oklahoma Tax Commission or in accordance with the laws of
13 another state or country;

14 2. "Remove" includes deface, cover and destroy; and

15 3. "Falsify" includes alter and forge.

16 F. An identification number may be placed on a vehicle or
17 engine by its manufacturer in the regular course of business or
18 placed or restored on a vehicle or engine by authority of Service
19 Oklahoma without violating this section; provided, an identification
20 number so placed or restored is not falsified.

21 SECTION 514. AMENDATORY 47 O.S. 2021, Section 4-107a, is
22 amended to read as follows:

23 Section 4-107a. A. It shall be unlawful for any person to:
24

1 1. Knowingly and intentionally destroy, remove, cover, alter or
2 deface, or cause to be destroyed, covered, removed, altered or
3 defaced the trim tag plate of a motor vehicle manufactured from 1953
4 to 1977;

5 2. Knowingly affix a counterfeit trim tag plate to a motor
6 vehicle;

7 3. Manufacture, offer for sale, sell, introduce, import or
8 deliver for sale or use in this state a counterfeit trim tag plate;
9 or

10 4. Offer for sale, sell, introduce, import or deliver for sale
11 or use in this state a trim tag plate that was affixed to a motor
12 vehicle at the time of manufacture but has since been removed or
13 become dislodged.

14 B. Paragraph 1 of subsection A of this section shall not apply
15 to:

16 1. Any person who engages in repair of a motor vehicle,
17 provided that removal of the vehicle's trim tag plate is reasonably
18 necessary for repair of a part of the vehicle to which the trim tag
19 plate is affixed, and provided that such trim tag plate is not
20 intentionally destroyed, altered or defaced; or

21 2. Removal of a trim tag from a motor vehicle which is being
22 junked or otherwise destroyed, if the removal is being done for
23 historical documentation purposes by a person actively involved in
24 judging events or for historical documentation of classic motor

1 vehicles and reasonable precaution is taken to ensure that the tag
2 is not sold or affixed to another motor vehicle.

3 C. Any person convicted of violating the provisions of this act
4 shall be guilty of a misdemeanor. Any person convicted of violating
5 the provisions of this act a second or subsequent time shall be
6 guilty of a Class D1 felony offense and shall be punished as
7 provided for in subsections B through F of Section 20N of Title 21
8 of the Oklahoma Statutes.

9 D. In addition to any other civil remedy available, a person
10 defrauded as a result of a violation of this act may bring a civil
11 action against any person who knowingly violated this act regardless
12 of whether that person has been convicted of a violation of this
13 act. A person defrauded as a result of a violation of this act may
14 recover treble their actual compensatory damages. In any action
15 brought pursuant to this subsection, the court may award reasonable
16 costs, including costs of expert witnesses, and attorney fees to the
17 prevailing party.

18 E. As used in this section:

19 1. "Trim tag plate" means a plate or tag affixed to a motor
20 vehicle by the manufacturer which displays numbers, symbols, or
21 codes that identify characteristics of the vehicle including, but
22 not limited to, date of manufacture, body style, paint color, engine
23 option, transmission option, trim option, general option, interior
24 option, and interior color;

1 2. "Counterfeit trim tag plate" means:

- 2 a. any trim tag plate manufactured by a person or entity
3 other than the original manufacturer of a motor
4 vehicle upon which the trim tag plate is designed to
5 be affixed, unless the trim tag has been permanently
6 stamped, in the same manner as other information on
7 the trim tag, with the words "REPLACEMENT TAG" in
8 letters measuring at least one-eighth (1/8) of an inch
9 in height, or
10 b. any trim tag plate which has been altered from its
11 original manufactured condition so as to change any of
12 its numbers, symbols, or codes; and

13 3. "Motor vehicle" means the same as defined in Section 1-134
14 of ~~Title 47 of the Oklahoma Statutes~~ this title.

15 SECTION 515. AMENDATORY 47 O.S. 2021, Section 4-110, is
16 amended to read as follows:

17 Section 4-110. A. Except as otherwise authorized by law, it
18 shall be unlawful for any person to commit any of the following
19 acts:

- 20 1. To lend or to sell to, or knowingly permit the use of by,
21 one not entitled thereto any certificate of title or number plate
22 issued to or in the custody of the person so lending or permitting
23 the use thereof;

1 2. To alter or in any manner change a certificate of title,
2 registration certificate or number plate issued under the laws of
3 this state or any other state;

4 3. To purchase identification or number plates on an assigned
5 certificate of title. This paragraph shall be applicable to all
6 persons except bona fide registered dealers in used motor vehicles
7 who are holders of current and valid used motor vehicle dealers'
8 licenses;

9 4. To sell or dispose of, in any manner, a used vehicle without
10 delivering to the purchaser an Oklahoma certificate of title in such
11 purchaser's name or one properly and completely assigned to the
12 purchaser at the time of sale.

13 Anyone violating any of the provisions of this subsection, upon
14 conviction, shall be guilty of a misdemeanor and shall be fined not
15 less than Ten Dollars (\$10.00) and not to exceed One Hundred Dollars
16 (\$100.00).

17 B. Except as otherwise authorized by law, no person shall:

18 1. Lend or sell to, or knowingly permit the use of by, one not
19 entitled thereto any certificate of title issued for a manufactured
20 home, manufactured home registration receipt, Manufactured Home
21 Registration Decal or excise tax receipt;

22 2. Alter or in any manner change a certificate of title issued
23 for a manufactured home under the laws of this state or any other
24 state;

1 3. Remove or alter a manufactured home registration receipt,
2 Manufactured Home Registration Decal or excise tax receipt attached
3 to a certificate of title or attach such receipts to a certificate
4 of title with the intent to misrepresent the payment of the required
5 excise tax and registration fees;

6 4. Purchase identification, manufactured home registration
7 receipt, Manufactured Home Registration Decal or excise tax receipt
8 on an assigned certificate of title.

9 Anyone violating the provisions of this subsection, upon
10 conviction, shall be guilty of a Class D1 felony offense and shall
11 be punished as provided for in subsections B through F of Section
12 20N of Title 21 of the Oklahoma Statutes.

13 C. Any violation of any portion of this section for which a
14 specific penalty has not been imposed shall constitute a misdemeanor
15 and upon conviction thereof the person having violated it shall be
16 fined not less than Ten Dollars (\$10.00) and not to exceed One
17 Hundred Dollars (\$100.00).

18 SECTION 516. AMENDATORY 47 O.S. 2021, Section 6-301, as
19 amended by Section 76, Chapter 282, O.S.L. 2022 (47 O.S. Supp. 2024,
20 Section 6-301), is amended to read as follows:

21 Section 6-301. It shall be unlawful for any person to commit
22 any of the acts specified in paragraph 1 or 2 of this section in
23 relation to an Oklahoma driver license or identification card
24 authorized to be issued by Service Oklahoma pursuant to the

1 provisions of Sections 6-101 through 6-309 of this title or any
2 driver license or other evidence of driving privilege or
3 identification card authorized to be issued by the state of origin.

4 1. It is a misdemeanor for any licensee:

- 5 a. to display or cause or permit to be displayed one's
6 own license after such license has been suspended,
7 revoked or canceled or to possess one's own license
8 after having received notice of its suspension,
9 revocation, or cancellation,
 - 10 b. to lend one's own license or identification card to
11 any other person or knowingly permit the use thereof
12 by another,
 - 13 c. to display or cause or permit to be displayed or to
14 possess a license or identification card issued to
15 oneself which bears altered information concerning the
16 date of birth, expiration date, sex, height, eye
17 color, weight or license or card number,
 - 18 d. to fail or refuse to surrender to Service Oklahoma
19 upon its lawful demand any license or identification
20 card which has been suspended, revoked or canceled,
 - 21 e. to permit any unlawful use of a license or
22 identification card issued to oneself,
- 23
24

- f. to do any act forbidden or fail to perform any act required by this chapter, excepting those acts as provided in paragraph 2 of this section,
- g. to display or represent as one's own, any license or identification card not issued to such person, unless under conditions provided in subparagraph e of paragraph 2 of this section, or
- h. to add to, delete from, alter, or deface the required information on a driver license or identification card.

2. It is a felony for any person:

- a. to create, publish or otherwise manufacture an Oklahoma or other state license or identification card or facsimile thereof, or to create, manufacture or possess an engraved plate or other such device, card, laminate, digital image or file, or software for the printing of an Oklahoma or other state license or identification card or facsimile thereof, except as authorized pursuant to this title,
- b. to display or cause or permit to be displayed or to knowingly possess any state counterfeit or fictitious license or identification card,

- c. to display or cause to be displayed or to knowingly possess any state license or identification card bearing a fictitious or forged name or signature,
- d. to display or cause to be displayed or to knowingly possess any state license or identification card bearing the photograph of any person, other than the person named thereon as licensee,
- e. to display or represent as one's own, any license or identification card not issued to him or her, for the purpose of committing a fraud in any commercial transaction or to mislead a peace officer in the performance of his or her duties, or
- f. to use a false or fictitious name in any application for a license or identification card or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any such application.

3. It is a felony for any employee or person authorized to issue or approve the issuance of licenses or identification cards under this title to knowingly issue or attempt to issue a license or identification card or to knowingly give approval for, cause, or attempt to cause a license or identification card to be issued:

- a. to a person not entitled thereto,
- b. bearing erroneous information thereon, or

1 c. bearing the photograph of a person other than the
2 person named thereon.

3 Such conduct shall be grounds for termination of employment of the
4 employee.

5 4. The violation of any of the provisions of paragraph 1 of
6 this section shall constitute a misdemeanor and shall, upon
7 conviction thereof, be punishable by a fine of not less than Twenty-
8 five Dollars (\$25.00), nor more than Two Hundred Dollars (\$200.00);
9 the violation of any of the provisions of paragraph 2 or 3 of this
10 section shall constitute a Class D1 felony offense and shall, upon
11 conviction thereof, be punishable by a fine not exceeding Ten
12 Thousand Dollars (\$10,000.00), or a term of imprisonment in the
13 ~~custody of the Department of Corrections not to exceed seven (7)~~
14 ~~years~~ as provided for in subsections B through F of Section 20N of
15 Title 21 of the Oklahoma Statutes, or by both such fine and
16 imprisonment.

17 5. Notwithstanding any provision of this section, Service
18 Oklahoma may, upon the request of the chief administrator of a law
19 enforcement, military, or intelligence agency, authorize the
20 issuance to and display, and possession by a person of a license
21 which would otherwise be a violation of this section, for the sole
22 purpose of aiding in a criminal investigation or a military or
23 intelligence operation. While acting pursuant to such authorization
24 by Service Oklahoma, such person shall not be prosecuted for a

1 violation under this section. Upon termination of such
2 investigation or operation or upon request, Service Oklahoma shall
3 forthwith cause such license to be returned to Service Oklahoma.

4 SECTION 517. AMENDATORY 47 O.S. 2021, Section 11-207, is
5 amended to read as follows:

6 Section 11-207. A. No person shall, without lawful authority,
7 attempt to or in fact alter, deface, injure, knock down or remove
8 any official traffic-control device, including any nine-one-one
9 (911) emergency telephone service route markers, or any railroad
10 sign or signal or any inscription, shield or insignia thereon, or
11 any other part thereof.

12 B. If a violation of subsection A of this section results in
13 personal injury to or death of any person, the person committing the
14 violation shall, upon conviction, be guilty of a Class D1 felony
15 offense punishable by imprisonment ~~in the custody of the Department~~
16 ~~of Corrections for not more than two (2) years~~ as provided for in
17 subsections B through F of Section 20N of Title 21 of the Oklahoma
18 Statutes, or by a fine of not more than One Thousand Dollars
19 (\$1,000.00), or by both such fine and imprisonment.

20 SECTION 518. AMENDATORY 47 O.S. 2021, Section 17-102, is
21 amended to read as follows:

22 Section 17-102. A. 1. Any person who is convicted of a
23 violation of any of the provisions of the Uniform Vehicle Code
24 declared by the Code or by other laws of this state to constitute a

1 felony except those offenses specified in subsection A of Section 4-
2 102 of this title relating to unauthorized use of a vehicle and
3 subsection A of Section 4-103 of this title, relating to receiving
4 or disposing of a vehicle, shall be guilty of a Class D1 felony
5 offense and shall be punished ~~by imprisonment in the custody of the~~
6 ~~Department of Corrections for not less than one (1) year nor more~~
7 ~~than five (5) years~~ as provided for in subsections B through F of
8 Section 20N of Title 21 of the Oklahoma Statutes, or by a fine of
9 not less than Five Hundred Dollars (\$500.00) nor more than Five
10 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

11 2. Any person who is convicted of a violation of any of the
12 provisions of the Uniform Vehicle Code declared by the Code or by
13 other laws of this state to constitute a Class D1 felony offense
14 shall, upon conviction, be guilty of a Class D1 felony offense and
15 shall be punished as provided for in subsections B through F of
16 Section 20N of Title 21 of the Oklahoma Statutes.

17 B. The conviction of any person, as prescribed in this section,
18 when the offense occurred during a period when the driving
19 privileges of the person were under suspension, revocation,
20 cancellation, denial, or disqualification or the person had not been
21 granted driving privileges by Oklahoma or any other state, shall
22 result in the doubling of the appropriate fine, as provided for in
23 subsection A of this section, and the doubling of all court costs

24

1 and all fees collected by the court on behalf of any other entity,
2 unless waived by the court.

3 C. One-half (1/2) of any fine collected pursuant to the
4 provisions of subsection B of this section, shall be deposited to
5 the Trauma Care Assistance Revolving Fund created in Section 1-2522
6 of Title 63 of the Oklahoma Statutes.

7 SECTION 519. AMENDATORY 52 O.S. 2021, Section 108, is
8 amended to read as follows:

9 Section 108. Every person who, having taken an oath that he
10 will testify, declare or depose before the Commission, in any
11 proceeding, or at any hearing before said Commission, authorized and
12 provided for under the provisions of this act, shall willfully and
13 contrary to such oath state any material matter which he knows to be
14 false, is guilty of the Class D1 felony offense of perjury, and upon
15 conviction, shall be punished ~~by imprisonment in the State~~
16 ~~Penitentiary for not more than five (5) years as provided for in~~
17 subsections B through F of Section 20N of Title 21 of the Oklahoma
18 Statutes.

19 SECTION 520. AMENDATORY 52 O.S. 2021, Section 114, is
20 amended to read as follows:

21 Section 114. Any person who knowingly and willfully delays or
22 obstructs any Proration Umpire, any assistant or deputy of the
23 Proration Umpire, or any agent or employee of the Commission, in the
24 performance of any duty enjoined upon such proration umpire,

1 assistant or deputy of such Proration Umpire, or agent, or employee
2 of the Commission, by the provisions of this act or by any lawful
3 order, rule or regulation of the Commission; or who knowingly and
4 willfully delays or obstructs any public officer of the state, or of
5 any municipal subdivision thereof in the discharge or attempted
6 discharge of any duty of his office, arising by virtue of or growing
7 out of the enforcement of or an attempt to enforce the provisions of
8 this act, or any lawful order, rule, or regulation of the Commission
9 made in pursuance of the provisions hereof; or who attempts by means
10 of any threat or violence to deter or prevent any such Proration
11 Umpire, assistant, or deputy of the Proration Umpire, or any agent
12 or employee of the Commission from performing any duty imposed upon
13 them when such duty arises by virtue of or grows out of the attempt
14 to enforce the provisions of this act or of any lawful order, rule,
15 or regulation of the Commission made hereunder, shall be guilty of a
16 misdemeanor and upon conviction thereof may be punished by fine not
17 exceeding Five Hundred Dollars (\$500.00), or by confinement in the
18 county jail not exceeding six (6) months, or both. If such threat
19 or violence, or such attempted interference or obstruction is
20 accompanied by the use or attempted use of firearms by any such
21 person so offending, then such person shall be guilty of a Class D1
22 felony offense and, upon conviction, ~~may~~ shall be punished by
23 ~~imprisonment in the State Penitentiary for a period of not less than~~
24 ~~one (1) year nor more than five (5) years~~ as provided for in

1 subsections B through F of Section 20N of Title 21 of the Oklahoma
2 Statutes.

3 SECTION 521. AMENDATORY 52 O.S. 2021, Section 115, is
4 amended to read as follows:

5 Section 115. If two or more persons conspire to violate any
6 provision of this act, or any lawful order, rule, or regulation of
7 the Commission fixing the method, manner, amount and rate of
8 production of oil or gas from any common source of supply in the
9 State of Oklahoma or conspire to produce oil or gas from any well or
10 wells in any common source of supply in the State of Oklahoma in
11 excess of the allowable production permitted from such well or wells
12 as fixed and determined by any lawful order, rule, or regulation of
13 the Commission or conspire to avoid making or filing any report, map
14 or drawing, or to file any false report, map or drawing with respect
15 to the method, manner, time, place, amount, or rate of production of
16 oil or gas from any well or wells in any common source of supply in
17 the State of Oklahoma, or conspire to avoid the making or filing of
18 any report, map or drawing, or to file any false report, map or
19 drawing, with respect to the removal or transportation of oil or gas
20 by any means whatsoever, from any common source of supply, as may be
21 prescribed or required by this act or by any lawful order, rule, or
22 regulation of the Commission; or conspire to make any false
23 statement therein with respect to any material matter contained
24 therein, and one or more such parties shall do any act to effect the

1 object of any such conspiracy, then each of the parties to any such
2 conspiracy shall, upon conviction, be guilty of a Class D1 felony
3 offense in any court having jurisdiction of the offense, be fined
4 not more than Five Thousand Dollars (\$5,000.00), or imprisoned ~~in~~
5 ~~the State Penitentiary for a period of not exceeding five (5) years~~
6 as provided for in subsections B through F of Section 20N of Title
7 21 of the Oklahoma Statutes, or both.

8 SECTION 522. AMENDATORY 52 O.S. 2021, Section 117, is
9 amended to read as follows:

10 Section 117. Whoever corruptly gives, offers or promises to
11 give to any member of the Commission, Proration Umpire, assistant or
12 deputy of a Proration Umpire, Proration Attorney, or agent or
13 employee of the Commission, any gift or gratuity whatsoever with an
14 intent to influence any such officer or person in his acts or
15 conduct with respect to (a) enforcing any order, rule or regulation
16 of the Commission made under this act, or (b) the discharge of any
17 duty by any such officer or person imposed upon him by the
18 provisions of this act, or by any order, rule, or regulation of the
19 Commission issued and promulgated under the provisions of this act,
20 shall be guilty of a Class D1 felony offense and shall be punished
21 by imprisonment ~~in the State Penitentiary not exceeding five (5)~~
22 ~~years~~ as provided for in subsections B through F of Section 20N of
23 Title 21 of the Oklahoma Statutes, and by a fine not exceeding Five
24 Thousand Dollars (\$5,000.00).

1 SECTION 523. AMENDATORY 52 O.S. 2021, Section 235, is
2 amended to read as follows:

3 Section 235. Any person or agent of a corporation, who takes
4 gas, or aids or abets in the taking of gas, except as herein
5 provided, either directly or indirectly, as an individual, officer,
6 agent, or employee of any corporation, shall be guilty of the Class
7 D1 felony offense of grand larceny, and, upon conviction thereof,
8 shall be sentenced ~~to the State Penitentiary not to exceed five (5)~~
9 ~~years~~ as provided for in subsections B through F of Section 20N of
10 Title 21 of the Oklahoma Statutes.

11 SECTION 524. AMENDATORY 56 O.S. 2021, Section 26.18, is
12 amended to read as follows:

13 Section 26.18. Every applicant for emergency relief or general
14 assistance shall make a written application, containing a written
15 certification, under penalty of perjury, alleging that all facts set
16 out in such application are true and correct. And said application
17 shall be forthwith acted upon, with dispatch and without delay.

18 Any person, whose duty it is to pass upon the eligibility of
19 persons to participate in any benefits provided in this act, who
20 shall knowingly, willfully or intentionally allow, or cause to be
21 allowed, any claim to any person known to be ineligible for such
22 relief, or, who aids, or abets, or persuades any person to sign an
23 application to obtain by means of a willfully false statement or
24 representation or other fraudulent device, assistance to which an

1 applicant is not entitled or assistance greater than that to which
2 an applicant is justly entitled shall be guilty of a Class D1 felony
3 offense, and upon conviction thereof shall be imprisoned ~~not less~~
4 ~~than one (1) year or more than five (5) years~~ as provided for in
5 subsections B through F of Section 20N of Title 21 of the Oklahoma
6 Statutes, or be fined not less than One Hundred Dollars (\$100.00) or
7 more than One Thousand Dollars (\$1,000.00), or be both so fined and
8 imprisoned in the discretion of the court.

9 SECTION 525. AMENDATORY 56 O.S. 2021, Section 1005, is
10 amended to read as follows:

11 Section 1005. A. It shall be unlawful and deemed a Class D1
12 felony offense for any person to willfully and knowingly:

13 1. Make or cause to be made a claim, knowing the claim to be
14 false, in whole or in part, by commission or omission;

15 2. Make or cause to be made a statement or representation for
16 use in obtaining or seeking to obtain authorization to provide a
17 good or a service knowing the statement or representation to be
18 false, in whole or in part, by commission or omission;

19 3. Make or cause to be made a statement or representation for
20 use by another in obtaining a good or a service under the Oklahoma
21 Medicaid Program, knowing the statement or representation to be
22 false, in whole or in part, by commission or omission;

23 4. Make or cause to be made a statement or representation for
24 use in qualifying as a provider of a good or a service under the

1 Oklahoma Medicaid Program, knowing the statement or representation
2 to be false, in whole or in part, by commission or omission;

3 5. Charge any recipient or person acting on behalf of a
4 recipient, money or other consideration in addition to or in excess
5 of rates of remuneration established under the Oklahoma Medicaid
6 Program;

7 6. Solicit or accept a benefit, pecuniary benefit, or kickback
8 in connection with goods or services paid or claimed by a provider
9 to be payable by the Oklahoma Medicaid Program; or

10 7. Having submitted a claim for or received payment for a good
11 or a service under the Oklahoma Medicaid Program, fail to maintain
12 or destroy such records as required by law or the rules of the
13 Oklahoma Health Care Authority for a period of at least six (6)
14 years following the date on which payment was received.

15 Any person who violates the provisions of this section shall,
16 upon conviction, be guilty of a Class D1 felony offense and shall be
17 punished by imprisonment as provided for in subsections B through F
18 of Section 20N of Title 21 of the Oklahoma Statutes.

19 B. For the purposes of this section, a person shall be deemed
20 to have made or caused to be made a claim, statement, or
21 representation if the person:

22 1. Had the authority or responsibility to make the claim,
23 statement, or representation, to supervise those who made the claim,
24 statement, or representation, or to authorize the making of the

1 claim, statement, or representation, whether by operation of law,
2 business or professional practice, or office procedure; and

3 2. Exercised such authority or responsibility or failed to
4 exercise such authority or responsibility and as a direct or
5 indirect result, the false statement was made.

6 C. The provisions of this section shall not be construed to
7 prohibit any payment, business arrangement or payment practice not
8 prohibited by 42 U.S.C., Section 1320a-7b(b) or any regulations
9 promulgated pursuant thereto or to prohibit any payment, business
10 arrangement or payment practice not prohibited by Section 1-742 of
11 Title 63 of the Oklahoma Statutes.

12 D. For the purposes of this section, a person shall be deemed
13 to have known that a claim, statement, or representation was false
14 if the person knew, or by virtue of the person's position, authority
15 or responsibility, had reason to know, of the falsity of the claim,
16 statement or representation.

17 E. Any employee of the State Department of Health, the
18 Department of Human Services or the Oklahoma Health Care Authority
19 who knowingly or willfully fails to promptly report a violation of
20 the Oklahoma Medicaid Program, subject to the provisions of this
21 section, to the chief administrative officer of such agency or the
22 State Attorney General shall, upon conviction thereof, be guilty of
23 a misdemeanor.

SECTION 526. AMENDATORY 56 O.S. 2021, Section 1005.1, is amended to read as follows:

Section 1005.1. A. As used in this section:

1. "Administrative sanction" means the court may enter an order making an individual who violates a provision of this section ineligible for assistance for a specified period of time. Such order shall be communicated to the Oklahoma Health Care Authority Legal Division; and

2. "Insure Oklahoma" means the program administered by the Oklahoma Health Care Authority pursuant to Sections 1010.1 through 1010.13 of Title 56 of the Oklahoma Statutes.

B. Any individual who:

1. Obtains or attempts to obtain, or aids, abets or assists any individual to obtain, by means of a false statement or representation, or by false impersonation, or by a fictitious transfer, conveyance or encumbrance of property or income, or by a knowing and willful failure to report to the Department of Human Services or the Oklahoma Health Care Authority income, personal property, real property, household members, or other material eligibility factors at the time of application or during the receipt of assistance, or by other fraudulent device, assistance to which an applicant is not entitled or assistance greater than that to which an applicant is justly entitled shall be guilty of a misdemeanor or a felony;

1 2. By sale, barter, purchase, theft, acquisition, possession or
2 use of any medical identification card or any other device
3 authorizing participation in the Oklahoma Medicaid Program,
4 knowingly obtains, aids, abets or assists any individual to obtain
5 or attempt to obtain assistance to which an individual is not
6 entitled shall be guilty of a misdemeanor or a felony; or

7 3. Attempts to obtain Medicaid or Insure Oklahoma benefits by
8 omitting income, personal property, household members, or other
9 material eligibility factors shall, upon conviction, be guilty of a
10 misdemeanor punishable by either a fine of three times the amount of
11 assistance, or up to three (3) months in the county jail. In
12 addition, the individual may also be punished by an administrative
13 sanction regarding Medicaid benefits. The court shall have
14 discretion in determining penalties.

15 C. If the acts in either paragraph 1 or 2 of subsection B of
16 this section or both paragraphs 1 and 2 of subsection B of this
17 section cause the Oklahoma Health Care Authority to determine that
18 an individual or family is eligible for Medicaid or the Insure
19 Oklahoma program and the aggregate amount of assistance paid on
20 behalf of the individual or individuals is less than Five Thousand
21 Dollars (\$5,000.00), the penalty, upon conviction, shall be a
22 misdemeanor punishable by fine or imprisonment, or both a fine and
23 imprisonment for three (3) months or an administrative sanction
24 regarding Medicaid benefits in the discretion of the court. If the

1 acts in paragraph 1 or 2 of subsection B of this section or both
2 paragraphs 1 and 2 of subsection B of this section cause the
3 Oklahoma Health Care Authority to determine an individual or family
4 eligible for Medicaid or the Insure Oklahoma program and the
5 aggregate amount of assistance paid on behalf of the individual or
6 individuals is equal to or greater than Five Thousand Dollars
7 (\$5,000.00), the penalty, upon conviction, shall be a Class D1
8 felony offense punishable by fine or imprisonment as provided for in
9 subsections B through F of Section 20N of Title 21 of the Oklahoma
10 Statutes, or both a fine and imprisonment ~~for not more than five (5)~~
11 ~~years~~ as provided for in subsections B through F of Section 20N of
12 Title 21 of the Oklahoma Statutes, or an administrative sanction
13 regarding Medicaid benefits in the discretion of the court.

14 SECTION 527. AMENDATORY 57 O.S. 2021, Section 22, is
15 amended to read as follows:

16 Section 22. A. Except as otherwise provided in this section,
17 any detention officer, deputy sheriff, or other person employed as
18 jail operations staff by a county, city, or other entity that
19 operates a jail who receives compensation from any person other than
20 the sheriff or jail administrator for providing goods, tobacco
21 products, or services for the benefit of an inmate, upon conviction,
22 shall be guilty of a misdemeanor if the compensation is an amount of
23 less than Five Hundred Dollars (\$500.00), punishable by up to six
24 (6) months in the county jail, or a fine of not more than One

1 Thousand Dollars (\$1,000.00), or by both such fine and imprisonment
2 and shall be guilty of a Class D1 felony offense if the compensation
3 is an amount of Five Hundred Dollars (\$500.00) or more, punishable
4 by imprisonment ~~in the custody of the Department of Corrections for~~
5 ~~not more than two (2) years~~ as provided for in subsections B through
6 F of Section 20N of Title 21 of the Oklahoma Statutes, or a fine of
7 not more than Five Thousand Dollars (\$5,000.00), or by both such
8 fine and imprisonment.

9 B. The provisions of this section shall not apply to any person
10 operating, or employed by, a vendor facility licensed by the State
11 Department of Rehabilitation Services pursuant to Sections 71
12 through 78 of Title 7 of the Oklahoma Statutes for purposes of
13 carrying out the provisions of the Randolph-Sheppard Act, 20
14 U.S.C.A., Section 107 et seq., or any other duly authorized vendor.

15 SECTION 528. AMENDATORY 57 O.S. 2021, Section 222, is
16 amended to read as follows:

17 Section 222. A. It shall be unlawful to use prisoners assigned
18 to said public works project on any property other than public
19 property, except that inmate labor may be used on private property
20 for a public purpose.

21 B. As used in this section "public purpose" means a purpose
22 affecting the inhabitants of the state or political subdivision
23 utilizing the inmate labor, as a group, and not merely as
24 individuals. The work performed shall be essentially public and for

1 the general good of the inhabitants of the state or political
2 subdivision, and may include eradication of graffiti on private
3 buildings or harvesting Eastern Red Cedar trees. For purposes of
4 this section:

5 1. "Graffiti" shall include but not be limited to any
6 inscription, slogan or drawing, crudely scratched, drawn, printed,
7 painted or scribbled on a wall or other surface visible to the
8 public and which is likely to endanger the health or safety of the
9 public. Provided, however, that this definition shall never be
10 construed to include any sign or advertising device lawfully erected
11 or installed by the owner of property, lessee or authorized agent;
12 and

13 2. "Owner" means the owner of record as shown by the most
14 current tax rolls of the county treasurer.

15 C. The purpose of the work performed shall be to aid the
16 federal government, a state agency or a political subdivision,
17 utilizing the inmate labor in the exercise of a governmental
18 function. Any person convicted of willfully violating the
19 provisions of this section shall be guilty of a Class D1 felony
20 offense and shall be punished by imprisonment as provided for in
21 subsections B through F of Section 20N of Title 21 of the Oklahoma
22 Statutes.

23 SECTION 529. AMENDATORY 57 O.S. 2021, Section 599, is
24 amended to read as follows:

1 Section 599. Any person required to register pursuant to the
2 provisions of the Mary Rippy Violent Crime Offenders Registration
3 Act who violates any provision of the act shall, upon conviction, be
4 guilty of a Class D1 felony. ~~Any person convicted of a violation of~~
5 ~~this section offense and~~ shall be punished by incarceration ~~in a~~
6 ~~correctional facility for not more than five (5) years as provided~~
7 ~~for in subsections B through F of Section 20N of Title 21 of the~~
8 ~~Oklahoma Statutes, or~~ a fine not to exceed Five Thousand Dollars
9 (\$5,000.00), or both such fine and imprisonment.

10 SECTION 530. AMENDATORY 59 O.S. 2021, Section 328.49, is
11 amended to read as follows:

12 Section 328.49. A. The Board of Dentistry shall be responsible
13 for the enforcement of the provisions of the State Dental Act
14 against all persons who are in violation thereof, including, but not
15 limited to, individuals who practice or attempt to practice
16 dentistry or dental hygiene without proper authorization from the
17 Board.

18 B. 1. It shall be unlawful for any person, except a licensed
19 dentist, to:

- 20 a. practice or attempt to practice dentistry,
- 21 b. hold oneself out to the public as a dentist or as a
22 person who practices dentistry, or
- 23 c. employ or use the words "Doctor" or "Dentist", or the
24 letters "D.D.S." or "D.M.D.", or any modification or

1 derivative thereof, when such use is intended to give
2 the impression that the person is a dentist.

3 2. It shall be unlawful for any person, except a registered
4 dental hygienist, to:

- 5 a. practice or attempt to practice dental hygiene,
- 6 b. hold oneself out to the public as a dental hygienist
7 or as a person who practices dental hygiene, or
- 8 c. employ or use the words "Registered Dental Hygienist",
9 or the letters "R.D.H.", or any modification or
10 derivative thereof, when such use is intended to give
11 the impression that the person is a dental hygienist.

12 3. It shall be unlawful for any person to:

- 13 a. give false or fraudulent evidence or information to
14 the Board in an attempt to obtain any license or
15 permit from the Board, or
- 16 b. aid or abet another person in violation of the State
17 Dental Act.

18 4. Each day a person is in violation of any provision of this
19 subsection shall constitute a separate criminal offense and, in
20 addition, the district attorney may file a separate charge of
21 medical battery for each person who is injured as a result of
22 treatment performed in violation of this subsection.

23 C. 1. If a person violates any of the provisions of subsection
24 B of this section, the Board shall refer the alleged violation to

1 the district attorney of the county in which the violation is
2 alleged to have occurred to bring a criminal action in that county
3 against the person. At the request of the Board, district attorney
4 or Attorney General, attorneys employed or contracted by the Board
5 may assist the district attorney or Attorney General in prosecuting
6 charges under the State Dental Act or any violation of law relating
7 to or arising from an investigation conducted by the Board of
8 Dentistry upon approval of the Board or the Executive Director.

9 2. Any person who violates any of the provisions of paragraph 1
10 or 3 of subsection B of this section, upon conviction, shall be
11 guilty of a Class D1 felony offense punishable by a fine in an
12 amount not less than One Thousand Dollars (\$1,000.00) nor more than
13 Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the county~~
14 ~~jail for a term of not more than one (1) year or imprisonment in the~~
15 ~~custody of the Department of Corrections for a term of not more than~~
16 ~~four (4) years~~ as provided for in subsections B through F of Section
17 20N of Title 21 of the Oklahoma Statutes, or by both such fine and
18 imprisonment.

19 Any person who violates any of the provisions of paragraph 2 of
20 subsection B of this section, upon conviction, shall be guilty of a
21 misdemeanor punishable by a fine in an amount not less than Five
22 Hundred Dollars (\$500.00) nor more than Two Thousand Five Hundred
23 Dollars (\$2,500.00), or by imprisonment in the county jail for a
24 term of not more than ninety (90) days, or by both such fine and

1 imprisonment. Any second or subsequent violation of paragraph 2 of
2 subsection B of this section, upon conviction, shall be a felony
3 punishable by a fine in an amount not less than One Thousand Five
4 Hundred Dollars (\$1,500.00) nor more than Five Thousand Dollars
5 (\$5,000.00), or by imprisonment in the county jail for a term of not
6 more than one (1) year or imprisonment in the custody of the
7 Department of Corrections for a term of not more than two (2) years,
8 or by both such fine and imprisonment.

9 D. The Board may initiate a civil action, pursuant to Chapter
10 24 of Title 12 of the Oklahoma Statutes, seeking a temporary
11 restraining order or injunction, without bond, commanding a person
12 to refrain from engaging in conduct which constitutes a violation of
13 any of the provisions of subsection B of this section. In a civil
14 action filed pursuant to this subsection, the prevailing party shall
15 be entitled to recover costs and reasonable attorney fees.

16 E. In addition to any other penalties provided herein, any
17 person found guilty of contempt of court by reason of the violation
18 of any injunction prohibiting the unlicensed practice of dentistry
19 now in effect or hereafter entered pursuant to any provision of the
20 State Dental Act or any preceding state dental act, shall be
21 punished by imprisonment in the county jail for a term of not less
22 than thirty (30) days nor more than one (1) year, and by a fine of
23 not less than Five Hundred Dollars (\$500.00) nor more than One
24 Thousand Dollars (\$1,000.00). The court may also require the

1 defendant to furnish a good and sufficient bond in a penal sum to be
2 set by the court, not less than One Thousand Dollars (\$1,000.00),
3 which shall be conditioned upon future compliance in all particulars
4 with the injunction entered, and in the event of failure of the
5 defendant to furnish such bond when so ordered, the defendant shall
6 be confined in the county jail pending compliance therewith. Such
7 bond shall be mandatory as to any person hereafter found guilty of a
8 second contempt of court for violation of any injunction entered
9 pursuant to the State Dental Act, or any preceding state dental act.

10 SECTION 531. AMENDATORY 59 O.S. 2021, Section 353.17A,
11 is amended to read as follows:

12 Section 353.17A. It shall be unlawful and deemed a Class D1
13 felony offense to impersonate a pharmacist. If a person
14 impersonates a pharmacist and causes patient harm, then, upon
15 conviction, ~~it~~ the person shall be guilty of a Class D1 felony
16 offense and shall be punished by imprisonment as provided for in
17 subsections B through F of Section 20N of Title 21 of the Oklahoma
18 Statutes.

19 SECTION 532. AMENDATORY 59 O.S. 2021, Section 353.24, is
20 amended to read as follows:

21 Section 353.24. A. It shall be unlawful for any licensee or
22 other person to:

23 1. Forge or increase the quantity of drug in any prescription,
24 or to present a prescription bearing forged, fictitious or altered

1 information or to possess any drug secured by such forged,
2 fictitious or altered prescription;

3 2. Sell, offer for sale, barter or give away any unused
4 quantity of drugs obtained by prescription, except through a program
5 pursuant to the Utilization of Unused Prescription Medications Act
6 or as otherwise provided by the State Board of Pharmacy;

7 3. Sell, offer for sale, barter or give away any drugs damaged
8 by fire, water, or other causes without first obtaining the written
9 approval of the Board or the State Department of Health;

10 4. No person, firm or business establishment shall offer to the
11 public, in any manner, their services as a "pick-up station" or
12 intermediary for the purpose of having prescriptions filled or
13 delivered, whether for profit or gratuitously. Nor may the owner of
14 any pharmacy or drug store authorize any person, firm or business
15 establishment to act for them in this manner with these exceptions:

16 a. patient-specific filled prescriptions may be delivered
17 or shipped to a prescriber's clinic for pick-up by
18 those patients whom the prescriber has individually
19 determined and documented do not have a permanent or
20 secure mailing address,

21 b. patient-specific filled prescriptions for drugs which
22 require special handling written by a prescriber may
23 be delivered or shipped to the prescriber's clinic for
24 administration or pick-up at the prescriber's office,

- c. patient-specific filled prescriptions, including sterile compounded drugs, may be delivered or shipped to a prescriber's clinic where they shall be administered,
- d. patient-specific filled prescriptions for patients with end-stage renal disease (ESRD) may be delivered or shipped to a prescriber's clinic for administration or final delivery to the patient,
- e. patient-specific filled prescriptions for radiopharmaceuticals may be delivered or shipped to a prescriber's clinic for administration or pick-up, or
- f. patient-specific filled prescriptions may be delivered or shipped by an Indian Health Services (IHS) or federally recognized tribal health organization operating under the IHS in the delivery of the prescriptions to a pharmacy operated by the IHS or a federally recognized tribal health organization for pick-up by an IHS or tribal patient.

However, nothing in this paragraph shall prevent a pharmacist or an employee of the pharmacy from personally receiving a prescription or delivering a legally filled prescription to a residence, office or place of employment of the patient for whom the prescription was written. Provided further, the provisions of this paragraph shall not apply to any Department of Mental Health and Substance Abuse

1 Services employee or any person whose facility contracts with the
2 Department of Mental Health and Substance Abuse Services whose
3 possession of any dangerous drug, as defined in Section 353.1 of
4 this title, is for the purpose of delivery of a mental health
5 consumer's medicine to the consumer's home or residence. Nothing in
6 this paragraph shall prevent veterinary prescription drugs from
7 being shipped directly from an Oklahoma licensed wholesaler or
8 distributor registered with the Oklahoma Board of Veterinary Medical
9 Examiners to a client; provided, such drugs may be dispensed only on
10 prescription of a licensed veterinarian and only when an existing
11 veterinary-client-patient relationship exists. Nothing in this
12 paragraph shall prevent dialysate and peritoneal dialysis devices
13 from being shipped directly from an Oklahoma licensed manufacturer,
14 wholesaler or distributor to an ESRD patient or patient's designee,
15 consistent with subsection F of Section 353.18 of this title;

16 5. Sell, offer for sale or barter or buy any professional
17 samples except through a program pursuant to the Utilization of
18 Unused Prescription Medications Act;

19 6. Refuse to permit or otherwise prevent members of the Board
20 or such representatives thereof from entering and inspecting any and
21 all places, including premises, vehicles, equipment, contents, and
22 records, where drugs, medicine, chemicals or poisons are stored,
23 sold, vended, given away, compounded, dispensed, repackaged,
24 transported, or manufactured;

1 7. Interfere, refuse to participate in, impede or otherwise
2 obstruct any inspection, investigation or disciplinary proceeding
3 authorized by the Oklahoma Pharmacy Act;

4 8. Possess dangerous drugs without a valid prescription or a
5 valid license to possess such drugs; provided, however, this
6 provision shall not apply to any Department of Mental Health and
7 Substance Abuse Services employee or any person whose facility
8 contracts with the Department of Mental Health and Substance Abuse
9 Services whose possession of any dangerous drug, as defined in
10 Section 353.1 of this title, is for the purpose of delivery of a
11 mental health consumer's medicine to the consumer's home or
12 residence;

13 9. Fail to establish and maintain effective controls against
14 the diversion of drugs for any other purpose than legitimate
15 medical, scientific or industrial uses as provided by state, federal
16 and local law;

17 10. Fail to have a written drug diversion detection and
18 prevention policy;

19 11. Possess, sell, offer for sale, barter or give away any
20 quantity of dangerous drugs not listed as a scheduled drug pursuant
21 to Sections 2-201 through 2-212 of Title 63 of the Oklahoma Statutes
22 when obtained by prescription bearing forged, fictitious or altered
23 information.

1 a. A first violation of this section shall constitute a
2 misdemeanor and upon conviction shall be punishable by
3 imprisonment in the county jail for a term not more
4 than one (1) year and a fine in an amount not more
5 than One Thousand Dollars (\$1,000.00).

6 b. A second violation of this section shall constitute a
7 Class D1 felony offense and upon conviction shall be
8 punishable by imprisonment ~~in the Department of~~
9 ~~Corrections for a term not exceeding five (5) years as~~
10 provided for in subsections B through F of Section 20N
11 of Title 21 of the Oklahoma Statutes, and a fine in an
12 amount not more than Two Thousand Dollars (\$2,000.00);

13 12. Violate a Board order or agreed order;

14 13. Compromise the security of licensure examination materials;

15 or

16 14. Fail to notify the Board, in writing, within ten (10) days
17 of a licensee or permit holder's address change.

18 B. 1. It shall be unlawful for any person other than a
19 licensed pharmacist or physician to certify a prescription before
20 delivery to the patient or the patient's representative or
21 caregiver. Dialysate and peritoneal dialysis devices supplied
22 pursuant to the provisions of subsection F of Section 353.18 of this
23 title shall not be required to be certified by a pharmacist prior to
24 being supplied by a manufacturer, wholesaler or distributor.

1 2. It shall be unlawful for any person to institute or manage a
2 pharmacy unless such person is a licensed pharmacist or has placed a
3 licensed pharmacist in charge of such pharmacy.

4 3. No licensed pharmacist shall manage, supervise or be in
5 charge of more than one pharmacy.

6 4. No pharmacist being requested to sell, furnish or compound
7 any drug, medicine, chemical or other pharmaceutical preparation, by
8 prescription or otherwise, shall substitute or cause to be
9 substituted for it, without authority of the prescriber or
10 purchaser, any like drug, medicine, chemical or pharmaceutical
11 preparation.

12 5. No pharmacy, pharmacist-in-charge or other person shall
13 permit the practice of pharmacy except by a licensed pharmacist or
14 assistant pharmacist.

15 6. No person shall subvert the authority of the pharmacist-in-
16 charge of the pharmacy by impeding the management of the
17 prescription department to act in compliance with federal and state
18 law.

19 C. 1. It shall be unlawful for a pharmacy to resell dangerous
20 drugs to any wholesale distributor.

21 2. It shall be unlawful for a wholesale distributor to purchase
22 drugs from a pharmacy.

23 SECTION 533. AMENDATORY 59 O.S. 2021, Section 353.25, is
24 amended to read as follows:

1 Section 353.25. A. The violation of any provision of the
2 Oklahoma Pharmacy Act for which no penalty is specifically provided
3 shall be punishable as a misdemeanor.

4 B. Any person who shall willfully make any false
5 representations in procuring or attempting to procure for himself or
6 herself, or for another, licensure under the Oklahoma Pharmacy Act
7 shall be guilty of the felony of perjury, a Class D1 felony offense,
8 and shall be punished by imprisonment as provided for in subsections
9 B through F of Section 20N of Title 21 of the Oklahoma Statutes.

10 SECTION 534. AMENDATORY 59 O.S. 2021, Section 396.33, is
11 amended to read as follows:

12 Section 396.33. Disposing of the body of a deceased person by
13 cremation or other similar means, within the State of Oklahoma,
14 except in a crematory duly licensed as provided for in Section 25 of
15 this act and under a special permit for cremation issued in
16 accordance with the provisions of Section 1-329.1 of Title 63 of the
17 Oklahoma Statutes, is hereby declared to be a Class D1 felony
18 offense. Any person who violates the provisions of this section
19 shall, upon conviction, be guilty of a Class D1 felony offense and
20 shall be punished by imprisonment as provided for in subsections B
21 through F of Section 20N of Title 21 of the Oklahoma Statutes.

22 SECTION 535. AMENDATORY 59 O.S. 2021, Section 491, is
23 amended to read as follows:

1 Section 491. A. 1. Every person before practicing medicine
2 and surgery or any of the branches or departments of medicine and
3 surgery, within the meaning of the Oklahoma Allopathic Medical and
4 Surgical Licensure and Supervision Act, the Oklahoma Osteopathic
5 Medicine Act, or the Oklahoma Interventional Pain Management and
6 Treatment Act, within this state, must be in legal possession of the
7 unrevoked license or certificate issued pursuant to the Oklahoma
8 Allopathic Medical and Surgical Licensure and Supervision Act or the
9 Oklahoma Osteopathic Medicine Act.

10 2. Any person practicing in such manner within this state, who
11 is not in the legal possession of a license or certificate, shall,
12 upon conviction, be guilty of a Class D1 felony offense, punishable
13 by a fine in an amount not less than One Thousand Dollars
14 (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by
15 ~~imprisonment in the county jail for a term of not more than one (1)~~
16 ~~year or imprisonment in the custody of the Department of Corrections~~
17 ~~for a term of not more than four (4) years~~ as provided for in
18 subsections B through F of Section 20N of Title 21 of the Oklahoma
19 Statutes, or by both such fine and imprisonment.

20 3. Each day a person is in violation of any provision of this
21 subsection shall constitute a separate criminal offense and, in
22 addition, the district attorney may file a separate charge of
23 medical battery for each person who is injured as a result of
24 treatment or surgery performed in violation of this subsection.

1 4. Any person who practices medicine and surgery or any of the
2 branches or departments thereof without first complying with the
3 provisions of the Oklahoma Allopathic Medical and Surgical Licensure
4 and Supervision Act, the Oklahoma Osteopathic Medicine Act, or the
5 Oklahoma Interventional Pain Management and Treatment Act shall, in
6 addition to the other penalties provided therein, receive no
7 compensation for such medical and surgical or branches or
8 departments thereof services.

9 B. 1. If a license has been revoked or suspended pursuant to
10 the Oklahoma Allopathic Medical and Surgical Licensure and
11 Supervision Act or the Oklahoma Osteopathic Medicine Act whether for
12 disciplinary reasons or for failure to renew the license, the State
13 Board of Medical Licensure and Supervision may, subject to rules
14 promulgated by the Board, assess and collect an administrative fine
15 not to exceed Five Thousand Dollars (\$5,000.00) for each day after
16 revocation or suspension whether for disciplinary reasons or for
17 failure to renew such license that the person practices medicine and
18 surgery or any of the branches or departments thereof within this
19 state.

20 2. The Board may impose administrative penalties against any
21 person who violates any of the provisions of the Oklahoma
22 Interventional Pain Management and Treatment Act or any rule
23 promulgated pursuant thereto. The Board is authorized to initiate
24 disciplinary and injunctive proceedings against any person who has

1 violated any of the provisions of the Oklahoma Interventional Pain
2 Management and Treatment Act or any rule of the Board promulgated
3 pursuant thereto. The Board is authorized in the name of the state
4 to apply for relief by injunction in the established manner provided
5 in cases of civil procedure, without bond, to enforce the provisions
6 of the Oklahoma Interventional Pain Management and Treatment Act, or
7 to restrain any violation thereof. The members of the Board shall
8 not be personally liable for proceeding under this section.

9 3. Fines assessed shall be in addition to any criminal penalty
10 provided pursuant to subsection A of this section.

11 SECTION 536. AMENDATORY 59 O.S. 2021, Section 638, is
12 amended to read as follows:

13 Section 638. A. Each of the following acts shall constitute a
14 Class D1 felony offense, punishable, upon conviction, by a fine of
15 not less than One Thousand Dollars (\$1,000.00) nor more than Ten
16 Thousand Dollars (\$10,000.00), ~~or by imprisonment in the county jail~~
17 ~~for a term of not more than one (1) year or imprisonment in the~~
18 ~~custody of the Department of Corrections for a term of not more than~~
19 ~~four (4) years as provided for in subsections B through F of Section~~
20 20N of Title 21 of the Oklahoma Statutes, or by both such fine and
21 imprisonment:

22 1. The practice of osteopathic medicine or attempt to practice
23 osteopathic medicine without a license issued by the State Board of
24 Osteopathic Examiners;

1 2. Obtaining, or attempting to obtain, a license under the
2 Oklahoma Osteopathic Medicine Act by fraud or false statements;

3 3. Obtaining, or attempting to obtain, money or any other thing
4 of value, by fraudulent representation or false pretense;

5 4. Advertising as an osteopathic physician and surgeon, or
6 practicing or attempting to practice osteopathic medicine under a
7 false, assumed, or fictitious name, or a name other than the real
8 name; or

9 5. Allowing any person in the licensee's employment or control
10 to practice as an osteopathic physician and surgeon when not
11 actually licensed to do so.

12 B. Each day a person is in violation of any provision of
13 subsection A of this section shall constitute a separate criminal
14 offense and, in addition, the district attorney may file a separate
15 charge of medical battery for each person who is injured as a result
16 of treatment or surgery performed in violation of subsection A of
17 this section.

18 C. Any person making any willfully false oath or affirmation
19 whenever oath or affirmation is required by the Oklahoma Osteopathic
20 Medicine Act shall be deemed guilty of the felony of perjury, a
21 Class D1 felony offense, and, upon conviction, shall be punished ~~as~~
22 ~~prescribed by the general laws of this state~~ imprisonment as
23 provided for in subsections B through F of Section 20N of Title 21
24 of the Oklahoma Statutes.

1 SECTION 537. AMENDATORY 59 O.S. 2021, Section 1044, is
2 amended to read as follows:

3 Section 1044. Any person convicted of acting or performing as a
4 building and construction inspector without the proper license shall
5 be guilty of a ~~misdemeanor~~ Class D1 felony offense and shall be
6 punished by a fine of not less than Two Hundred Fifty Dollars
7 (\$250.00) nor more than Two Thousand Five Hundred Dollars
8 (\$2,500.00), together with the costs of prosecution. Each day of
9 violation shall constitute a separate offense.

10 Any entity who employs an unlicensed person to perform the
11 duties and responsibilities of a building and construction inspector
12 or who fails to notify the Construction Industries Board of the
13 employment of an inspector shall be subject to an administrative
14 fine of not more than Two Hundred Dollars (\$200.00) for each
15 violation. Each day a person is in violation may constitute a
16 separate violation. The maximum fine shall not exceed One Thousand
17 Dollars (\$1,000.00).

18 SECTION 538. AMENDATORY 59 O.S. 2021, Section 1322, is
19 amended to read as follows:

20 Section 1322. A. Every bondsman shall file with the
21 undertaking an affidavit stating whether or not the bondsman or
22 anyone for the use of the bondsman has been promised or has received
23 any security or consideration for the undertaking, and if so, the
24 nature and description of security and amount thereof, and the name

1 of the person by whom the promise was made or from whom the security
2 or consideration was received. Any willful misstatement in the
3 affidavit relating to the security or consideration promised or
4 given shall render the person making it subject to the same
5 prosecution and penalty as one who commits the felony of perjury, a
6 Class D1 felony offense punishable as provided for in subsections B
7 through F of Section 20N of Title 21 of the Oklahoma Statutes.

8 B. An action to enforce any indemnity agreement shall not lie
9 in favor of the surety against the indemnitor, except with respect
10 to agreements set forth in the affidavit. In an action by the
11 indemnitor against the surety to recover any collateral or security
12 given by the indemnitor, the surety shall have the right to retain
13 only the security or collateral as it mentioned in the affidavit
14 required by this section.

15 C. If security or consideration other than that reported on the
16 original affidavit is received after the affidavit is filed with the
17 court clerk, an amended affidavit shall be filed with the court
18 clerk indicating the receipt of security or consideration.

19 D. If a bondsman accepts a mortgage on real property as
20 collateral on a bond, the bondsman shall file a copy of the mortgage
21 with the bond within thirty (30) days of receipt of the mortgage.
22 The Commissioner shall have the authority to extend or waive this
23 requirement.
24

1 SECTION 539. AMENDATORY 59 O.S. 2021, Section 1335, is
2 amended to read as follows:

3 Section 1335. Whoever, having been admitted to bail for
4 appearance before any district court in the State of Oklahoma, (1)
5 incurs a forfeiture of the bail and willfully fails to surrender
6 himself within thirty (30) days following the date of such
7 forfeiture, or (2) willfully fails to comply with the terms of his
8 personal recognizance, shall be guilty of a Class D1 felony offense
9 and shall be fined not more than Five Thousand Dollars (\$5,000.00),
10 or imprisoned ~~not more than two (2) years~~ as provided for in
11 subsections B through F of Section 20N of Title 21 of the Oklahoma
12 Statutes, or both.

13 SECTION 540. AMENDATORY 59 O.S. 2021, Section 1512, is
14 amended to read as follows:

15 Section 1512. A. Rule Making Power. The Administrator shall
16 have the same authority to adopt, amend and repeal rules as is
17 conferred upon him by paragraph (e) of subsection (1), and
18 subsections (2) and (3) of Section 6-104 of Title 14A of the
19 Oklahoma Statutes, as applicable, and such rules shall have the same
20 effect as provided in subsection (4) of Section 6-104 thereunder.
21 In addition, the Administrator may adopt, amend and repeal such
22 other rules as are necessary for the enforcement of the provisions
23 of Section 1501 et seq. of this title and consistent with all its
24 provisions.

1 B. Administrative Enforcement. Compliance with the provisions
2 of this act may be enforced by the Administrator who may exercise,
3 for such purpose, all the powers enumerated in Part 1 of Article 6,
4 Title 14A of the Oklahoma Statutes, in the same manner as in
5 relation to consumer credit transactions under that act, as well as
6 those powers conferred in this act.

7 C. Criminal Penalties. 1. Any person who engages in the
8 business of operating a pawn shop without first securing the license
9 prescribed by this act shall be guilty of a misdemeanor and upon
10 conviction thereof shall be punished by a fine not in excess of One
11 Thousand Dollars (\$1,000.00), by confinement in the county jail for
12 not more than six (6) months or by both.

13 2. Any person selling or pledging property to a pawnbroker who
14 uses false or altered identification or a false declaration of
15 ownership as related to the provisions of Section 1515 of this title
16 shall be punished as follows:

17 a. if the value of the property is less than One Thousand
18 Dollars (\$1,000.00), the person shall, upon
19 conviction, be guilty of a misdemeanor punishable by
20 imprisonment in the county jail for a term not to
21 exceed one (1) year, or by a fine not to exceed Five
22 Hundred Dollars (\$500.00), or by both such
23 imprisonment and fine,

- b. if the value of the property is One Thousand Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred Dollars (\$2,500.00), the person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed two (2) years or in the county jail for a term not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine,
- c. if the value of the personal property is Two Thousand Five Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand Dollars (\$15,000.00), the person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed five (5) years or in the county jail for a term not to exceed one (1) year~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine, or

d. if the value of the personal property is Fifteen Thousand Dollars (\$15,000.00) or more, the person shall, upon conviction, be guilty of a Class D1 felony offense punishable by imprisonment ~~in the custody of the Department of Corrections for a term not to exceed eight (8) years~~ as provided for in subsections B through F of Section 20N of Title 21 of the Oklahoma Statutes, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.

3. Any person who fails to repay a pawnbroker the full amount received from a pawn or buy transaction after being officially notified by a peace officer that the goods he or she pledged or sold in that transaction were stolen or embezzled shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed six (6) months, or a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

D. Private Enforcement. 1. If any person engages in the business of operating a pawnshop without first securing the license prescribed by this act, or if any pawnbroker contracts for, charges or receives a pawn finance charge in excess of that authorized by this act, the pawn transaction shall be void and the customer is not obligated to pay either the amount financed or the pawn finance

1 charge in connection with the transaction, and upon the customer's
2 demand, the pawnbroker shall be obligated to return to the customer,
3 as a refund, all amounts paid in connection with the transaction by
4 the customer and the pledged goods delivered to the pawnbroker in
5 connection with the pawn transaction or their value if the goods
6 cannot be returned. If a customer is entitled to a refund under
7 this section and a pawnbroker liable to the customer refuses to make
8 the refund within a reasonable time after demand, the customer shall
9 have an action against the pawnbroker and in the case of a
10 successful action to enforce such liability, the costs of the action
11 together with attorney fees as determined by the court shall be
12 awarded to the customer.

13 2. A pawnbroker who fails to disclose information to a customer
14 entitled to the information under this act is liable to that person
15 in an amount equal to the sum of:

- 16 a. twice the amount of the pawn finance charge in
17 connection with the transaction, or One Hundred
18 Dollars (\$100.00), whichever is greater, and
- 19 b. in the case of a successful action to enforce the
20 liability under paragraph 1 of this subsection, the
21 costs of the action together with reasonable attorney
22 fees as determined by the court.

23 SECTION 541. AMENDATORY 59 O.S. 2021, Section 1750.11,
24 is amended to read as follows:

1 Section 1750.11. A. Unless otherwise prescribed by law, any
2 person convicted of violating any provision of the Oklahoma Security
3 Guard and Private Investigator Act or a rule or regulation
4 promulgated pursuant to the Oklahoma Security Guard and Private
5 Investigator Act shall be guilty of a misdemeanor punishable by
6 imprisonment for not more than sixty (60) days, or by a fine of not
7 more than Two Thousand Dollars (\$2,000.00), or by both such
8 imprisonment and fine.

9 B. Any person who willfully makes a false statement, knowing
10 such statement is false, in any application to the Council on Law
11 Enforcement Education and Training for a license pursuant to the
12 Oklahoma Security Guard and Private Investigator Act, or who
13 otherwise commits a fraud in connection with such application, shall
14 be guilty of a Class D1 felony offense punishable by a term of
15 imprisonment ~~for not less than two (2) years nor more than five (5)~~
16 ~~years~~ as provided for in subsections B through F of Section 20N of
17 Title 21 of the Oklahoma Statutes, or by a fine of not more than Two
18 Thousand Dollars (\$2,000.00), or by both such imprisonment and fine.

19 SECTION 542. AMENDATORY 61 O.S. 2021, Section 115, is
20 amended to read as follows:

21 Section 115. Any agreement or collusion among bidders,
22 prospective bidders or material suppliers in restraint of freedom of
23 competition by agreement to bid at a fixed price or to refrain from
24 bidding, or otherwise, shall render the bids of such bidders void.

1 Persons willfully violating this section shall be guilty of a Class
2 D1 felony offense and shall be punished by imprisonment as provided
3 for in subsections B through F of Section 20N of Title 21 of the
4 Oklahoma Statutes. Each bidder shall accompany the bid with a sworn
5 statement that the bidder has not been a party to any such
6 agreement. The form of the statement shall be substantially as
7 provided in Section 85.22 of Title 74 of the Oklahoma Statutes, but
8 modified in wording to refer to the appropriate public agency
9 requesting bids.

10 SECTION 543. AMENDATORY 61 O.S. 2021, Section 116, is
11 amended to read as follows:

12 Section 116. A. Any disclosure by an employee of a public
13 agency of the terms of a bid submitted in response to a bid notice
14 issued by a public agency in advance of the time set for opening of
15 all bids so submitted shall be unlawful. It shall also be unlawful
16 for any person to solicit, possess or receive information which is
17 to be contained in a bid notice of a public agency, for use in
18 preparing a bid, in advance of the date on which said bid notice is
19 to be made equally and uniformly known to all prospective bidders
20 and the public, and it shall further be unlawful for any employee of
21 a public agency to withhold or impede the distribution of said
22 information after notice of the bid has been given, unless the
23 solicitation of bids has been withdrawn or the particular
24 information in question has been deleted or replaced through

1 alteration of the bid notice and said withdrawal or alteration has
2 been made equally and uniformly known. Any violation of this
3 subsection shall be a Class D1 felony offense punishable by
4 imprisonment as provided for in subsections B through F of Section
5 20N of Title 21 of the Oklahoma Statutes and shall render the
6 proceedings void and require solicitation and award anew.

7 B. The estimate of the actual cost of the project made by the
8 public agency, construction manager or consultant for the agency
9 shall not be considered confidential and shall be available to the
10 public in accordance with the Oklahoma Open Records Act.

11 SECTION 544. AMENDATORY 62 O.S. 2021, Section 81, is
12 amended to read as follows:

13 Section 81. Any official or employee thereof or any member or
14 employee of any state board or state commission who shall fail,
15 neglect or refuse to comply with the requirements of Section two (2)
16 hereof, or any other provision of this act, shall forfeit and pay to
17 the use of the State of Oklahoma the sum of Twenty-five Dollars
18 (\$25.00) per day for each and every day that he shall so fail,
19 neglect or refuse to comply with requirements of said act, and shall
20 forfeit and be removed from office; and any such official who shall
21 issue, sign, attest or utter any false or illegal voucher against
22 any monies deposited, as in this act provided, shall be liable to
23 the state on his official bond for a sum double in amount of any
24 such illegal or fraudulent voucher, and shall be deemed guilty of a

1 Class D1 felony offense, and upon conviction thereof shall be
2 punished by a fine in a sum of not less than One Hundred Dollars
3 (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and by
4 imprisonment ~~in the State Penitentiary for a term of not less than~~
5 ~~one (1) year nor more than five (5) years~~ as provided for in
6 subsections B through F of Section 20N of Title 21 of the Oklahoma
7 Statutes.

8 SECTION 545. AMENDATORY 62 O.S. 2021, Section 604, is
9 amended to read as follows:

10 Section 604. Any person who with intent to defraud uses on a
11 public security:

12 ~~(a)~~ 1. A facsimile signature, or any reproduction of it, of any
13 authorized officer~~r~~i or

14 ~~(b)~~ 2. Any facsimile seal, or any reproduction of it, of this
15 state or of any of its departments, agencies, or other
16 instrumentalities or of any of its political subdivisions or
17 districts,

18 is guilty of a Class D1 felony offense and shall be punishable as
19 provided ~~by Section 9~~ for in subsections B through F of Section 20N
20 of Title 21 of the Oklahoma Statutes.

21 SECTION 546. AMENDATORY 63 O.S. 2021, Section 2-404, is
22 amended to read as follows:

23 Section 2-404. A. It shall be unlawful for any person:
24

1 1. Who is subject to the requirements of Article III of this
2 act to distribute or dispense a controlled dangerous substance in
3 violation of Section 2-308 of this title;

4 2. Who is a registrant to manufacture, distribute, or dispense
5 a controlled dangerous substance not authorized by his registration
6 to another registrant or other authorized person;

7 3. To omit, remove, alter, or obliterate a symbol required by
8 the Federal Controlled Substances Act or this act;

9 4. To refuse or fail to make, keep, or furnish any record,
10 notification, order form, statement, invoice, or information
11 required under this act;

12 5. To refuse any entry into any premises or inspection
13 authorized by this act; or

14 6. To keep or maintain any store, shop, warehouse, dwelling
15 house, building, vehicle, boat, aircraft, or any place whatever,
16 which is resorted to by persons using controlled dangerous
17 substances in violation of this act for the purpose of using such
18 substances, or which is used for the keeping or selling of the same
19 in violation of this act.

20 B. Any person who violates this section is punishable by a
21 civil fine of not more than One Thousand Dollars (\$1,000.00);
22 provided, that, if the violation is prosecuted by an information or
23 indictment which alleges that the violation was committed knowingly
24 or intentionally, and the trier of fact specifically finds that the

1 violation was committed knowingly or intentionally, such person is
2 guilty of a Class D1 felony offense punishable by imprisonment ~~for~~
3 ~~not more than five (5) years~~ as provided for in subsections B
4 through F of Section 20N of Title 21 of the Oklahoma Statutes, and a
5 fine of not more than Ten Thousand Dollars (\$10,000.00), except that
6 if such person is a corporation it shall be subject to a civil
7 penalty of not more than One Hundred Thousand Dollars (\$100,000.00).
8 The fine provided for in this subsection shall be in addition to
9 other punishments provided by law and shall not be in lieu of other
10 punishment.

11 C. Any person convicted of a second or subsequent violation of
12 this section is punishable by a term of imprisonment ~~twice that~~
13 ~~otherwise authorized~~ as provided for in subsections B through F of
14 Section 20N of Title 21 of the Oklahoma Statutes and by twice the
15 fine otherwise authorized. The fine provided for in this subsection
16 shall be in addition to other punishments provided by law and shall
17 not be in lieu of other punishment.

18 D. Any person convicted of any offense described in this
19 section shall, in addition to any fine imposed, pay a special
20 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
21 deposited into the Trauma Care Assistance Revolving Fund created in
22 Section 1-2522 of this title.

23 SECTION 547. AMENDATORY 63 O.S. 2021, Section 2200.16A,
24 is amended to read as follows:

1 Section 2200.16A. A. Except as otherwise provided in
2 subsection B of this section, a person that, for valuable
3 consideration, knowingly purchases or sells a part for
4 transplantation or therapy if removal of a part from an individual
5 is intended to occur after the individual's death commits a Class D1
6 felony offense and upon conviction is subject to a fine of not more
7 than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~for not~~
8 ~~more than five (5) years~~ as provided for in subsections B through F
9 of Section 20N of Title 21 of the Oklahoma Statutes, or both such
10 fine and imprisonment.

11 B. A person may charge a reasonable amount for the removal,
12 processing, preservation, quality control, storage, transportation,
13 implantation, or disposal of a part.

14 SECTION 548. AMENDATORY 63 O.S. 2021, Section 2200.17A,
15 is amended to read as follows:

16 Section 2200.17A. A person that, in order to obtain a financial
17 gain, intentionally falsifies, forges, conceals, defaces, or
18 obliterates a document of gift, an amendment or revocation of a
19 document of gift, or a refusal commits a Class D1 felony offense and
20 upon conviction is subject to a fine of not more than Fifty Thousand
21 Dollars (\$50,000.00), or imprisonment ~~for not more than five (5)~~
22 ~~years~~ as provided for in subsections B through F of Section 20N of
23 Title 21 of the Oklahoma Statutes, or both such fine and
24 imprisonment.

1 SECTION 549. AMENDATORY 63 O.S. 2021, Section 4209, is
2 amended to read as follows:

3 Section 4209. A person not entitled to possession of a vessel
4 or motor who, without the consent of the owner and with intent to
5 deprive him of the vessel or motor or its possession, takes, uses,
6 or operates the vessel or motor, upon conviction, shall be guilty of
7 a Class D1 felony offense and shall be punished by a fine of not
8 more than One Thousand Dollars (\$1,000.00), or by imprisonment ~~for~~
9 ~~not more than five (5) years~~ as provided for in subsections B
10 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
11 both such fine and imprisonment.

12 SECTION 550. AMENDATORY 63 O.S. 2021, Section 4209.1, is
13 amended to read as follows:

14 Section 4209.1. A person not entitled to the possession of a
15 vessel or motor who receives, possesses, sells or disposes of such
16 vessel or motor, knowing said vessel or motor to be stolen or
17 converted under circumstances constituting a crime, upon conviction,
18 shall be guilty of a Class D1 felony offense and shall be punished
19 by a fine of not more than One Thousand Dollars (\$1,000.00), or by
20 imprisonment ~~for not more than five (5) years~~ as provided for in
21 subsections B through F of Section 20N of Title 21 of the Oklahoma
22 Statutes, or by both such fine and imprisonment.

23 SECTION 551. AMENDATORY 63 O.S. 2021, Section 4209.2, is
24 amended to read as follows:

1 Section 4209.2. A. As used in this section:

2 1. "Identification number" includes any identifying number,
3 serial number, motor serial number or other distinguishing number or
4 mark, placed on a vessel or motor by its manufacturer or by
5 authority of the Oklahoma Tax Commission or in accordance with the
6 laws of another state or country;

7 2. "Remove" includes deface, cover and destroy; and

8 3. "Falsify" includes alter and forge.

9 B. Any person or persons who shall remove or falsify or cause
10 to be removed or falsified the hull identification number of a
11 vessel or motor in this state, without first giving notice of such
12 act to the Oklahoma Tax Commission, upon such form as the Commission
13 may prescribe, or any person who shall give a wrong description in
14 any application for the registration of any vessel or motor in this
15 state for the purpose of concealing or hiding the identity of such
16 vessel or motor, upon conviction, shall be guilty of a Class D1
17 felony offense and shall be punished by imprisonment ~~in the State~~
18 ~~Penitentiary for a term of not less than one (1) year and not more~~
19 ~~than five (5) years~~ as provided for in subsections B through F of
20 Section 20N of Title 21 of the Oklahoma Statutes.

21 C. A person who buys, receives, possesses, sells or disposes of
22 a vessel or motor, knowing that the identification number of the
23 vessel or motor has been removed or falsified, upon conviction,
24 shall be guilty of a misdemeanor.

1 D. A person who buys, receives, possesses, sells or disposes of
2 a vessel or motor, knowing that the identification number of the
3 vessel or motor has been removed or falsified and with intent to
4 conceal or misrepresent the identity of the vessel or motor, upon
5 conviction, shall be guilty of a Class D1 felony offense and shall
6 be punished by a fine of not more than One Thousand Dollars
7 (\$1,000.00), or by imprisonment ~~for not more than five (5) years~~ as
8 provided for in subsections B through F of Section 20N of Title 21
9 of the Oklahoma Statutes, or by both such fine and imprisonment.

10 E. An identification number may be placed on a vessel or motor
11 by its manufacturer in the regular course of business or placed or
12 restored on a vehicle or engine by authority of the Commission
13 without violating this section. An identification number so placed
14 or restored is not falsified.

15 SECTION 552. AMENDATORY 63 O.S. 2021, Section 4209.3, is
16 amended to read as follows:

17 Section 4209.3. Any person who shall knowingly make any false
18 statement of a material fact, either in his application for a
19 certificate of title, as provided for in this title, or in any
20 assignment thereof, or who, with intent to procure or pass title to
21 a vessel or motor which he knows or has reason to believe has been
22 stolen, or who shall receive or transfer possession of the same from
23 or to another, or who shall have in his possession any vessel or
24 motor which he knows or has reason to believe has been stolen, and

1 who is not a duly authorized peace officer of this state engaged at
2 the time in the performance of his duty as such officer, upon
3 conviction, shall be guilty of a Class D1 felony offense and shall
4 be punished by a fine of not less than One Hundred Dollars (\$100.00)
5 and not more than Five Thousand Dollars (\$5,000.00), or imprisonment
6 ~~in the State Penitentiary for a period of not less than one (1) year~~
7 ~~nor more than ten (10) years~~ as provided for in subsections B
8 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
9 both such fine and imprisonment, at the discretion of the court.
10 This provision shall not be exclusive of any other penalties
11 prescribed by an existing or future law for the larceny or
12 unauthorized taking of a vessel or motor.

13 SECTION 553. AMENDATORY 63 O.S. 2021, Section 4209.4, is
14 amended to read as follows:

15 Section 4209.4. Any person who shall alter or forge, or cause
16 to be altered or forged, any certificate of title issued by the
17 Oklahoma Tax Commission, pursuant to the provisions of this title,
18 or any assignment thereof, or who shall hold or use any such
19 certificate or assignment, knowing the same to have been altered or
20 forged, upon conviction, shall be guilty of a Class D1 felony
21 offense and shall be punished by a fine of not less than Fifty
22 Dollars (\$50.00), and not more than Five Thousand Dollars
23 (\$5,000.00), or by imprisonment ~~in the State Penitentiary for a~~
24 ~~period of not less than one (1) year, nor more than ten (10) years~~

1 as provided for in subsections B through F of Section 20N of Title
2 21 of the Oklahoma Statutes, or by both such fine and imprisonment,
3 at the discretion of the court.

4 SECTION 554. AMENDATORY 64 O.S. 2021, Section 1026, is
5 amended to read as follows:

6 Section 1026. Any employee of the Commissioners of the Land
7 Office who shall knowingly and without authority and in violation of
8 the records destruction policy destroy, forge, falsify, steal,
9 mutilate, hide or intentionally misplace any of the records, files,
10 computer data or any other property of the Commissioners of the Land
11 Office, or who knowingly permits or causes the unlawful destruction,
12 forgery, falsifying, stealing, mutilating, hiding or intentional
13 misplacing of any of the records of the Commissioners of the Land
14 Office, shall be deemed guilty of a Class D1 felony offense, and
15 upon conviction shall be punished by a fine of not more than One
16 Thousand Dollars (\$1,000.00), or by imprisonment ~~in the custody of~~
17 ~~the Department of Corrections not exceeding five (5) years~~ as
18 provided for in subsections B through F of Section 20N of Title 21
19 of the Oklahoma Statutes, or by both fine and imprisonment, and
20 shall be immediately discharged by the Commissioners of the Land
21 Office upon discovery of the acts.

22 SECTION 555. AMENDATORY 64 O.S. 2021, Section 1094, is
23 amended to read as follows:
24

1 Section 1094. Any person who prospects for minerals owned by
2 the State of Oklahoma, under the jurisdiction and control of the
3 Commissioners of the Land Office, without a prospecting permit, or
4 who removes any such minerals without a lease contract, contrary to
5 the provisions of this act, or who violates any other terms or
6 provisions of this act, shall be guilty of a Class D1 felony offense
7 and upon conviction shall be punished by a fine of not less than
8 Fifty Dollars (\$50.00) and not to exceed Fifty Thousand Dollars
9 (\$50,000.00), or by imprisonment ~~for not less than thirty (30) days~~
10 ~~and not to exceed ten (10) years~~ as provided for in subsections B
11 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
12 both such fine and imprisonment.

13 SECTION 556. AMENDATORY 66 O.S. 2021, Section 304, is
14 amended to read as follows:

15 Section 304. A. The Department of Transportation is hereby
16 authorized and empowered:

17 1. To acquire, construct, reconstruct, repair, replace, operate
18 and maintain railroad rights-of-way and trackage projects at such
19 locations and on such routes as it shall determine to be feasible
20 and economically sound;

21 2. To enter into agreements with the owners of operating
22 railroads for the acquisition and/or use of railroad rights-of-way
23 and trackage on such terms, conditions, rates or rentals as the
24 Department may consider to be in the best interests of the state;

1 3. To enter directly into agreements with owners of operating
2 railroads or persons intending to operate as common carriers by rail
3 to sell, lease, or sell by lease-purchase agreement any state-owned
4 railroad property on such terms, conditions or amounts as the
5 Department may consider to be in the best interests of the state and
6 to promote the purposes of the Railroad Revitalization Act;

7 4. Prior to the sale of any railroad asset owned by the State
8 of Oklahoma or the Department of Transportation, a process of
9 request for proposal shall be initiated by the Department of
10 Transportation with consultation by the Office of Management and
11 Enterprise Services. Upon the issue date of a request for proposal
12 regarding the sale of any railroad asset owned by the State of
13 Oklahoma or the Department of Transportation, interested parties
14 will have no less than ninety (90) days to provide a response.
15 Following the close of the ninety-day response period, the
16 Department of Transportation will conduct an evaluation of all
17 submitted proposals, utilizing all available resources, and the
18 Department of Commerce shall conduct an economic impact and/or
19 activity study of all proposals. The Secretary of Transportation,
20 Secretary of Finance, Secretary of Commerce, Secretary of
21 Agriculture, and Secretary of Energy shall be responsible for
22 preparing a recommendation to the Transportation Commission, based
23 on its evaluation of all submitted proposals including the results
24 of the economic impact and/or activity study, provided the

1 recommendation meets all other statutory requirements needed for
2 action by the Commission. The Secretary of Transportation,
3 Secretary of Finance, Secretary of Commerce, Secretary of
4 Agriculture, and Secretary of Energy will have up to ninety (90)
5 days, upon the closing date of the request for proposal, to present
6 its recommendation to the Transportation Commission. The
7 Transportation Commission will be responsible for determining if the
8 sale of railroad assets within its jurisdiction is in the best
9 interests of the State of Oklahoma and for authorizing the sale of
10 such assets. If a determination is rendered by the Transportation
11 Commission that the sale of any railroad asset within its
12 jurisdiction is appropriate, notification must be made to the
13 Speaker of the House of Representatives and the President Pro
14 Tempore of the Senate in writing prior to the Commission meeting
15 where final action will take place. All proceeds from the sale
16 shall be deposited into the Railroad Maintenance Revolving Fund;

17 5. To acquire and hold real or personal property in the
18 exercise of its powers for the performance of its duties as
19 authorized by this act. Surplus property may be disposed of by the
20 Department;

21 6. To acquire in the name of the Department, by purchase or
22 otherwise on such terms and conditions and in such manner as it may
23 deem proper, or by exercise of the right of condemnation, such
24 public or private lands and personalty, including public parks,

1 playgrounds, or reservations, or parts thereof or rights therein,
2 rights-of-way, trackage, property, rights, easements, and interests,
3 as it may deem necessary for carrying out the provisions of the
4 Railroad Revitalization Act;

5 7. To make and enter into all contracts and agreements
6 necessary or incidental to the performance of its duties and the
7 execution of its powers under the Railroad Revitalization Act, and
8 to employ rail planning and management consultants, consulting
9 engineers, attorneys, accountants, construction and financial
10 consultants, superintendents, managers, and such other employees and
11 agents as may be necessary in its judgment, and to fix their
12 compensation; provided, that all such expenses shall be payable
13 solely from funds made available under and pursuant to the
14 provisions of the Railroad Revitalization Act or from revenues;
15 provided, further, no attorney employed by the Department, nor any
16 member of any law firm of which the member may be connected, shall
17 ever be paid any fee or compensation for any special or
18 extraordinary services;

19 8. To receive, accept and expend funds from the state, any
20 federal agency, or from private sources, for rail planning and for
21 administration of railroad assistance projects, and for or in aid of
22 the acquisition, construction, reconstruction, replacement, repair,
23 maintenance and operation of railroad rights-of-way and trackage and
24 for rail service continuation payments to railroad companies for

operating losses sustained by reasons of continuing service on a line which may otherwise be abandoned or which may experience a reduced level of service not in the public interest, where such continuation of service is carried out under a written agreement with the Department establishing the terms and conditions for such payments, and to receive and accept funds, aid or contributions from any source of either money, property, labor or other things of value, to be held, used and applied only for the purposes for which such funds, aid or contributions may be made;

9. To adopt such rules and to do any and all things necessary to comply with rules, regulations or requirements of the United States Department of Transportation, any successor thereof, the Surface Transportation Board or any federal agency administering any law enacted by the Congress of the United States or having funds available for the purpose of the Department that are not inconsistent with or contrary to the prohibitions and restrictions of Oklahoma law or public interest;

10. To expend, not to exceed twenty percent (20%) of the funds available in the Railroad Maintenance Revolving Fund during any one (1) year, at locations approved by the Oklahoma Corporation Commission, such Railroad Maintenance Revolving Fund monies as may be budgeted by the Department of Transportation for the purposes of installing signal lights, gate arms, or other active warning devices where any public road, street, or highway crosses a railroad right-

1 of-way; provided, however, nothing in this act shall negate, change,
2 or otherwise modify any existing statutory or common law duty of a
3 railroad company;

4 11. To expend income and funds from the Railroad Maintenance
5 Revolving Fund in the exercise of any or all of the foregoing
6 powers; and

7 12. To do all things necessary or convenient to carry out the
8 powers expressly granted in this act.

9 B. It shall be unlawful for any member, officer or employee of
10 the Department to transact with the Department, either directly or
11 indirectly, any business for profit of such member, officer or
12 employee; and any person, firm or corporation knowingly
13 participating therein shall be equally liable for violation of this
14 provision.

15 The term "business for profit" shall include, but not be limited
16 to, the acceptance or payment of any fee, commission, gift, or
17 consideration to such member, officer or employee.

18 Violation of this provision shall constitute a Class D1 felony
19 offense and upon conviction shall be punishable by incarceration ~~in~~
20 ~~the State Penitentiary for a term not to exceed five (5) years as~~
21 provided for in subsections B through F of Section 20N of Title 21
22 of the Oklahoma Statutes, or by a fine of not less than Five Hundred
23 Dollars (\$500.00) and not more than Five Thousand Dollars
24 (\$5,000.00), or by both such imprisonment and fine.

1 C. All meetings of the Department shall be open public
2 meetings, and all records shall be public records, except when
3 considering personnel.

4 SECTION 557. AMENDATORY 66 O.S. 2021, Section 324, is
5 amended to read as follows:

6 Section 324. A. The Department of Transportation is hereby
7 authorized and empowered to:

8 1. Acquire, construct, reconstruct, repair, replace, operate
9 and maintain railroad rights-of-way and trackage projects at such
10 locations and on such passenger routes as it shall determine to be
11 feasible and economically sound;

12 2. Enter into agreements with the owners of operating railroads
13 for the acquisition and/or use of railroad rights-of-way and
14 trackage on such terms, conditions, rates or rentals as the
15 Department may consider to be in the best interests of the state;

16 3. Enter directly into agreements with owners of operating
17 passenger railroads to sell, lease, or sell by lease-purchase
18 agreement any state-owned railroad property on such terms,
19 conditions or amounts as the Department may consider to be in the
20 best interests of the state and to promote the purposes of this act;

21 4. Acquire and hold real or personal property in the exercise
22 of its powers for the performance of its duties as authorized by
23 this act. Surplus property may be disposed of by the Department;
24

1 5. Acquire in the name of the Department, by purchase or
2 otherwise on such terms and conditions and in such manner as it may
3 deem proper, or by exercise of the right of condemnation, such
4 public or private lands and ~~personality~~ personalty, including public
5 parks, playgrounds, or reservations, or parts thereof or rights
6 therein, rights-of-way, trackage, property, rights, easements, and
7 interests, as it may deem necessary for carrying out the provisions
8 of this act;

9 6. Make and enter into all contracts and agreements necessary
10 or incidental to the performance of its duties and the execution of
11 its powers under this act, and to employ passenger rail planning and
12 management consultants, consulting engineers, attorneys,
13 accountants, construction and financial consultants,
14 superintendents, managers, and such other employees and agents as
15 may be necessary in its judgment, and to fix their compensation;
16 provided, that all such expenses shall be payable solely from funds
17 made available under and pursuant to the provisions of this act or
18 from revenues; provided, further, no attorney employed by the
19 Department, nor any member of any law firm of which he or she may be
20 connected, shall ever be paid any fee or compensation for any
21 special or extraordinary services;

22 7. Receive, accept and expend funds from the state, any federal
23 agency, or from private sources, for passenger rail planning and for
24 administration of passenger railroad assistance projects, and for,

1 or in aid of the acquisition, construction, reconstruction,
2 replacement, repair, maintenance and operation of passenger railroad
3 rights-of-way and trackage and for passenger rail service
4 continuation payments to railroad companies for operating losses
5 sustained by reasons of continuing service on a line which may
6 otherwise be abandoned or which may experience a reduced level of
7 service not in the public interest, where such continuation of
8 service is carried out under a written agreement with the Department
9 establishing the terms and conditions for such payments, and to
10 receive and accept funds, aid or contributions from any source of
11 either money, property, labor or other things of value, to be held,
12 used and applied only for the purposes for which such funds, aid or
13 contributions may be made;

14 8. Adopt such rules and to do any and all things necessary to
15 comply with rules, regulations or requirements of the United States
16 Department of Transportation, any successor thereof, the Interstate
17 Commerce Commission or any federal agency administering any law
18 enacted by the Congress of the United States or having funds
19 available for the purpose of the Department that are not
20 inconsistent with or contrary to the prohibitions and restrictions
21 of Oklahoma law or public interest;

22 9. Expend income and funds from the Oklahoma Tourism and
23 Passenger Rail Revolving Fund created in Section 5 of this act in
24 the exercise of any or all of the foregoing powers; and

1 10. Do all things necessary or convenient to carry out the
2 powers expressly granted in this act.

3 B. It shall be unlawful for any member, officer or employee of
4 the Department to transact with the Department, either directly or
5 indirectly, any business for profit of such member, officer or
6 employee; and any person, firm or corporation knowingly
7 participating therein shall be equally liable for violation of this
8 provision.

9 The term "business for profit" shall include, but not be limited
10 to, the acceptance or payment of any fee, commission, gift, or
11 consideration to such member, officer or employee.

12 Violation of this provision shall constitute a Class D1 felony
13 offense and, upon conviction, shall be punishable by a fine of not
14 less than Five Hundred Dollars (\$500.00) and not more than Five
15 Thousand Dollars (\$5,000.00), or by imprisonment ~~in the custody of~~
16 ~~the Department of Corrections for not more than five (5) years as~~
17 provided for in subsections B through F of Section 20N of Title 21
18 of the Oklahoma Statutes, or by both such fine and imprisonment.

19 C. All meetings of the Department shall be open public
20 meetings, and all records shall be public records, except when
21 considering personnel.

22 SECTION 558. AMENDATORY 67 O.S. 2021, Section 83, is
23 amended to read as follows:
24

1 Section 83. If any officer or person having possession, custody
2 or control of any record, book, paper taxroll, assessment, or any
3 other file or matter of record, authorized herein to be copied or
4 transcribed, shall fail, refuse, or neglect, or in any manner hinder
5 or delay, after demand shall have been made to permit such
6 transcribing or copying, or who shall destroy, mutilate, conceal or
7 remove any such record, book, paper, taxroll, assessment, or any
8 other file or matter of record, or other evidence so required to be
9 copied or transcribed, or who shall cause or permit to be removed
10 from its customary place any such record, book, paper, taxroll,
11 assessment, or any other file or matter of record, or who shall
12 refuse upon request to divulge the location of any such record,
13 book, paper, taxroll, assessment, or any other file or matter of
14 record, shall be deemed guilty of a Class D1 felony offense, and
15 upon conviction in any court of competent jurisdiction shall be
16 fined in any sum not less than Two Hundred Fifty Dollars (\$250.00)
17 nor more than Three Thousand Five Hundred Dollars (\$3,500.00) and
18 ~~confined in the State Penitentiary for a term of not less than one~~
19 ~~(1) year and not more than five (5) years~~ as provided for in
20 subsections B through F of Section 20N of Title 21 of the Oklahoma
21 Statutes, and any person so convicted shall be forever barred from
22 holding any office of profit or trust within the State of Oklahoma.

23 SECTION 559. AMENDATORY 68 O.S. 2021, Section 240.1, is
24 amended to read as follows:

1 Section 240.1. A. Any taxpayer who, with intent to defraud the
2 state or evade the payment of any state tax, fee, interest, or
3 penalty which shall be due pursuant to any state tax law, shall fail
4 or refuse to file any report or return required to be filed pursuant
5 to the provisions of any state tax law, or shall fail or refuse to
6 furnish a supplemental return or other data required by the Tax
7 Commission, shall be guilty, upon conviction, of a Class D1 felony
8 offense and shall be punished by imposition of a fine of not less
9 than One Thousand Dollars (\$1,000.00) and not more than Fifty
10 Thousand Dollars (\$50,000.00), or by imprisonment in the State
11 ~~Penitentiary for not less than two (2) years and not more than five~~
12 ~~(5) years~~ as provided for in subsections B through F of Section 20N
13 of Title 21 of the Oklahoma Statutes, or by both such fine and
14 imprisonment.

15 B. The venue for prosecutions arising pursuant to the
16 provisions of this section shall be in the district court of any
17 county in which such taxpayer resides or, if such taxpayer is not a
18 resident of this state, any county in which such taxpayer conducts
19 business or maintains an established place of business.

20 C. Failure or refusal of a taxpayer to file any report or
21 return required to be filed pursuant to the provisions of any state
22 law, or failure or refusal of a taxpayer to furnish a supplemental
23 return or other data required by the Tax Commission within thirty
24 (30) days after notice by personal service or by registered or

1 certified mail with return receipt requested of the due date of such
2 report or return, shall be, for purposes of this section, prima
3 facie evidence of intent of the taxpayer to defraud the state and
4 evade the payment of such tax. The provisions of this subsection
5 shall be set forth in full in such notice to the taxpayer.

6 D. The Tax Commission may grant additional time to the taxpayer
7 to furnish such return or other data. In such event, a failure of
8 the taxpayer to furnish such return or other data within thirty (30)
9 days from the date to which the time is extended shall, for purposes
10 of this section, be prima facie evidence of the intent of the
11 taxpayer to defraud the state and evade the payment of such tax.

12 SECTION 560. AMENDATORY 68 O.S. 2021, Section 241, is
13 amended to read as follows:

14 Section 241. A. Any person required to make, render, sign or
15 verify any report, return, statement, claim, application, or other
16 instrument, pursuant to the provisions of this title or of any state
17 tax law who, with intent to defeat or evade the payment of the tax,
18 shall make a false or fraudulent return, statement, report, claim,
19 invoice, application, or other instrument, or any person who shall
20 aid or abet another in filing with the Tax Commission such a false
21 or fraudulent report or statement, shall be guilty, upon conviction,
22 of a Class D1 felony offense and shall be punished by the imposition
23 of a fine of not less than One Thousand Dollars (\$1,000.00) and not
24 more than Fifty Thousand Dollars (\$50,000.00), or shall be

1 ~~imprisoned in the State Penitentiary for not less than two (2) years~~
2 ~~and not more than five (5) years~~ as provided for in subsections B
3 through F of Section 20N of Title 21 of the Oklahoma Statutes, or
4 shall be punished by both said fine and imprisonment.

5 B. The venue of prosecutions arising pursuant to the provisions
6 of this section shall be in the district court of any county where
7 such return or report was verified.

8 SECTION 561. AMENDATORY 68 O.S. 2021, Section 450.8, is
9 amended to read as follows:

10 Section 450.8. A. Any dealer violating the provisions of this
11 act, except Section 450.9 of this title, shall pay a civil penalty
12 of one hundred percent (100%) of the amount of the tax levied in
13 Section 450.2 of this title in addition to the actual tax levied in
14 said section.

15 B. Any dealer manufacturing, distributing, producing, shipping,
16 transporting, importing or possessing any controlled dangerous
17 substance without affixing the appropriate stamp, upon conviction,
18 is guilty of a Class D1 felony offense punishable by imprisonment ~~in~~
19 ~~the State Penitentiary for not more than five (5) years~~ as provided
20 for in subsections B through F of Section 20N of Title 21 of the
21 Oklahoma Statutes, or by the imposition of a fine of not more than
22 Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and
23 fine.

1 C. Nothing in this act may in any manner provide immunity for a
2 dealer from criminal prosecution pursuant to Oklahoma law.

3 SECTION 562. AMENDATORY 68 O.S. 2021, Section 450.9, is
4 amended to read as follows:

5 Section 450.9. A. No person shall willfully remove or
6 otherwise prepare any adhesive stamps, with intent to use, or cause
7 the same to be used, after it has already been used or knowingly or
8 willfully buy, sell, offer for sale, or give away, any such washed
9 or restored stamp to any person, or knowingly use the same, or have
10 in his possession any washed, restored, or altered stamp which has
11 been removed from the controlled dangerous substance to which it had
12 been previously affixed.

13 B. No person shall for the purpose of indicating the payment of
14 any tax levied by Section 450.2 of this title, reuse any stamp which
15 has heretofore been used for the purpose of paying any tax levied by
16 Section 450.2 of this title, or buy, sell, offer for sale, or have
17 in his possession, any counterfeit stamps.

18 C. Any person convicted of violating any provision of this
19 section shall be guilty of a Class D1 felony offense and shall be
20 punished by a fine of not more than One Thousand Dollars
21 (\$1,000.00), or by imprisonment ~~for not more than five (5) years as~~
22 provided for in subsections B through F of Section 20N of Title 21
23 of the Oklahoma Statutes, or by both such fine and imprisonment.

1 SECTION 563. AMENDATORY 68 O.S. 2021, Section 2003, is
2 amended to read as follows:

3 Section 2003. Any person who shall make any false oath to any
4 report required by the provisions of this ~~Act~~ act, shall be deemed
5 guilty of perjury, a Class D1 felony offense punishable as provided
6 for in subsections B through F of Section 20N of Title 21 of the
7 Oklahoma Statutes.

8 SECTION 564. AMENDATORY 68 O.S. 2021, Section 2376, is
9 amended to read as follows:

10 Section 2376. A. Any person, natural or corporate, or any
11 officer or agent of any corporation who, with the intent to defraud
12 the state or evade the payment of any income tax, shall fail to file
13 a state income tax return when such person is required to do so by
14 the statutes of Oklahoma, and within the time in which such returns
15 are required to be filed, or within a time extension if obtained
16 from the Tax Commission shall be guilty, upon conviction, of a
17 felony and shall be punished as provided for in Section 240.1 of
18 this title.

19 B. Any person, natural or corporate, or any officer or agent of
20 any corporation who, with the intent to defraud the state, or evade
21 the payment of any income tax, files a state income tax return which
22 is false in any material items or particular, shall be guilty, upon
23 conviction, of a Class D1 felony offense and shall be punished as
24 provided for in subsection A of Section 241 of this title.

1 C. Nothing in this section shall be construed to prevent the
2 state or any agency thereof from collecting any fees or penalties as
3 provided by law. Any corporate violator may be so fined.

4 D. Offenses defined in this section shall be reported to the
5 appropriate district attorney of this state by the Oklahoma Tax
6 Commission as soon as said offenses are discovered by the Commission
7 or its agents or employees. Any other provision of law to the
8 contrary notwithstanding, the Commission shall make available to the
9 appropriate district attorney, or to the authorized agent of said
10 district attorney, its records and files pertinent to such
11 prosecutions, and such records and files shall be fully admissible
12 for the purpose of such prosecutions.

13 SECTION 565. AMENDATORY 68 O.S. 2021, Section 2920, is
14 amended to read as follows:

15 Section 2920. If any county treasurer in this state or his
16 deputy, or any other person shall knowingly and willfully make,
17 issue, and deliver any tax receipt, or duplicate tax receipt,
18 required to be issued, by fraudulently making the tax receipt and
19 its duplicate, or the paper purporting to be its duplicate,
20 different from each other with the intent to defraud the State of
21 Oklahoma or any county in said state or any person whomsoever, such
22 county treasurer or deputy treasurer or other person shall be deemed
23 guilty of a Class D1 felony offense, and on conviction thereof shall
24 be sentenced to imprisonment ~~in the State Penitentiary for a time~~

1 ~~not less than one (1) year nor more than five (5) years~~ as provided
2 for in subsections B through F of Section 20N of Title 21 of the
3 Oklahoma Statutes.

4 SECTION 566. AMENDATORY 68 O.S. 2021, Section 2945, as
5 amended by Section 4, Chapter 349, O.S.L. 2022 (68 O.S. Supp. 2024,
6 Section 2945), is amended to read as follows:

7 Section 2945. A. If any person shall knowingly and willfully
8 make or give under oath or affirmation a false and fraudulent list
9 of taxable personal property, or a false and fraudulent list of any
10 taxable personal property under the control of the person or
11 required to be listed by the person, or shall knowingly and
12 willfully make false answer to any question which may be put under
13 oath by any person, board or commission authorized to examine
14 persons under oath in relation to the value or amount of any taxable
15 personal property, the person shall be deemed guilty of the felony
16 of perjury, a Class D1 felony offense, and upon conviction shall be
17 punished by imprisonment as ~~is provided by law for the punishment of~~
18 ~~the felony of perjury~~ for in subsections B through F of Section 20N
19 of Title 21 of the Oklahoma Statutes.

20 B. If any taxpayer, or any official, employee, or agent of the
21 taxpayer, shall fail or refuse, upon proper request, to permit the
22 inspection of any property or the examination of any books, records
23 and papers by any person authorized by the Ad Valorem Tax Code to do
24 so, or shall fail or refuse to comply with any subpoena duces tecum

1 legally issued under authority of this Code, the taxpayer shall be
2 stopped from questioning or contesting the amount or validity of any
3 assessment placed upon the property of the taxpayer to the board of
4 equalization. Nothing in this section shall impair or impede the
5 right of the taxpayer to appeal any order of the board of
6 equalization to the district court or Court of Tax Review as
7 provided for in Section 2880.1 of this title.

8 SECTION 567. AMENDATORY 68 O.S. 2021, Section 3609, is
9 amended to read as follows:

10 Section 3609. Any person making an application, claim for
11 payment or any report, return, statement or other instrument or
12 providing any other information pursuant to the provisions of this
13 act who willfully makes a false or fraudulent application, claim,
14 report, return, statement, invoice or other instrument or who
15 willfully provides any false or fraudulent information, or any
16 person who willfully aids or abets another in making such false or
17 fraudulent application, claim, report, return, statement, invoice or
18 other instrument or who willfully aids or abets another in providing
19 any false or fraudulent information, upon conviction, shall be
20 guilty of a Class D1 felony offense punishable by the imposition of
21 a fine of not less than One Thousand Dollars (\$1,000.00) and not
22 more than Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~in~~
23 ~~the State Penitentiary for not less than two (2) years and not more~~
24 ~~than five (5) years~~ as provided for in subsections B through F of

1 Section 20N of Title 21 of the Oklahoma Statutes, or by both such
2 fine and imprisonment. Any person convicted of a violation of this
3 section shall be liable for the repayment of all incentive payments
4 which were paid to the establishment. Interest shall be due on such
5 payments at the rate of ten percent (10%) per annum.

6 SECTION 568. AMENDATORY 68 O.S. 2021, Section 3807, is
7 amended to read as follows:

8 Section 3807. Any person making an application, claim for
9 payment or any report, return, statement or other instrument or
10 providing any other information pursuant to the provisions of the
11 Former Military Facility Development Act who willfully makes a false
12 or fraudulent application, claim, report, return, statement, invoice
13 or other instrument or who willfully provides any false or
14 fraudulent information, or any person who willfully aids or abets
15 another in making such false or fraudulent application, claim,
16 report, return, statement, invoice or other instrument or who
17 willfully aids or abets another in providing any false or fraudulent
18 application, claim, report, return, statement, invoice or other
19 instrument or who willfully aids or abets another in providing any
20 false or fraudulent information, upon conviction, shall be guilty of
21 a Class D1 felony offense punishable by the imposition of a fine of
22 not less than One Thousand Dollars (\$1,000.00) and not more than
23 Fifty Thousand Dollars (\$50,000.00), or imprisonment ~~in the State~~
24 ~~Penitentiary for not less than two (2) years and not more than five~~

1 ~~(5) years~~ as provided for in subsections B through F of Section 20N
2 of Title 21 of the Oklahoma Statutes, or by both such fine and
3 imprisonment. Any person convicted of a violation of this section
4 shall be liable for the repayment of all incentive payments which
5 were paid to the establishment. Interest shall be due on such
6 payments at the rate of ten percent (10%) per annum.

7 SECTION 569. AMENDATORY 68 O.S. 2021, Section 4109, is
8 amended to read as follows:

9 Section 4109. Any person making an application, claim for
10 payment or any report, return, statement or other instrument or
11 providing any other information pursuant to the provisions of this
12 act who willfully makes a false or fraudulent application, claim,
13 report, return, statement, invoice or other instrument or who
14 willfully provides any false or fraudulent information, or any
15 person who willfully aids or abets another in making such false or
16 fraudulent application, claim, report, return, statement, invoice or
17 other instrument or who willfully aids or abets another in providing
18 any false or fraudulent information, upon conviction, shall be
19 guilty of a Class D1 felony offense punishable by the imposition of
20 a fine not less than One Thousand Dollars (\$1,000.00) and not more
21 than Fifty Thousand Dollars (\$50,000.00), or imprisonment in the
22 ~~State Penitentiary for not less than two (2) years and not more than~~
23 ~~five (5) years~~ as provided for in subsections B through F of Section
24 20N of Title 21 of the Oklahoma Statutes, or by both such fine and

1 imprisonment. Any person convicted of a violation of this section
2 shall be liable for the repayment of all investment payments which
3 were paid to the establishment. Interest shall be due on such
4 payments at the rate of ten percent (10%) per annum.

5 SECTION 570. AMENDATORY 68 O.S. 2021, Section 4209, is
6 amended to read as follows:

7 Section 4209. Any person making an application, claim for
8 payment or any report, return, statement or other instrument or
9 providing any other information pursuant to the provisions of this
10 act who willfully makes a false or fraudulent application, claim,
11 report, return, statement, invoice or other instrument or who
12 willfully provides any false or fraudulent information, or any
13 person who willfully aids or abets another in making such false or
14 fraudulent application, claim, report, return, statement, invoice or
15 other instrument or who willfully aids or abets another in providing
16 any false or fraudulent information, upon conviction, shall be
17 guilty of a Class D1 felony offense punishable by the imposition of
18 a fine not less than One Thousand Dollars (\$1,000.00) and not more
19 than Fifty Thousand Dollars (\$50,000.00), or imprisonment in the
20 State Penitentiary for not less than two (2) years and not more than
21 five (5) years as provided for in subsections B through F of Section
22 20N of Title 21 of the Oklahoma Statutes, or by both such fine and
23 imprisonment. Any person convicted of a violation of this section
24 shall be liable for the repayment of all incentive payments which

1 were paid to the establishment. Interest shall be due on such
2 payments at the rate of ten percent (10%) per annum.

3 SECTION 571. AMENDATORY 69 O.S. 2021, Section 310, is
4 amended to read as follows:

5 Section 310. ~~(a)~~ A. No official or employee of the Commission,
6 governing body or other governmental instrumentality who is
7 authorized in his official capacity to negotiate, make, accept, or
8 approve, or to take part in negotiating, making, accepting or
9 approving any contract or subcontract in connection with a project
10 shall have, directly or indirectly, any financial or other personal
11 interest in any such contract or subcontract. No engineer,
12 attorney, appraiser, inspector or other person performing services
13 for the Commission, governing body, or other governmental
14 instrumentality in connection with a project shall have, directly or
15 indirectly, a financial or other personal interest, other than his
16 employment or retention by the Commission, governing body, or other
17 governmental instrumentality, in any contract or subcontract in
18 connection with such project. No officer or employee of such person
19 retained by the Commission, governing body or other governmental
20 instrumentality shall have, directly or indirectly, any financial or
21 other personal interest in any real property acquired for a project
22 unless such interest is openly disclosed upon the public records of
23 the Commission, the governing body or other governmental
24 instrumentality, and such officer, employee or person has not

1 participated in such acquisition for and in behalf of the
2 Commission, the governing body or other governmental
3 instrumentality.

4 ~~(b)~~ B. Any official or employee of the Commission, governing
5 body or other governmental instrumentality, or officer or employee
6 of such person retained by the Commission, the governing body or
7 other governmental instrumentality who knowingly violates any of the
8 provisions of this section shall be guilty of a Class D1 felony
9 offense and upon conviction thereof shall be punished by
10 imprisonment ~~in the State Penitentiary for a term not to exceed five~~
11 ~~(5) years~~ as provided for in subsections B through F of Section 20N
12 of Title 21 of the Oklahoma Statutes, or by a fine not exceeding Ten
13 Thousand Dollars (\$10,000.00), or by both such imprisonment and
14 fine. In addition, if the Commission or the Director enters into
15 any contract on the part of the Department in which the Director or
16 any member of the Commission is interested, directly or indirectly,
17 and the state suffers a loss due to excessive charges or otherwise,
18 the members of the Commission knowingly voting to enter into or to
19 approve such contract, and the Director knowingly entering into,
20 approving, or recommending any such contract, and the contracting
21 party, shall be jointly and individually liable for any loss the
22 state may suffer. The official bonds of such officer shall be
23 liable for such loss. The provisions of this section shall be
24 cumulative to existing law. The members of the Commission and the

1 Director found guilty of violating any of the provisions of this
2 section shall in addition to the penalty heretofore set out forfeit
3 their respective offices.

4 ~~(e)~~ C. Any employee of the Department, Director or Commission,
5 who in the course of such employment knowingly accepts, approves, or
6 recommends for approval or payment any material, service, job,
7 project, or structure, or any part thereof, which does not meet the
8 specifications therefor, or is to his knowledge otherwise more
9 deficient in quality, quantity or design than was provided for in
10 the plans, purchase orders or any minimum standard provided by any
11 state agency or official, or by law, shall be guilty of a felony
12 and, upon conviction, shall be punished and penalized as provided by
13 this section.

14 ~~(d)~~ D. The ownership by any member of the Commission, or the
15 Director, of less than five percent (5%) of the stocks or shares
16 actually issued by a corporation contracting with the Department
17 shall not be considered an interest, directly or indirectly, in a
18 contract with such corporation within the meaning of this section,
19 and such ownership shall not affect the validity of any contract, or
20 impose liability under this section unless the owner of such stock
21 or shares is also an officer or agent of the corporation or
22 association. Ownership shall include any stock or shares standing
23 in the name of a member of the Commissioners' or Director's
24 immediate family or a family trust.

1 SECTION 572. AMENDATORY 69 O.S. 2021, Section 1705, is
2 amended to read as follows:

3 Section 1705. The Oklahoma Turnpike Authority is hereby
4 authorized and empowered:

5 (a) To adopt bylaws for the regulation of its affairs and
6 conduct of its business.

7 (b) To adopt an official seal and alter the same at pleasure.

8 (c) To maintain an office at such place or places within the
9 state as it may designate.

10 (d) To sue and be sued in contract, reverse condemnation,
11 equity, mandamus and similar actions in its own name, plead and be
12 impleaded; provided, that any and all actions at law or in equity
13 against the Authority shall be brought in the county in which the
14 principal office of the Authority shall be located, or in the county
15 of the residence of the plaintiff, or the county where the cause of
16 action arose. All privileges granted to the Authority and duties
17 enjoined upon the Authority by the provisions of Sections 1701
18 through 1734 of this title may be enforced in a court of competent
19 jurisdiction in an action in mandamus.

20 (e) To construct, maintain, repair and operate turnpike
21 projects and highways, with their access and connecting roads, at
22 such locations and on such routes as it shall determine to be
23 feasible and economically sound; provided, that until specifically
24 authorized by the Legislature, the Authority shall be authorized to

1 construct and operate toll turnpikes only at the following
2 locations:

3 (1) The Turner Turnpike between Oklahoma City and Tulsa.

4 (2) The Southwestern (H.E. Bailey) Turnpike between Oklahoma
5 City and Wichita Falls, Texas.

6 (3) The Northeastern (Will Rogers) Turnpike between Tulsa and
7 Joplin, Missouri.

8 (4) The Eastern (Indian Nation) Turnpike between Tulsa and
9 Paris, Texas, including all or any part thereof between McAlester
10 and the Red River south of Hugo.

11 (5) The Cimarron Turnpike between Tulsa and Interstate Highway
12 35 north of Perry, including a connection to Stillwater.

13 (6) The Muskogee Turnpike between Broken Arrow and Interstate
14 Highway 40 west of Webbers Falls.

15 (7) All or any part of an extension of the Muskogee Turnpike,
16 beginning at a point on Interstate Highway 40 near the present south
17 terminus of the Muskogee Turnpike, and extending in a southeasterly
18 direction on an alignment near Stigler, Poteau and Heavener to the
19 vicinity of the Arkansas State Line to furnish access to Hot
20 Springs, Texarkana, Shreveport and New Orleans.

21 (8) A tollgate on the Turner Turnpike in the vicinity of
22 Luther, Oklahoma, and in the vicinity of the intersection of State
23 Highway 33 and Turner Turnpike in Creek County, Oklahoma, or in the
24 vicinity of the intersection of State Highway 33 and Turner Turnpike

1 or U.S. Highway 66 in Creek County, Oklahoma, from any monies
2 available to the Authority.

3 (9) Add on the Will Rogers Turnpike a northbound automatic
4 tollgate onto State Highway 28 and a southbound on-ramp from State
5 Highway 28.

6 (10) A turnpike or any part or parts thereof beginning in the
7 vicinity of Duncan extending east to the vicinity of the City of
8 Davis, and extending in a northeasterly direction, by way of the
9 vicinity of the City of Ada, to a connection in the vicinity of
10 Henryetta or in the vicinity of the intersection of State Highway 48
11 and Interstate 40; and a turnpike or any part or parts thereof from
12 the vicinity of Snyder extending north to the vicinity of Woodward.

13 (11) A turnpike or any part or parts thereof beginning at a
14 point in the vicinity of Ponca City, or at a point on the Kansas-
15 Oklahoma state boundary line east of the Arkansas River and west of
16 the point where Oklahoma State Highway No. 18 intersects said state
17 boundary line, and extending in a southeasterly direction to a
18 connection with the Tulsa Urban Expressway System in the general
19 area of the Port of Catoosa.

20 (12) All or any part of an Oklahoma City toll expressway system
21 connecting the residential, industrial and State Capitol Complex in
22 the north part of Oklahoma City with the residential, industrial and
23 Will Rogers World Airport Complex in the south and southwest parts
24 of Oklahoma City.

1 (13) A turnpike (The Industrial Parkway) or any part or parts
2 thereof beginning at a point on the Oklahoma-Kansas state boundary
3 line between the point where U.S. Highway 66 intersects the boundary
4 line and the northeast corner of Oklahoma and ending by means of a
5 connection or connections with Shreveport, Louisiana, and Houston,
6 Texas, in southeastern Oklahoma and at no point to exceed thirty
7 (30) miles west of the Missouri or Arkansas border.

8 (14) A turnpike or any part or parts thereof beginning in the
9 vicinity of Velma or County Line to a point intersecting with
10 Interstate 35 in the area south of Davis.

11 (15) A turnpike or any part or parts thereof beginning in the
12 vicinity of Watonga and extending south and/or east to the vicinity
13 of north and/or west Oklahoma City.

14 (16) A tollgate on the Will Rogers Turnpike near the
15 intersection of State Highway 137 and the Will Rogers Turnpike,
16 located south of Quapaw.

17 (17) A tollgate on the Muskogee Turnpike in the vicinity of
18 Porter, Oklahoma, a tollgate on the Will Rogers Turnpike in the
19 vicinity of Adair, Oklahoma, a tollgate on the Turner Turnpike in
20 the vicinity of Luther, Oklahoma, and a tollgate on the H.E. Bailey
21 Turnpike at Elgin, Oklahoma, from any monies available to the
22 Authority.

23 (18) A tollgate on the Turner Turnpike in the vicinity of
24 Wellston, Oklahoma, from any monies available to the Authority.

1 (19) A tollgate on the Muskogee Turnpike in the vicinity of
2 Brushy Mountain, Oklahoma, and in the vicinity of Elm Grove,
3 Oklahoma, from any monies available to the Authority.

4 (20) All or any part of an Oklahoma City Outer Loop expressway
5 system beginning in the vicinity of I-35 and the Turner Turnpike and
6 extending west into Canadian County and then south to I-40; and then
7 south and east to I-35 in the vicinity of Moore and Norman; and then
8 extending east and north to I-40 east of Tinker Field; and then
9 extending north to the Turner Turnpike to complete the Outer Loop.

10 (21) All or any part of the Tulsa south bypass expressway
11 system beginning in the vicinity of the Turner Turnpike near Sapulpa
12 and extending south and east to U.S. 75 in the vicinity of 96th
13 Street to 121st Street; and then east across the Arkansas River to a
14 connection with the Mingo Valley Expressway; and then south and/or
15 east to a point on the Tulsa-Wagoner County Line near 131st ~~street~~
16 Street south in the city of Broken Arrow.

17 (22) A new turnpike or any part thereof from near the west gate
18 of the Will Rogers Turnpike south to the west end of south Tulsa
19 Turnpike at the Tulsa-Wagoner County Line.

20 (23) A new turnpike or any parts thereof from the vicinity of
21 the connection between State Highway 33 and U.S. 69 easterly to the
22 Arkansas State Line.

23 (24) A four-lane extension of the Muskogee Turnpike from
24 Interstate Highway 40 west of Webbers Falls to the Poteau vicinity.

1 (25) A new turnpike or any part or parts thereof beginning at a
2 point in the vicinity of northwest Tulsa, and extending in a
3 northwesterly direction, by means of a connection or connections
4 with the cities of Pawhuska and Newkirk, to a point intersecting in
5 the vicinity of ~~US~~ U.S. Highway No. 77 and the Kansas State Line.

6 (26) A full access interchange on the Indian Nation Turnpike
7 south of Interstate 40, in the vicinity of Henryetta, Oklahoma, and
8 in the vicinity of the proposed theme park, museum or an industrial
9 facility which qualifies for the Oklahoma Quality Jobs Program Act,
10 from any monies available to the Authority.

11 (27) A new turnpike beginning at a point directly west of the
12 Arkansas line and four-laning Highway 70 from that point to the
13 farthest western reach of Highway 70 creating a southern route
14 through Oklahoma.

15 (28) A new turnpike and bridge or any parts thereof from a
16 point in the vicinity of the city of Mustang southerly across the
17 South Canadian River to the H.E. Bailey Turnpike in the vicinity of
18 the city of Tuttle; and then easterly across the South Canadian
19 River to a point in the vicinity of the city of Norman.

20 (29) A new turnpike or any parts thereof beginning at a point
21 in the vicinity of the city of Altus and extending in a
22 northwesterly direction to a point in the vicinity of the city of
23 Sayre.

1 (30) A new turnpike or any parts thereof beginning at a point
2 in the vicinity of the city of Enid and extending in a westerly
3 direction to a point in the vicinity of the city of Woodward.

4 (31) An on- and off-ramp or any parts thereof at Fletcher,
5 Oklahoma, in the vicinity of the Interstate 44 and State Highway 277
6 intersection. Any existing on- or off-ramp or any parts thereof in
7 the vicinity of Fletcher, Oklahoma, shall not be removed and shall
8 be maintained pursuant to Section 1701 et seq. of this title.

9 (32) A new bridge crossing the Arkansas River between South
10 Delaware Avenue and Memorial Drive in Tulsa County. This project
11 shall commence upon a determination by the Oklahoma Transportation
12 Authority that such bridge shall be self-sufficient at some point
13 over a thirty-year time period from the toll charges associated with
14 the bridge project.

15 (33) An exit ramp or any parts thereof from the eastbound lane
16 of the Turner Turnpike at 96th Street in Tulsa.

17 (34) An on- and off-ramp or any parts thereof on the Cimarron
18 Turnpike in the vicinity of the northside of the Glencoe, Oklahoma,
19 municipal limits.

20 (35) A new turnpike or any parts thereof beginning at
21 Interstate 44 at or near its intersection with 49th West Avenue,
22 past State Highway 64/412, turning northeasterly, crossing 41st West
23 Avenue, and continuing eastward to the L.L. Tisdale Expressway in
24 Tulsa, Oklahoma.

1 All access roads, interchanges, or lead roads connecting such
2 turnpikes with existing highways must be built by funds furnished by
3 the Authority.

4 The minimum and maximum wages for the construction of the roads,
5 highways and projects provided for in Sections 1701 through 1734 of
6 this title shall be in accordance with the schedules of wages used
7 or adopted by the Commission in construction of state highways.

8 The Authority is hereby authorized to enter into contracts or
9 agreements with agencies and instrumentalities of other states or
10 the national government for construction, maintenance and operation
11 of interstate turnpikes or highways.

12 The Authority is hereby required to construct and install
13 automatic tollgates on the Will Rogers Turnpike at State Highway No.
14 28 near Adair.

15 (f) To issue turnpike revenue bonds of the Authority, payable
16 solely from revenues, including the revenues accruing to the trust
17 fund created by Sections 1701 through 1734 of this title, for the
18 purpose of paying all or any part of the cost of any one or more
19 turnpike projects. Provided that any bonds issued for the
20 construction of the proposed turnpike referred to in subparagraphs
21 (10), (20), (21) and (22) of paragraph (e) of this section shall be
22 issued as one issue for all four of the proposed turnpikes and shall
23 be financed, constructed and operated under one bond indenture.

1 (g) To fix and revise from time to time tolls for the use of
2 any turnpike projects.

3 Any common carrier having authority at the time of opening any
4 turnpike project to operate upon a highway approximately paralleling
5 the turnpike project shall be granted without further showing
6 authority to operate over the turnpike project to all municipalities
7 which such carrier is serving at the time the turnpike project is
8 opened to traffic. But nothing herein shall be construed as
9 granting any new operation rights to any common carriers.

10 (h) To acquire, hold, and dispose of real and personal property
11 in the exercise of its powers and the performance of its duties.

12 (i) To acquire in the name of the Authority by purchase or
13 otherwise on such terms and conditions and in such manner as it may
14 deem proper, or by exercise of the right of condemnation in manner
15 hereinafter provided, such public or private lands, including public
16 parks, playgrounds, or reservations, or parts thereof or rights
17 therein, rights-of-way, property, rights, easements, and interests,
18 as it may deem necessary for carrying out the provisions of Sections
19 1701 through 1734 of this title; provided, that all public property
20 damaged in carrying out the powers granted by Sections 1701 through
21 1734 of this title shall be restored or repaired and placed in its
22 original condition as nearly as practicable.

23 (j) To designate, except as is provided for herein, the
24 location, and establish, limit and control such points of ingress to

1 and egress from each turnpike project as may be necessary or
2 desirable in the judgment of the Authority to insure the proper
3 operation and maintenance of such project, and to prohibit entrance
4 to such project from any point or points not so designated.

5 (k) To make and enter into all contracts and agreements
6 necessary or incidental to the performance of its duties and the
7 execution of its powers, and to employ consulting engineers,
8 attorneys, accountants, construction and financial experts,
9 superintendents, managers, and such other employees and agents as
10 may be necessary in its judgment, and to fix their compensation;
11 provided, that all such expenses shall be payable solely from the
12 proceeds of turnpike revenue bonds issued under the provisions of
13 Sections 1701 through 1734 of this title or from revenues; provided,
14 further, no attorney employed by the Authority, nor any member of
15 any law firm of which the attorney may be connected, shall ever be
16 paid any fee or compensation for any special or extraordinary
17 services.

18 (l) To receive and accept from any federal agency grants for or
19 in aid of the construction of any turnpike project, provided, the
20 acceptance of such grants will not reduce the amount of federal aid
21 for the construction, repair, or maintenance of farm-to-market roads
22 and other highways and bridges in this state; and to receive and
23 accept aid or contributions from any source of either money,
24 property, labor, or other things of value, to be held, used, and

1 applied only for the purposes for which such grants and
2 contributions may be made.

3 (m) To adopt such rules, and to do any and all things necessary
4 to comply with rules, regulations, or requirements of the Bureau of
5 Public Roads, Multistate Economic Development Regional Commission,
6 as defined in Sections 1151 through 1153, inclusive, of Title 74 of
7 the Oklahoma Statutes, Ozarka Region Commission or any other federal
8 agency administering any law enacted by the Congress of the United
9 States to aid or encourage the construction of highways.

10 (n) To do all things necessary or convenient to carry out the
11 powers expressly granted in Sections 1701 through 1734 of this
12 title. The design standards for all paving shall comply with the
13 design standards of the American Association of State Highway and
14 Transportation Officials as modified by the Oklahoma Department of
15 Transportation. All contracts for construction work on turnpike
16 projects shall be let to the lowest responsible bidder, or bidders,
17 after notice by publication in a newspaper published in the county
18 where the work is to be done in two consecutive weekly issues of the
19 newspaper. In all cases where more than eight (8) miles of
20 construction is let at the same time and is not an advertisement for
21 a surface-treatment-only project, such advertisement shall provide
22 for bids on sections of the turnpike not to exceed eight (8) miles.
23 If the project advertised is a surface-treatment-only project of
24 more than twenty (20) miles of road, the advertisement shall provide

1 for bids on sections of the road no longer than twenty (20) miles,
2 as well as bids on the project as a whole. Subject to the following
3 restrictions and limitations, the Authority shall, when contracting
4 for construction work, divide such work into paving projects, bridge
5 projects, including underpasses and overpasses, and earthmoving or
6 miscellaneous projects, according to the type of work to be done.
7 Each project shall be let under a separate contract or contracts and
8 no contract or project shall include more than one of such types of
9 construction work. Each contract for construction work shall
10 contain a provision that ninety percent (90%) of all labor employed
11 on the project shall be residents of Oklahoma. However, contracts
12 for bridges may include earthwork and structures for the approaches
13 thereto.

14 (o) It shall be unlawful for any member, officer or employee of
15 the Authority to transact with the Authority, either directly or
16 indirectly, any business for profit of such member, officer, or
17 employee; and any person, firm, or corporation knowingly
18 participating therein shall be equally liable for violation of this
19 provision.

20 The term "business for profit" shall include, but not be limited
21 to, the acceptance or payment of any fee, commission, gift, or
22 consideration to such member, officer, or employee.

23 Violation of this provision shall constitute a Class D1 felony
24 offense punishable by incarceration ~~in the State Penitentiary for a~~

1 ~~term not to exceed five (5) years~~ as provided for in subsections B
2 through F of Section 20N of Title 21 of the Oklahoma Statutes, or a
3 fine of not less than Five Hundred Dollars (\$500.00) and not more
4 than Five Thousand Dollars (\$5,000.00), or both such imprisonment
5 and fine.

6 (p) In the event of a national emergency, the Authority,
7 subject to any vested rights or claims, may enter into contracts
8 with the federal government or any authorized agency thereof to
9 allow the federal government or agency thereof to use such turnpikes
10 partly or exclusively during the existence of such emergency,
11 provided, that the federal government agrees in such contract to
12 pay, during the term of such contract, an amount sufficient, when
13 added to any tolls collected, to meet all operating and maintenance
14 expenses, interest payments, and the minimum sinking fund and
15 reserve requirements of the trust agreement for the turnpike covered
16 by the contract.

17 (q) All meetings of the Authority shall be open public
18 meetings, and all records shall be public records, except when
19 considering personnel or litigation.

20 SECTION 573. AMENDATORY 69 O.S. 2021, Section 1802, is
21 amended to read as follows:

22 Section 1802. Any person who is convicted of a violation of any
23 of the provisions of this Code herein or by the laws of this state
24 declared to constitute a Class D1 felony offense, and for which

1 another penalty is not provided in this Code, shall be punished by
2 imprisonment ~~for not less than one (1) year nor more than five (5)~~
3 ~~years~~ as provided for in subsections B through F of Section 20N of
4 Title 21 of the Oklahoma Statutes, or by a fine of not less than
5 Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars
6 (\$5,000.00), or by both such fine and imprisonment.

7 SECTION 574. AMENDATORY 70 O.S. 2021, Section 23-106, is
8 amended to read as follows:

9 Section 23-106. The Authority is hereby authorized and
10 empowered:

11 1. To accept, assume and control the television channels
12 assigned by the Federal Communications Commission to the State of
13 Oklahoma for educational purposes;

14 2. To adopt bylaws for the regulation of its affairs and the
15 conduct of its business;

16 3. To adopt an official seal and alter the same at pleasure;

17 4. To maintain an office at such place or places within the
18 state as it may designate;

19 5. To sue and be sued in its own name, plead and be impleaded;
20 provided, however, that any and all actions, at law or in equity,
21 against the Authority shall be brought in the county in which the
22 principal office of the Authority shall be located, or in the county
23 of the residence of the plaintiff, or in the county where the cause
24 of action arose;

1 6. To construct, maintain, repair and operate television
2 facilities which with their access connections are designated
3 ultimately to extend to and include all sections and areas of the
4 State of Oklahoma;

5 7. To issue revenue bonds of the Authority, payable solely from
6 dedicated revenues, for the purpose of paying all or any part of the
7 cost of needed facilities;

8 8. To fix and revise from time to time any necessary charges
9 for the use of any facilities;

10 9. To pay for the annual cost of the operation, maintenance and
11 repair of such facilities;

12 10. To pay as and when due the principal and interest on the
13 revenue certificates or bonds issued to pay for such facilities;

14 11. To accumulate and maintain such reserves as are provided
15 for in the resolution or trust indenture under which such bonds are
16 issued or secured;

17 12. To acquire, hold, or dispose of real and personal property
18 in the exercise of its powers and the performance of its duties
19 under this act;

20 13. To acquire in the name of the Authority by purchase or
21 otherwise, on such terms and conditions and in such manner as it may
22 deem proper, or by the exercise of the right of condemnation in
23 manner hereinafter provided, such public or private lands,
24 rights-of-way, property, rights, easements, and interests, as it may

1 deem necessary for carrying out the provisions of this article; and
2 it is the intent of the Legislature that all public property damaged
3 in carrying out the powers granted by this article shall be restored
4 or repaired and placed in its original condition as nearly as
5 practicable;

6 14. To designate, except as is provided for herein, the
7 locations; and to establish, limit and control such points of
8 ingress to and egress from each facility as may be necessary or
9 desirable in the judgment of the Authority to insure the proper
10 operation and maintenance of such facility;

11 15. To make and enter into all contracts and agreements
12 necessary or incidental to the performance of its duties and the
13 execution of its powers under this article, and to employ consulting
14 engineers, attorneys, accountants, construction and financial
15 experts, superintendents, managers, and such other employees and
16 agents as may be necessary in its judgment, and to fix their
17 compensation;

18 16. To receive appropriations from the State Legislature and
19 accept from any federal agency grants for or in aid of the
20 construction and operation of any project; provided, the acceptance
21 of such grants or appropriations will not reduce the amount of
22 federal aid for other education in this state; and to receive and
23 accept aid or contributions from any source of either money,
24 property, labor, or other things of value;

1 17. To do any and all things necessary to comply with rules,
2 regulations, or requirements of the Federal Communications
3 Commission or any other federal agency administering any law enacted
4 by the Congress of the United States to aid or encourage education;

5 18. To do all things necessary or convenient to carry out the
6 powers expressly granted in this article.

7 It shall be unlawful for any member, officer, or employee of the
8 Authority to transact with the Authority, either directly or
9 indirectly, any business for profit of such member, officer, or
10 employee; and any person, firm or corporation knowingly
11 participating therein shall be equally liable for violation of this
12 provision.

13 The term "business for profit" shall include, but not be limited
14 to, the acceptance or payment of any fee, commission, gift or
15 consideration to such member, officer or employee.

16 Any person found guilty of violating any of the provisions of
17 this section shall be guilty of a Class D1 felony offense, and shall
18 be punishable by a fine of not less than Five Hundred Dollars
19 (\$500.00), and not more than Five Thousand Dollars (\$5,000.00), or
20 by imprisonment ~~in the State Penitentiary for not more than five (5)~~
21 ~~years~~ as provided for in subsections B through F of Section 20N of
22 Title 21 of the Oklahoma Statutes, or by both such fine and
23 imprisonment.
24

1 SECTION 575. AMENDATORY 70 O.S. 2021, Section 3909, is
2 amended to read as follows:

3 Section 3909. A. In addition to such other audits as may be
4 required of or desired by the various boards of regents responsible
5 for the institutions of The Oklahoma State System of Higher
6 Education, each board shall annually obtain the services of an
7 independent accounting firm or individual holding a permit to
8 practice public accounting in this state to perform a complete
9 financial audit for the preceding fiscal year of each institution
10 for which the board is responsible. The Oklahoma State Regents for
11 Higher Education shall likewise annually obtain the services of an
12 independent accounting firm or individual holding a permit to
13 practice public accounting in this state to perform a complete
14 financial audit of all the offices, operations, and accounts of the
15 State Regents which are not subject to the control of other boards
16 of regents. The audits shall be filed in accordance with the
17 requirements set forth for financial statement audits in Section
18 212A of Title 74 of the Oklahoma Statutes.

19 B. Each board of regents shall appoint a standing Audit
20 Committee of the board consisting of not fewer than three (3) board
21 members. The Audit Committee shall be responsible for establishing
22 the qualifications of any accounting firm or individual seeking to
23 be hired to perform an audit for the board and shall recommend to
24 the board the firms or individuals whom the board shall invite to

1 submit competitive bids. The full board shall select the auditor
2 from among the competitive bidders. Audit committees shall not
3 recommend any firm or individual unwilling to meet the following
4 specifications. The specifications shall be among the terms and
5 conditions of any contract awarded:

6 1. All revolving fund accounts, special accounts, special
7 agency accounts, auxiliary enterprise accounts, and technical area
8 school district accounts, if any, shall be included within the scope
9 of the audit;

10 2. Where operations of constituent agencies or technical area
11 school districts are relevant to the complete financial audit of the
12 institution, records of those enterprises shall be included within
13 the scope of the audit;

14 3. To the extent required by subsection (d) of Section 4306 of
15 this title, records of college- or university-related foundations
16 shall be included within the scope of the audit;

17 4. At the conclusion of the audit, the auditor shall meet with
18 the president of the institution and the Audit Committee to review
19 the audit report to be issued, the management letter or other
20 comments or suggestions to be issued, and any other findings; and

21 5. Findings of material weaknesses, qualifications of the
22 auditor's report other than those deriving from inadequate plant
23 records, and of defalcations, or a report of lack of such findings,
24 shall be communicated in writing to the board, the State Auditor and

1 Inspector, the Legislative Service Bureau, and the Oklahoma State
2 Regents for Higher Education with or in advance of the filing of the
3 audit report required by Section 452.10 of Title 74 of the Oklahoma
4 Statutes; and such written communications shall include any
5 responses or other comments which the president or the Audit
6 Committee wishes to have included.

7 C. The State Auditor and Inspector whenever he or she deems it
8 appropriate, or upon receiving a written request to do so by the
9 Governor, Attorney General, President Pro Tempore of the Senate, the
10 Speaker of the House of Representatives, the governing board of an
11 institution of higher education, the Oklahoma State Regents for
12 Higher Education or the president of an institution of higher
13 education, shall conduct a special audit of any institution of
14 higher education within The Oklahoma State System of Higher
15 Education. The special audit shall include, but not necessarily be
16 limited to, a compliance audit as defined in subsection C of Section
17 213 of Title 74 of the Oklahoma Statutes. The State Auditor and
18 Inspector shall have the power to take custody of any records
19 necessary to the performance of the audit but shall minimize actual
20 physical removal of or denial of access to such records. At the
21 conclusion of the audit, the State Auditor and Inspector shall meet
22 with the president of the institution and the Audit Committee of the
23 board which governs the component audited to review the audit report
24 to be issued. The report, when issued, shall include any responses

1 to the audit which the president or the Audit Committee wishes to
2 have included and shall be presented to the full board, the
3 Legislative Service Bureau, and the Oklahoma State Regents for
4 Higher Education with or in advance of the filing required by
5 Section 452.10 of Title 74 of the Oklahoma Statutes. The cost of
6 such audit shall be borne by the audited entity and may be defrayed
7 in whole or in part by any federal funds available for that purpose.

8 D. Each board of regents shall require the employment of a
9 sufficient number of internal auditors to meet the board's fiduciary
10 responsibilities. Internal audits shall be conducted in accordance
11 with the provisions of Sections 228 and 229 of Title 74 of the
12 Oklahoma Statutes. The internal auditors shall submit a report
13 directly and simultaneously to the audit committee of the board and
14 the president of the institution; all members of the board of
15 regents governing the institution, however, shall receive all
16 internal audit reports and the board of regents shall, at least
17 annually, review and prescribe the plan of work to be performed by
18 the internal auditors.

19 E. Any person who alters or destroys records needed for the
20 performance of an audit or causes or directs a subordinate to do
21 such acts shall be guilty of a Class D1 felony offense punishable by
22 imprisonment ~~in the custody of the Department of Corrections for a~~
23 ~~period of not more than five (5) years~~ as provided for in
24 subsections B through F of Section 20N of Title 21 of the Oklahoma

1 Statutes, or by a fine of not more than Twenty Thousand Dollars
2 (\$20,000.00), or by both such fine and imprisonment. Such person
3 shall also be subject to immediate removal from office or
4 employment.

5 SECTION 576. AMENDATORY 70 O.S. 2021, Section 4306, is
6 amended to read as follows:

7 Section 4306. A. All state higher educational institutions,
8 constituent agencies or other entities are hereby authorized to
9 accept and receive any and all grants or contracts of all kinds,
10 gifts, devises and bequests of money or property, either real or
11 personal, which may be, or which may heretofore have been tendered
12 to them by grant or contract, will or gift, conditionally or
13 unconditionally; and the Board of Regents of said institutions,
14 constituent agencies or other entities are hereby directed,
15 authorized and empowered to hold such funds or property in trust, or
16 invest or sell them and use either principal or interest or the
17 proceeds of sale for the benefit of such institutions or entities or
18 the students or others for whose benefit such institutions or
19 entities are conducted; all in any manner which is consistent with
20 the terms of the gift as stipulated by the donor and with the
21 provisions of any applicable laws. Money donated to a college- or
22 university-related foundation for student scholarships or grants to
23 students of an institution of The Oklahoma State System of Higher
24 Education shall not be loaned or given to any regent, officer,

1 director, or employee of such foundation or institution or to any
2 relative of such person within the third degree of affinity or
3 consanguinity. The following, however, shall not be prohibited:

4 1. Students in the employ of such foundation or institution may
5 be given scholarships; and

6 2. Scholarships may be awarded to an otherwise disqualified
7 relative of any faculty member, staff employee, foundation or
8 institution officer or maintenance worker of such foundation or
9 institution if such relative is meritoriously qualified.

10 B. Any person willfully violating the prohibitions of
11 subsection A of this section shall be guilty of a Class D1 felony
12 offense punishable by imprisonment in the State Penitentiary for a
13 period of not more than five (5) years as provided for in
14 subsections B through F of Section 20N of Title 21 of the Oklahoma
15 Statutes, or by a fine of not more than Twenty Thousand Dollars
16 (\$20,000.00), or by both such fine and imprisonment. Any person
17 found guilty of said violations shall also be subject to immediate
18 removal from office or employment where applicable.

19 C. The Oklahoma State Regents for Higher Education, any
20 institution or agency of The Oklahoma State System of Higher
21 Education or the regents or governing board of such institution or
22 agency shall not directly or indirectly transfer any funds to any
23 college- or university-related foundation or render services or
24 provide any thing of value to any such foundation without receiving

1 documented adequate payment or reimbursement therefor according to
2 written contract; provided, nothing herein shall be construed as
3 prohibiting payment by the institution or agency of claims for
4 expenses of fund raising for the benefit of the institution or
5 agency by state employees if such fund raising activities are
6 approved in advance by the governing board of regents responsible
7 for such institution or agency and made a part of the minutes of the
8 meeting of the board.

9 D. Neither the Oklahoma State Regents for Higher Education nor
10 any institution or agency of The Oklahoma State System of Higher
11 Education shall receive any funds, services, or thing of value from
12 any college- or university-related foundation which has any officers
13 or employees who are officers or employees of any institution or
14 agency of the State System or State Regents unless such foundation
15 makes all its financial records and documents, including work
16 papers, except for names of donors, available to auditors who are
17 performing audits of the institution or agency.

18 SECTION 577. AMENDATORY 71 O.S. 2021, Section 453, is
19 amended to read as follows:

20 Section 453. A. It is unlawful and shall be deemed a Class D1
21 felony offense for any person to make a take-over offer or to
22 acquire any equity securities pursuant to the offer, unless the
23 offer is effective under the provisions of this act. A take-over
24 offer is effective when the offeror files with the Administrator a

1 registration statement containing the information prescribed in
2 subsection F of this section. The offeror shall deliver a copy of
3 the registration statement by certified mail to the target company
4 at its principal office and publicly disclose the material terms of
5 the proposed offer, not later than the date of filing of the
6 registration statement. Public disclosure shall require, at a
7 minimum, that a copy of the registration statement be supplied to
8 all broker-dealers maintaining an office in this state currently
9 quoting the security.

10 B. The registration statement shall be filed on forms
11 prescribed by the Administrator of the Department of Securities,
12 shall be accompanied by a consent by the offeror to service of
13 process and the filing fees specified in Section 8 of this act and
14 shall contain the following information:

15 1. All of the information specified in subsection F of this
16 section;

17 2. Two (2) copies of all solicitation materials intended to be
18 used in the take-over offer in the form proposed to be published or
19 sent or delivered to offerees;

20 3. If the offeror is other than a natural person, the following
21 information shall be included:

22 a. information concerning its organization and
23 operations, including the year, form and jurisdiction
24 of its organization,

- b. a description of each class of equity security and long-term debt,
- c. a description of business conducted by the offeror and its subsidiaries and any material changes therein during the past three (3) years,
- d. a description of the location and character of the principal properties of the offeror and its subsidiaries,
- e. a description of any material pending legal or administrative proceedings in which the offeror or any of its subsidiaries is a party,
- f. the names of all directors and executive officers of the offeror and their material business activities and affiliations during the past three (3) years, and
- g. financial statements of the offeror in such form and for such period of time as the Administrator may by rule prescribe; and

4. If the offeror is a natural person, the following information shall be included:

- a. information concerning his identity and background, including his business activities and affiliations during the past three (3) years, and

1 b. a description of any material pending legal or
2 administrative proceedings in which the offeror is a
3 party.

4 If a take-over offer is subject to Section 14(d) of the Securities
5 Exchange Act of 1934, the form and content of the registration
6 statement shall include the same as the form and content of any such
7 statement and amendments required to be filed with the United States
8 Securities and Exchange Commission. If the statement and amendments
9 filed with the United States Securities and Exchange Commission
10 provide the information required to be disclosed by this act, the
11 filing of same with the Administrator shall satisfy the requirement
12 for the filing of a registration statement under this section. The
13 offeror must comply with all other requirements of this section.

14 C. Registration is not deemed approval by the Administrator and
15 any representation to the contrary is unlawful.

16 D. Within three (3) calendar days of the date of filing of the
17 registration statement, the Administrator may by order summarily
18 suspend the effectiveness of the take-over offer if the
19 Administrator determines that the registration statement does not
20 contain all of the information specified in subsection F of this
21 section or that the take-over offer materials provided to offerees
22 do not provide full disclosure to offerees of all material
23 information concerning the take-over offer. The suspension shall
24

1 remain in effect only until the determination following a hearing
2 held pursuant to subsection E of this section.

3 E. A hearing shall be scheduled by the Administrator with
4 respect to each suspension under this section and shall be held
5 within ten (10) calendar days of the date of the suspension. The
6 Oklahoma Administrative Procedures Act, Section 301 et seq. of Title
7 75 of the Oklahoma Statutes, and the administrative procedures of
8 the Oklahoma Securities Commission and Department of Securities
9 shall not apply to the hearing. The Administrator's determination
10 made following the hearing shall be made within three (3) calendar
11 days after such hearing has been completed, but not more than
12 sixteen (16) calendar days after the date of the suspension. The
13 Administrator may prescribe different time limits than those
14 specified in this subsection by rule or order. If, based upon the
15 hearing, the Administrator finds that the take-over offer fails to
16 provide for full and fair disclosure to offerees of all material
17 information concerning the offer, or that the take-over offer is in
18 material violation of any provision of this act, the Administrator
19 shall permanently suspend the effectiveness of the take-over offer,
20 subject to the right of the offeror to correct disclosure and other
21 deficiencies identified by the Administrator and to reinstitute the
22 take-over offer by filing a new or amended registration statement
23 pursuant to Section 3 of this act.

1 F. The form required to be filed by paragraph 1 of subsection B
2 of this section shall contain the following information:

3 1. The identity and background of all persons on whose behalf
4 the acquisition of any equity security of the issuer has been or is
5 to be affected;

6 2. The source and amount of funds or other consideration used
7 or to be used in acquiring any equity security, including if
8 applicable:

9 a. a statement describing any securities which are being
10 offered in exchange for the equity securities of the
11 issuer, and if any part of the acquisition price is or
12 will be represented by borrowed funds or other
13 consideration,

14 b. a description of the material terms of any financing
15 arrangements, and

16 c. the names of the parties from whom the funds were
17 borrowed;

18 3. If the purpose of the acquisition is to gain control of the
19 target company:

20 a. a statement of any plans or proposals which the person
21 has, upon gaining control:

22 (1) to liquidate the issuer, sell its assets, effect
23 its merger or consolidation,
24

1 (2) to change the location of its principal executive
2 office or of a material portion of its business
3 activities,

4 (3) to change its management or policies of
5 employment, and

6 (4) to materially alter its relationship with
7 suppliers or customers or the communities in
8 which it operates, or make any other major change
9 in its business, corporate structure, management
10 or personnel, and

11 b. other information which would affect the shareholders'
12 evaluation of the acquisition;

13 4. The number of shares of any equity security of the issuer
14 owned beneficially by the person and any affiliate or associate of
15 the person, together with the name and address of each affiliate or
16 associate; and

17 5. The material terms of any contract, arrangement or
18 understanding with any other person with respect to the equity
19 securities of the issuer whereby the person filing the statement has
20 or will acquire any interest in additional equity securities of the
21 issuer, or is or will be obligated to transfer any interest in the
22 equity securities to another.

23 SECTION 578. AMENDATORY 71 O.S. 2021, Section 455, is
24 amended to read as follows:

1 Section 455. It is unlawful and shall be deemed a Class D1
2 felony offense for any offeror or target company or any controlling
3 person of an offeror or target company or any broker-dealer acting
4 on behalf of an offeror or target company to engage in any
5 fraudulent, deceptive or manipulative acts or practices in
6 connection with a take-over offer. Fraudulent, deceptive and
7 manipulative acts or practices include without limitation:

8 1. The publication or use in connection with the offer of any
9 false statement of a material fact or the omission to state a
10 material fact necessary to make the statements made not misleading;

11 2. The sale by any controlling shareholders of a target company
12 of any or all of their equity securities to the offeror for a
13 consideration greater than that to be paid other shareholders
14 pursuant to the take-over offer or the purchase of any of the
15 securities of a controlling shareholder of the target company by the
16 offeror for a consideration greater than that to be paid other
17 shareholders, the terms of which are not disclosed to the other
18 shareholders;

19 3. The refusal by a target company to permit an offeror who is
20 a shareholder of record to examine its list of shareholders, and to
21 make extracts therefrom, pursuant to the applicable corporation
22 statutes, for the purpose of making a take-over offer in compliance
23 with this act, or in lieu thereof, to mail any solicitation
24 materials published by the offeror to its security holders with

1 reasonable promptness after receipt from the offeror of such
2 materials together with the reasonable expenses of postage and
3 handling; and

4 4. The solicitation of any offeree for acceptance or rejection
5 of a take-over offer or acquisition of any equity security pursuant
6 to a take-over offer before the take-over offer is effective under
7 this act or while the offer is suspended under this act.

8 SECTION 579. AMENDATORY 71 O.S. 2021, Section 460, is
9 amended to read as follows:

10 Section 460. A. Any person who violates, and a controlling
11 person of an offeror or target company who knowingly violates, any
12 provision of this act or any rule thereunder, or any order of the
13 Administrator of which this person has notice, shall be guilty of a
14 Class D1 felony offense and may be fined not more than Twenty-five
15 Thousand Dollars (\$25,000.00), or imprisoned ~~not more than five (5)~~
16 ~~years~~ as provided for in subsections B through F of Section 20N of
17 Title 21 of the Oklahoma Statutes, or both. Each of the acts
18 specified shall constitute a separate offense and a prosecution or
19 conviction for any one of such offenses shall not bar prosecution or
20 conviction for any other offense. No indictment or information may
21 be returned under this act more than two (2) years after the alleged
22 violation.

23 B. The Administrator may refer such evidence as is available
24 concerning violations of this act or of any rule or order hereunder

1 to the Attorney General or the district attorney for the appropriate
2 county who may, with or without any reference, institute the
3 appropriate criminal proceedings under this act. If referred to a
4 district attorney, he shall, within ninety (90) days, file with the
5 Administrator a statement concerning any action taken or, if no
6 action is taken, the reasons therefor.

7 C. Nothing in this act limits the power of the state to punish
8 any person for any conduct which constitutes a crime under any other
9 statute.

10 D. All shares acquired from an Oklahoma resident in violation
11 of any provision of this act or any rule thereunder, or any order of
12 the Administrator of which the person has notice, shall be denied
13 voting rights for one (1) year after acquisition, the shares shall
14 be nontransferable on the books of the target company for one (1)
15 year after acquisition and the target company shall, during this
16 one-year period, have the option to call the shares for redemption
17 either at the price at which the shares were acquired or at book
18 value per share as of the last day of the fiscal quarter ended prior
19 to the date of the call for redemption. Such a redemption shall
20 occur on the date set in the call notice, but not later than sixty
21 (60) days after the call notice is given.

22 SECTION 580. AMENDATORY 73 O.S. 2021, Section 162, is
23 amended to read as follows:
24

1 Section 162. ~~(a)~~ A. It shall be unlawful for any member or
2 employee of the Authority to transact with the Authority, either
3 directly or indirectly, any business for profit of such member or
4 employee; and any person, firm, or corporation knowingly
5 participating therein shall be equally liable for violation of this
6 provision.

7 ~~(b)~~ B. The term "business for profit" shall include, but not be
8 limited to, the acceptance or payment of any fee, commission, gift
9 or consideration to such member or employee.

10 ~~(c)~~ C. Violation of any of the provisions of this section shall
11 constitute a Class D1 felony offense and shall be punishable by a
12 fine of not less than Five Hundred Dollars (\$500.00) and not more
13 than Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in the~~
14 ~~State Penitentiary for not less than one (1) year and not more than~~
15 ~~five (5) years~~ as provided for in subsections B through F of Section
16 20N of Title 21 of the Oklahoma Statutes, or by both such fine and
17 imprisonment.

18 SECTION 581. AMENDATORY 74 O.S. 2021, Section 85.45h, is
19 amended to read as follows:

20 Section 85.45h. A. It shall be unlawful for a person to:

21 1. Knowingly and with intent to defraud, fraudulently obtain,
22 retain, attempt to obtain or retain, or aid another in fraudulently
23 obtaining or retaining or attempting to obtain or retain,
24

1 certification as a minority business enterprise for the purposes of
2 this act.

3 2. Knowingly and willfully make a false statement with the
4 intent to defraud, whether by affidavit, report, or other
5 representation, to a state official or employee for the purpose of
6 influencing the certification or denial of certification of any
7 entity as a minority business enterprise.

8 3. Knowingly and willfully obstruct, impede, or attempt to
9 obstruct or impede any state official or employee who is
10 investigating the qualifications of a business entity which has
11 requested certification as a minority business enterprise.

12 4. Knowingly and willfully with intent to defraud, fraudulently
13 obtain, attempt to obtain, or aid another person in fraudulently
14 obtaining or attempting to obtain, public monies to which the person
15 is not entitled under this act.

16 5. Knowingly and willfully assign any contract awarded pursuant
17 to the Oklahoma Minority Business Enterprise Assistance Act to any
18 other business enterprise without prior written approval of the
19 State Purchasing Director pursuant to Section 85.45g of this title.

20 B. Any person convicted of violating any provision of the
21 Oklahoma Minority Business Enterprise Assistance Act shall be guilty
22 of a Class D1 felony offense, punishable by imprisonment ~~in the~~
23 ~~State Penitentiary for not more than five (5) years~~ as provided for
24 in subsections B through F of Section 20N of Title 21 of the

1 Oklahoma Statutes, or a fine of not more than Ten Thousand Dollars
2 (\$10,000.00), or by both such imprisonment and fine.

3 C. If a contractor, subcontractor, supplier, subsidiary,
4 principal or affiliate thereof, has been found to have violated this
5 act and that violation occurred within three (3) years of another
6 violation of this act, the Office of Management and Enterprise
7 Services shall prohibit that contractor, subcontractor, supplier,
8 subsidiary, or affiliate thereof, from entering into a state project
9 or state contract and from further bidding to a state entity, and
10 from being a subcontractor to a contractor for a state entity and
11 from being a supplier to a state entity.

12 SECTION 582. AMENDATORY 74 O.S. 2021, Section 85.47h, is
13 amended to read as follows:

14 Section 85.47h. A. A person shall not knowingly make or cause
15 any false statement or report to be made in any application or in
16 any document furnished to the Administrator.

17 B. A person shall not knowingly make or cause any false
18 statement or report to be made for the purpose of influencing the
19 action of the Administrator on an application for assistance or for
20 the purpose of influencing any action of the Administrator affecting
21 bonding assistance whether or not such assistance may have already
22 been extended.

23 C. Any person who violates any provision of this section shall
24 be guilty of a Class D1 felony offense and, upon conviction, shall

1 be subject to a fine not exceeding Ten Thousand Dollars (\$10,000.00)
2 or imprisonment ~~of up to five (5) years~~ as provided for in
3 subsections B through F of Section 20N of Title 21 of the Oklahoma
4 Statutes, or both such fine and imprisonment.

5 SECTION 583. AMENDATORY 74 O.S. 2021, Section 150.9, is
6 amended to read as follows:

7 Section 150.9. A. The Oklahoma State Bureau of Investigation
8 shall procure, file and maintain criminal history records for each
9 person subject to mandatory reporting as provided by law, including
10 photographs, descriptions, fingerprints, measurements and other
11 pertinent information relating to such persons. It shall be the
12 duty of law enforcement officers and agencies, sheriffs, police,
13 courts, judicial officials, district attorneys, and the persons in
14 charge of any state correctional facility or institution to furnish
15 criminal history records to the Bureau as required by Section 150.1
16 et seq. of this title. The Oklahoma State Bureau of Investigation
17 shall cooperate with and assist the sheriffs, chiefs of police and
18 other law enforcement officers of the state by maintaining a
19 complete criminal history record on each person subject to mandatory
20 reporting as provided by law, and shall have on file the fingerprint
21 impressions of all such persons together with other pertinent
22 information as may from time to time be received from the law
23 enforcement officers of this and other states or as may be required
24 by law.

1 B. 1. The Oklahoma State Bureau of Investigation is authorized
2 to conduct and receive results of national criminal history record
3 checks for authorized purposes pursuant to Public Law 92-544, the
4 National Child Protection Act/Volunteers for Children Act (NCPA/VCA)
5 as amended, with or without a Volunteer and Employee Criminal
6 History System (VECHS) waiver program or any other federal
7 authorizing statute. The Oklahoma State Bureau of Investigation
8 shall only release the results of national criminal history record
9 checks to entities authorized to receive the results pursuant to
10 federal law.

11 2. Any state agency, board, department or commission or any
12 other person or entity authorized to request a criminal history
13 record or an analysis of fingerprints for commercial, licensing or
14 other purposes, except law enforcement purposes, shall conduct a
15 national criminal history records check on all persons of the entity
16 authorized to access or review national criminal history records
17 checks information by July 1, 2009, and within sixty (60) days
18 thereafter.

19 3. Each agency, person or entity authorized to request a
20 criminal history record or an analysis of fingerprints shall pay a
21 fee to the Bureau for each criminal history record or fingerprint
22 analysis as follows:

23 Oklahoma criminal history record only \$15.00 each
24

1 Oklahoma criminal history record with

2 fingerprint analysis \$19.00 each

3 National criminal history record with

4 fingerprint analysis \$41.00 each

5 4. For purposes of this section, "a national criminal history
6 record check" means a check of criminal history records entailing
7 the fingerprinting of the individual and submission of the
8 fingerprints to the United States Federal Bureau of Investigation
9 (FBI) for the purpose of obtaining the national criminal history
10 record of the person from the FBI. A national criminal history
11 record check may be obtained only when a check is authorized or
12 required by state or federal law.

13 Agencies authorized by statute to conduct national criminal
14 history background checks for individuals are eligible to
15 participate in the Federal Rap Back Program administered by the
16 Oklahoma State Bureau of Investigation. The Oklahoma State Bureau
17 of Investigation is authorized to submit fingerprints to the FBI Rap
18 Back System to be retained in the FBI Rap Back System for the
19 purpose of being searched by future submissions to the FBI Rap Back
20 System, including latent fingerprint searches and to collect all
21 Federal Rap Back Program fees from eligible agencies wishing to
22 participate and remit such fees to the Federal Bureau of
23 Investigation.

1 5. Unless a national criminal history record is specifically
2 requested, a fingerprint analysis shall be limited to only those
3 records available at the Oklahoma State Bureau of Investigation.
4 Following receipt of the appropriate fee, the Bureau shall provide,
5 as soon as possible, the criminal history record requested;
6 provided, however, it shall be the duty and responsibility of the
7 requesting authority to evaluate the criminal history record as such
8 record may apply to a specific purpose or intent. An individual may
9 submit a certified court record showing that a charge was dismissed
10 or a certified copy of a gubernatorial pardon to the Oklahoma State
11 Bureau of Investigation, and upon verification of that record the
12 Bureau records shall reflect the dismissal of that charge.

13 C. The Oklahoma State Bureau of Investigation may maintain an
14 identification file, including fingerprint impressions, on any
15 person under eighteen (18) years of age who is arrested or subject
16 to criminal or juvenile delinquency proceedings, provided all such
17 information shall be confidential and shall only be made available
18 to the Bureau and other law enforcement agencies. Whenever a
19 fingerprint impression or other identification information is
20 submitted to the Bureau on a person under eighteen (18) years of
21 age, the Bureau may retain and file such fingerprint and
22 identification information for identification purposes only. The
23 Bureau shall ensure that the information received and maintained for
24 identification purposes on persons under eighteen (18) years of age

1 shall be handled and processed with great care to keep such
2 information confidential from the general public. The Bureau may
3 receive and maintain the fingerprints and other identification
4 information on any person under eighteen (18) years of age believed
5 to be the subject of a runaway, missing, or abduction investigation,
6 for identification purposes at the request of a parent, guardian or
7 legal custodian of the person.

8 D. Any person who knowingly procures, utters, or offers any
9 false, forged or materially altered criminal history record shall be
10 guilty of a Class D1 felony offense and upon conviction shall be
11 punished by imprisonment ~~in the custody of the Department of~~
12 ~~Corrections for a period not to exceed five (5) years~~ as provided
13 for in subsections B through F of Section 20N of Title 21 of the
14 Oklahoma Statutes, or by a fine not to exceed Five Thousand Dollars
15 (\$5,000.00), or by both such fine and imprisonment.

16 SECTION 584. AMENDATORY 74 O.S. 2021, Section 3404, is
17 amended to read as follows:

18 Section 3404. Any person who shall knowingly make or receive,
19 either directly or indirectly, a kickback shall be guilty of a Class
20 D1 felony offense, and upon conviction shall be fined not more than
21 Ten Thousand Dollars (\$10,000.00) or double the amount of the
22 financial gain, or be imprisoned ~~for not more than five (5) years~~ as
23 provided for in subsections B through F of Section 20N of Title 21
24 of the Oklahoma Statutes, or both.

1 SECTION 585. AMENDATORY 79 O.S. 2021, Section 101, is
2 amended to read as follows:

3 Section 101. It shall be unlawful and deemed a Class D1 felony
4 offense for any bridge or other contractor, partnership, corporation
5 or association of bridge or other contractors for the construction
6 of any bridge or bridges or of any road or public highway to be
7 constructed under any law of this state, or any other person or
8 persons to enter into an agreement, contract or combination with any
9 other bridge or other contractor, partnership, corporation or
10 association or bridge or public highway contractors or any other
11 person for the pooling of prices of different competing contractors
12 or to divide between them the aggregate or net proceeds of the
13 earnings of such contractors or any portion thereof, or for fixing
14 the price which any contractor, partnership, corporation or
15 association of bridge or other contractors or any other person shall
16 bid or charge for the building of bridges or furnishing material
17 therefor or the repair of the same or the construction or repair of
18 any public highway, or any part of any public highway to be
19 constructed under any law of this state or to divide between them
20 the aggregate or net proceeds of the earnings of such contractors or
21 any portion thereof, or for fixing the price which any contractor,
22 partnership, company or corporation or association shall bid or
23 charge for the building of bridges or the furnishing of material
24 therefor, or the construction of any highway or any part thereof, or

1 the furnishing of material therefor, or for the allotment of any
2 territory which any other bridge or other contractor, corporation or
3 association shall have for its or his exclusive territory.

4 SECTION 586. AMENDATORY 79 O.S. 2021, Section 103, is
5 amended to read as follows:

6 Section 103. Any bridge or other contractor, partnership,
7 corporation, association of contractors, or any other person, or any
8 director, officer or any receiver, trustee, clerk or agent, or other
9 person acting for them or employed by them, who alone or acting with
10 any other contractor or other person, partnership, corporation or
11 association, shall willfully do or cause to be done, or shall
12 willfully suffer or permit to be done, any act, matter or thing
13 herein prohibited or declared to be unlawful, or who shall aid or
14 abet therein, or shall willfully omit or fail to do any act, matter
15 or thing herein required to be done, or shall willfully cause,
16 suffer or permit any thing directed to be done, not to be so done,
17 or shall aid or abet or advise such omission or failure, or shall be
18 guilty of any infraction of this article, shall be guilty of a Class
19 D1 felony offense, and upon conviction thereof shall be fined in any
20 sum not exceeding Five Thousand Dollars (\$5,000.00), or imprisoned
21 ~~in the State Penitentiary not exceeding five (5) years as provided~~
22 for in subsections B through F of Section 20N of Title 21 of the
23 Oklahoma Statutes, or both, at the discretion of the court.

1 SECTION 587. AMENDATORY 82 O.S. 2021, Section 1086.3, is
2 amended to read as follows:

3 Section 1086.3. A. It shall be unlawful for any member,
4 officer or employee of the Water Resources Board to transact with
5 the Board, either directly or indirectly, any business for profit of
6 such member, officer or employee; and any person, firm or
7 corporation knowingly participating therein shall be equally liable
8 for violation of this provision.

9 B. The term "business for profit" shall include, but not be
10 limited to, the acceptance or payment of any fee, commission, gift
11 or consideration to such member, officer or employee.

12 C. Violation of this provision shall constitute a Class D1
13 felony offense and shall be punishable by a fine of not less than
14 Five Hundred Dollars (\$500.00) and not more than Five Thousand
15 Dollars (\$5,000.00), or by imprisonment in the State Penitentiary
16 for not more than five (5) years as provided for in subsections B
17 through F of Section 20N of Title 21 of the Oklahoma Statutes, or by
18 both such fine and imprisonment.

19 SECTION 588. AMENDATORY 82 O.S. 2021, Section 1281, is
20 amended to read as follows:

21 Section 1281. Except for contracts of employment, directors and
22 employees shall not have a financial interest, directly or
23 indirectly, in any contract entered into by the district. Directors
24 and employees shall not receive any bonus, gratuity or bribe. They

1 shall not spend funds of the district, directly or indirectly, for
2 political purposes or political educational purposes, shall not
3 engage in political campaigns in the name of the district, and shall
4 not permit any property of the district to be used for any such
5 purpose. Any violation of this section shall be a Class D1 felony
6 offense and shall work a forfeiture of office or employment and
7 shall be punishable by a fine not exceeding Five Hundred Dollars
8 (\$500.00), or by imprisonment ~~in the State Penitentiary not~~
9 ~~exceeding five (5) years~~ as provided for in subsections B through F
10 of Section 20N of Title 21 of the Oklahoma Statutes, or both.

11 SECTION 589. AMENDATORY 84 O.S. 2021, Section 55, is
12 amended to read as follows:

13 Section 55. Every will, other than a nuncupative will, must be
14 in writing; and every will, other than a holographic will and a
15 nuncupative will, must be executed and attested as follows:

16 1. It must be subscribed at the end thereof by the testator
17 himself, or some person, in his presence and by his direction, must
18 subscribe his name thereto.

19 2. The subscription must be made in the presence of the
20 attesting witnesses, or be acknowledged by the testator to them, to
21 have been made by him or by his authority.

22 3. The testator must, at the time of subscribing or
23 acknowledging the same, declare to the attesting witnesses that the
24 instrument is his will.

1 4. There must be two attesting witnesses, each of whom must
2 sign his name as a witness at the end of the will at the testator's
3 request and in his presence.

4 5. Every will, other than a holographic and a nuncupative will,
5 and every codicil to such will or to a holographic will may, at the
6 time of execution or at any subsequent date during the lifetimes of
7 the testator and the witnesses, be made self-proved, and the
8 testimony of the witnesses in the probate thereof may be made
9 unnecessary by:

10 a. the acknowledgment thereof by the testator and the
11 affidavits of the attesting witnesses, each made
12 before an officer authorized to take acknowledgments
13 to deeds of conveyance and to administer oaths under
14 the laws of this state, such acknowledgments and
15 affidavits being evidenced by the certificate, with
16 official seal affixed, of such officer attached or
17 annexed to such testamentary instrument in form and
18 contents substantially as follows:

19 THE STATE OF OKLAHOMA

20 COUNTY OF _____

21 Before me, the undersigned authority, on this day personally
22 appeared _____, _____, and _____, known to me to be
23 the testator and the witnesses, respectively, whose names are
24 subscribed to the annexed or foregoing instrument in their

respective capacities, and, all of said persons being by me first duly sworn, said _____, testator, declared to me and to the said witnesses in my presence that said instrument is his last will and testament or a codicil to his last will and testament, and that he had willingly made and executed it as his free and voluntary act and deed for the purposes therein expressed; and the said witnesses, each on his oath stated to me, in the presence and hearing of the said testator, that the said testator had declared to them that said instrument is his last will and testament or codicil to his last will and testament, and that he executed same as such and wanted each of them to sign it as a witness; and upon their oaths each witness stated further that they did sign the same as witnesses in the presence of the said testator and at his request and that said testator was at that time eighteen (18) years of age or over and was of sound mind.

Testator

Witness (signature)

Name and Residence (printed)

Witness (signature)

Name and Residence (printed)

Subscribed and acknowledged before me by the said _____,
testator, and subscribed and sworn before me by the said _____,
and _____ witnesses, this _____ day of _____, A.D., _____.

(SEAL)

(SIGNED)

(OFFICIAL CAPACITY
OF OFFICER); or

b. the written declaration of the testator and the
written declarations of the attesting witnesses made
in substantially the following form:

We the undersigned are the testator and the witnesses,
respectively, whose names are subscribed to the annexed or foregoing
instrument in their respective capacities, and we do hereby declare
that said _____, testator, declared to said witnesses that said
instrument is his last will and testament or a codicil to his last
will and testament, and that he willingly made and executed it as
his free and voluntary act and deed for the purposes therein
expressed; and said witnesses further declare that the said testator
declared to them that said instrument is his last will and testament
or codicil to his last will and testament, and that he executed same
as such and wanted each of us to sign it as a witness; and that we
did sign the same as witnesses in the presence of the said testator
and at his request and that said testator was at that time eighteen

1 (18) years of age or over and was of sound mind, all of which we
2 declare and sign under penalty of perjury this _____ day of
3 _____.

4 _____
5 Testator

6 _____
7 Witness (signature)

8 _____
9 Name and Residence (printed)

10 _____
11 Witness (signature)

12 _____
13 Name and Residence (printed)

14 6. Any person falsely executing a written declaration as a
15 witness or misrepresenting his or her identity with the intent to
16 defraud another person pursuant to subparagraph b of paragraph 5 of
17 this subsection shall, upon conviction, be deemed guilty of the
18 felony of perjury, a Class D1 felony offense, and shall be ~~subject~~
19 ~~to the penalties prescribed by law~~ punished by imprisonment as
20 provided for in subsections B through F of Section 20N of Title 21
21 of the Oklahoma Statutes.

22 7. A self-proved testamentary instrument shall be admitted to
23 probate without the testimony of any subscribing witness, unless
24 contested, but otherwise it shall be treated no differently than a

1 will or codicil not self-proved. Furthermore, a self-proved
2 testamentary instrument may be revoked or amended by a codicil in
3 exactly the same fashion as a will or codicil not self-proved and
4 such a testamentary instrument may be contested as a will not self-
5 proved.

6 SECTION 590. AMENDATORY 85A O.S. 2021, Section 6, is
7 amended to read as follows:

8 Section 6. A. 1. a. Any person or entity who makes any material
9 false statement or representation, who willfully and knowingly omits
10 or conceals any material information, or who employs any device,
11 scheme, or artifice, or who aids and abets any person for the
12 purpose of:

13 (1) obtaining any benefit or payment,

14 (2) increasing any claim for benefit or payment, or

15 (3) obtaining workers' compensation coverage under

16 the Administrative Workers' Compensation Act,

17 shall be guilty of a Class D1 felony offense

18 punishable pursuant to Section 1663 of Title 21 of the
19 Oklahoma Statutes.

20 b. A material false statement or representation includes,
21 but is not limited to, attempting to obtain treatment
22 or compensation for body parts that were not injured
23 in the course and scope of employment.
24

1 c. Fifty percent (50%) of any criminal fine imposed and
2 collected under this section shall be paid and
3 allocated in accordance with applicable law to the
4 Workers' Compensation Commission Revolving Fund.

5 2. Any person or entity with whom any person identified in
6 division (1) of subparagraph a of paragraph 1 of this subsection has
7 conspired to achieve the proscribed ends shall, by reason of such
8 conspiracy, be guilty as a principal of a felony.

9 B. Except for forms submitted through the Electronic Data
10 Interchange system employed by the Workers' Compensation Commission
11 pursuant to Section 101 of this title, a copy of division (1) of
12 subparagraph a of paragraph 1 of subsection A of this section shall
13 be included on all forms prescribed by the Commission for the use of
14 injured employees claiming benefits and for the use of employers in
15 responding to employees' claims under this act.

16 C. While receiving temporary total disability benefits, failing
17 to report any earned income to an employer, insurance carrier or
18 third-party administrator shall be a Class D1 felony offense
19 punishable pursuant to Section 1663 of Title 21 of the Oklahoma
20 Statutes.

21 D. If the Workers' Compensation Commission or the Attorney
22 General finds that a violation of division (1) of subparagraph a of
23 paragraph 1 of subsection A of this section has been committed, or
24 that any other criminal violations in furtherance of this act were

1 committed, the chair of the Commission or the Attorney General shall
2 refer the matter for appropriate action to the prosecuting attorney
3 having criminal jurisdiction over the matter.

4 E. 1. a. There shall be established within the Office of the
5 Attorney General a Workers' Compensation Fraud
6 Investigation Unit, funded by the Commission. The
7 Attorney General shall appoint a Director of the
8 Workers' Compensation Fraud Investigation Unit, who
9 may also serve as the director of any other designated
10 insurance fraud investigation division within the
11 Attorney General's office.

12 b. (1) The Unit shall investigate workers' compensation
13 fraud, any additional criminal violations that
14 may be related to workers' compensation fraud,
15 and any other insurance fraud matters as may be
16 assigned at the discretion of the Attorney
17 General.

18 (2) The Attorney General shall designate the
19 personnel assigned to the Unit, who, on meeting
20 the qualifications established by the Oklahoma
21 Council on Law Enforcement Education and
22 Training, shall have the powers of specialized
23 law enforcement officers of the State of Oklahoma
24 for the purpose of conducting investigations

1 under this subparagraph. Personnel hired as
2 specialized law enforcement officers shall be
3 certified as a peace officer by the Oklahoma
4 Council on Law Enforcement Education and
5 Training.

6 2. The Attorney General and his or her deputies and assistants
7 and the Director of the Workers' Compensation Fraud Investigation
8 Unit and his or her deputies and assistants shall be vested with the
9 power of enforcing the requirements of this section.

10 3. It shall be the duty of the Unit to assist the Attorney
11 General in the performance of his or her duties. The Unit shall
12 determine the identity of employees in this state who have violated
13 division (1) of subparagraph a of paragraph 1 of subsection A of
14 this section and report the violation to the Office of the Attorney
15 General and the Commission. The Attorney General shall report the
16 violation to the prosecuting attorney having jurisdiction over the
17 matter.

18 4. a. In the course of any investigation being conducted by
19 the Unit, the Attorney General and his or her deputies
20 and assistants and the Director and his or her
21 deputies and assistants shall have the power of
22 subpoena and may:

23 (1) subpoena witnesses,
24

1 (2) administer oaths or affirmations and examine any
2 individual under oath, and

3 (3) require and compel the production of records,
4 books, papers, contracts, and other documents.

5 b. The issuance of subpoenas for witnesses shall be
6 served in the same manner as if issued by a district
7 court.

8 c. (1) Upon application by the commissioner or the
9 Director of the Unit, the district court located
10 in the county where a subpoena was served may
11 issue an order compelling an individual to comply
12 with the subpoena to testify.

13 (2) Any failure to obey the order of the court may be
14 punished as contempt.

15 d. If any person has refused in connection with an
16 investigation by the Director to be examined under
17 oath concerning his or her affairs, then the Director
18 is authorized to conduct and enforce by all
19 appropriate and available means any examination under
20 oath in any state or territory of the United States in
21 which any officer, director, or manager may then
22 presently be to the full extent permitted by the laws
23 of the state or territory.
24

1 e. In addition to the punishments described in paragraph
2 1 of subsection A of this section, any person
3 providing false testimony under oath or affirmation in
4 this state as to any matter material to any
5 investigation or hearing conducted under this
6 subparagraph, or any workers' compensation hearing,
7 shall upon conviction be guilty of perjury.

8 5. Fees and mileage of the officers serving the subpoenas and
9 of the witnesses in answer to subpoenas shall be as provided by law.

10 6. a. Every carrier or employer who has reason to suspect
11 that a violation of division (1) of subparagraph a of
12 paragraph 1 of subsection A of this section has
13 occurred shall be required to report all pertinent
14 matters to the Unit.

15 b. No carrier or employer who makes a report for a
16 suspected violation of division (1) of subparagraph a
17 of paragraph 1 of subsection A of this section by an
18 employee shall be liable to the employee unless the
19 carrier or employer knowingly and intentionally
20 included false information in the report.

21 c. (1) Any carrier or employer who willfully and
22 knowingly fails to report a violation under
23 division (1) of subparagraph a of paragraph 1 of
24 subsection A of this section shall be guilty of a

1 misdemeanor and on conviction shall be punished
2 by a fine not to exceed One Thousand Dollars
3 (\$1,000.00).

4 (2) Fifty percent (50%) of any criminal fine imposed
5 and collected under this subparagraph shall be
6 paid and allocated in accordance with applicable
7 law to the fund administered by the Commission.

8 d. Any employee may report suspected violations of
9 division (1) of subparagraph a of paragraph 1 of
10 subsection A of this section. No employee who makes a
11 report shall be liable to the employee whose suspected
12 violations have been reported.

13 F. 1. For the purpose of imposing criminal sanctions or a fine
14 for violation of the duties of this act, the prosecuting attorney
15 shall have the right and discretion to proceed against any person or
16 organization responsible for such violations, both corporate and
17 individual liability being intended by this act.

18 2. The prosecuting attorney of the district to whom a suspected
19 violation of subsection A of this section, or any other criminal
20 violations that may be related thereto, have been referred shall,
21 for the purpose of assisting him or her in such prosecutions, have
22 the authority to appoint as special deputy prosecuting attorneys
23 licensed attorneys-at-law in the employment of the Unit or any other
24 designated insurance fraud investigation division within the

1 Attorney General's office. Such special deputy prosecuting
2 attorneys shall, for the purpose of the prosecutions to which they
3 are assigned, be responsible to and report to the prosecuting
4 attorney.

5 G. Notwithstanding any other provision of law, investigatory
6 files as maintained by the Attorney General's office and by the Unit
7 shall be deemed confidential and privileged. The files may be made
8 open to the public once the investigation is closed by the Director
9 of the Workers' Compensation Fraud Investigation Unit with the
10 consent of the Attorney General.

11 H. The Attorney General, with the cooperation and assistance of
12 the Commission, is authorized to establish rules as may be necessary
13 to carry out the provisions of this section.

14 I. Nothing in this section shall be deemed to create a civil
15 cause of action.

16 J. Except for forms submitted through the Electronic Data
17 Interchange system employed by the Commission pursuant to Section
18 101 of this title, the Commission shall include a statement on all
19 forms for notices and instructions to employees, employers, carriers
20 and third-party administrators that any person who commits workers'
21 compensation fraud, upon conviction, shall be guilty of a felony
22 punishable by imprisonment, a fine or both.

23 K. If an injured employee is charged with workers' compensation
24 fraud, any pending workers' compensation proceeding, including

1 benefits, shall be stayed after the preliminary hearing is concluded
2 and the claimant is bound over and shall remain stayed until the
3 final disposition of the criminal case. All notice requirements
4 shall continue during the stay.

5 L. If the Attorney General's Office is in compliance with the
6 discovery provisions of Section 258 of Title 22 of the Oklahoma
7 Statutes, medical records created for the purpose of treatment and
8 medical opinions obtained during the investigation shall be
9 admissible at the preliminary hearing without the appearance of the
10 medical professional creating such records or opinions. However,
11 when material evidence dispositive to the issues of whether there
12 was probable cause the crime was committed and whether the defendant
13 committed the crime, was not included in a report or opinion
14 admitted at preliminary hearing, but might be presented at a
15 pretrial hearing by a medical professional who created such report
16 or opinion, the judge may, upon the motion of either party, order
17 the appearance of the medical professional creating such report or
18 opinion. Questions of fact regarding the conduct of the defendant
19 that conflict with the findings of the medical professional
20 evaluating the defendant shall not constitute material evidence. In
21 the event of such motion, notice shall be given to the Attorney
22 General's Workers' Compensation Fraud and Investigation and
23 Prosecution Unit. A hearing shall be held and, if the motion is
24

1 granted, the evidence shall not be presented fewer than five (5)
2 days later.

3 M. Any person or entity who, in good faith and exercising due
4 care, reports suspected workers' compensation fraud or insurance
5 fraud, or who allows access to medical records or other information
6 pertaining to suspected workers' compensation or insurance fraud, by
7 persons authorized to investigate a report concerning the workers'
8 compensation and insurance fraud, shall have immunity from any civil
9 or criminal liability for such report or access. Any such person or
10 entity shall have the same immunity with respect to participation in
11 any judicial proceeding resulting from such reports. For purposes
12 of any civil or criminal proceeding, there shall be a presumption of
13 good faith of any person making a report, providing medical records
14 or providing information pertaining to a workers' compensation or
15 insurance fraud investigation by the Attorney General, and
16 participating in a judicial proceeding resulting from a subpoena or
17 a report.

18 SECTION 591. AMENDATORY 21 O.S. 2021, Section 434, is
19 amended to read as follows:

20 Section 434. Every prisoner confined in the penitentiary for a
21 term less than for life, who attempts by force or fraud, although
22 unsuccessfully, to escape from such prison, shall be guilty of a
23 Class D2 felony offense and shall be punished by imprisonment as
24

1 provided for in subsections B through F of Section 200 of this
2 title.

3 SECTION 592. AMENDATORY 21 O.S. 2021, Section 436, is
4 amended to read as follows:

5 Section 436. Any prisoner confined in any other prison than the
6 penitentiary, who attempts by force or fraud, although
7 unsuccessfully, to escape therefrom, is guilty of a Class D2 felony
8 offense punishable by imprisonment in a county jail not exceeding
9 one (1) year, to commence from the expiration of the original term
10 of his imprisonment. Any subsequent conviction pursuant to this
11 section shall be a Class D2 felony offense, punishable by
12 imprisonment as provided for in subsection C of Section 200 of this
13 title.

14 SECTION 593. AMENDATORY 21 O.S. 2021, Section 444, is
15 amended to read as follows:

16 Section 444. A. It is unlawful for any person, after being
17 lawfully arrested or detained by a peace officer, to escape or
18 attempt to escape from such peace officer.

19 B. Any person who escapes or attempts to escape after being
20 lawfully arrested or detained for custody for a misdemeanor offense
21 shall be guilty of a misdemeanor.

22 C. Any person who escapes or attempts to escape after being
23 lawfully arrested or detained for custody for a felony offense shall
24 be guilty of a Class D2 felony offense and shall be punished by

1 imprisonment as provided for in subsections B through F of Section
2 200 of this title.

3 D. It is unlawful for any person admitted to bail or released
4 on recognizance, bond, or undertaking for appearance before any
5 magistrate or court of the State of Oklahoma, and required as a
6 condition of such release from detention to wear any electronic
7 monitoring device on the body of the person to remove such device
8 without authorization from the court. For purposes of this
9 subsection, any person charged with a misdemeanor offense who
10 removes such device without authorization from the court shall be
11 guilty of a misdemeanor and any person charged with a felony offense
12 who removes such device without authorization from the court shall,
13 upon conviction, be guilty of a Class D3 felony offense and shall be
14 punished by imprisonment as provided for in subsections B through F
15 of Section 20P of this title.

16 SECTION 594. AMENDATORY 21 O.S. 2021, Section 650.5, as
17 amended by Section 2, Chapter 140, O.S.L. 2023 (21 O.S. Supp. 2024,
18 Section 650.5), is amended to read as follows:

19 Section 650.5. A. Every person who, without justifiable or
20 excusable cause and with intent to do bodily harm, commits any
21 aggravated assault and battery or any assault with a firearm or
22 other deadly weapon upon the person of a medical care provider, upon
23 conviction, is guilty of a Class D2 felony offense punishable by
24 imprisonment in the custody of the Department of Corrections for a

1 term not less than two (2) years nor more than five (5) years, or by
2 a fine not to exceed One Thousand Dollars (\$1,000.00), or by both
3 such fine and imprisonment. Any subsequent conviction pursuant to
4 this section shall be a Class D2 felony offense, punishable by
5 imprisonment as provided for in subsection C of Section 200 of this
6 title.

7 B. As used in this section, "medical care provider" means
8 doctors, residents, interns, nurses, nurses' aides, ambulance
9 attendants and operators, paramedics, emergency medical technicians,
10 laboratory technicians, radiologic technologists, physical
11 therapists, physician assistants, chaplains, volunteers,
12 pharmacists, nursing students, medical students, members of a
13 hospital security force, and any other employees or independent
14 contractors working in or for a health care facility.

15 SECTION 595. AMENDATORY 21 O.S. 2021, Section 852, is
16 amended to read as follows:

17 Section 852. A. Unless otherwise provided for by law, any
18 parent, guardian, or person having custody or control of a child as
19 defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes who
20 willfully omits, without lawful excuse, to furnish necessary food,
21 clothing, shelter, monetary child support, medical attendance,
22 payment of court-ordered day care or payment of court-ordered
23 medical insurance costs for such child which is imposed by law, upon
24 conviction, is guilty of a misdemeanor; provided, any person

1 obligated to make child support payments who willfully and without
2 lawful excuse becomes delinquent in said child support payments
3 after September 1, 1993, and such delinquent child support accrues
4 without payment by the obligor for a period of one (1) year, or
5 exceeds Five Thousand Dollars (\$5,000.00) shall, upon conviction
6 thereof, be guilty of a Class D2 felony ~~which is~~ offense punishable
7 in the same manner as any subsequent conviction pursuant to the
8 provisions of this section. Any subsequent conviction pursuant to
9 this section shall be a Class D2 felony offense, punishable by
10 imprisonment ~~for not more than four (4) years in the custody of the~~
11 ~~Department of Corrections~~ as provided for in subsection C of Section
12 200 of this title, or by the imposition of a fine of not more than
13 Five Thousand Dollars (\$5,000.00), or by both such fine and
14 imprisonment. As used in this section, the duty to furnish medical
15 attendance shall mean that the parent or person having custody or
16 control of a child must furnish medical treatment in such manner and
17 on such occasions as an ordinarily prudent person, solicitous for
18 the welfare of a child, would provide; such parent or person having
19 custody or control of a child is not criminally liable for failure
20 to furnish medical attendance for every minor or trivial complaint
21 with which the child may be afflicted.

22 B. Any person who leaves the state to avoid providing necessary
23 food, clothing, shelter, court-ordered monetary child support, or
24 medical attendance for such child, upon conviction, shall be guilty

1 of a Class D2 felony offense punishable by imprisonment for not more
2 than four (4) years in the custody of the Department of Corrections,
3 or by the imposition of a fine of not more than Five Thousand
4 Dollars (\$5,000.00), or by both such fine and imprisonment.

5 C. Nothing in this section shall be construed to mean a child
6 is endangered for the sole reason the parent, guardian or person
7 having custody or control of a child, in good faith, selects and
8 depends upon spiritual means alone through prayer, in accordance
9 with the tenets and practice of a recognized church or religious
10 denomination, for the treatment or cure of disease or remedial care
11 of such child; provided, that medical care shall be provided where
12 permanent physical damage could result to such child; and that the
13 laws, rules, and regulations relating to communicable diseases and
14 sanitary matters are not violated.

15 D. Nothing contained in this section shall prevent a court from
16 immediately assuming custody of a child and ordering whatever action
17 may be necessary, including medical treatment, to protect the health
18 or welfare of the child.

19 E. Psychiatric and psychological testing and counseling are
20 exempt from the provisions of this section.

21 F. If any parent of a child in cases in which the Department of
22 Human Services is providing services pursuant to Section 237 of
23 Title 56 of the Oklahoma Statutes is determined by the Department to
24 be willfully violating the provisions of this section, the

1 Department may refer the case to the proper district attorney for
2 prosecution. The Department shall provide assistance to the
3 district attorneys in such prosecutions. Any child support or
4 arrears payments made pursuant to this section shall be made payable
5 to the Department and paid through the Centralized Support Registry
6 pursuant to Section 413 of Title 43 of the Oklahoma Statutes.

7 ~~G. Except for a third or subsequent conviction, all felony~~
8 ~~convictions herein shall be administered under the provisions of the~~
9 ~~Community Sentencing Act.~~

10 ~~H.~~ It is the duty of any parent having legal custody of a child
11 who is an alcohol-dependent person or a drug-dependent person, as
12 such terms are defined by Section 3-403 of Title 43A of the Oklahoma
13 Statutes, to provide for the treatment, as such term is defined by
14 Section 3-403 of Title 43A of the Oklahoma Statutes, of such child.
15 Any parent having legal custody of a child who is an alcohol-
16 dependent person or a drug-dependent person who without having made
17 a reasonable effort fails or willfully omits to provide for the
18 treatment of such child shall be guilty of a misdemeanor. For the
19 purpose of this subsection, the duty to provide for such treatment
20 shall mean that the parent having legal custody of a child must
21 provide for the treatment in such manner and on such occasions as an
22 ordinarily prudent person, solicitous for the welfare of a child,
23 would provide.

1 ~~F.~~ H. Venue is proper in prosecutions for violations of this
2 section in:

3 1. Any county where the child resides;

4 2. The county in which the court-ordered support was entered or
5 registered pursuant to the provisions of the Uniform Interstate
6 Family Support Act; or

7 3. The county in which the defendant resides.

8 SECTION 596. AMENDATORY 21 O.S. 2021, Section 856.2, is
9 amended to read as follows:

10 Section 856.2. It shall be unlawful for any person to knowingly
11 and willfully harbour an endangered runaway child. Any person
12 violating the provisions of this section shall, upon conviction, be
13 guilty of a misdemeanor punishable by a fine not exceeding One
14 Thousand Dollars (\$1,000.00), or by imprisonment in a county jail
15 not exceeding one (1) year, or by both such fine and imprisonment.
16 Every person convicted of a second or any subsequent violation
17 shall, upon conviction, be guilty of a Class D2 felony offense
18 punishable by a fine not exceeding Five Thousand Dollars
19 (\$5,000.00), or by imprisonment ~~not exceeding three (3) years~~ as
20 provided for in subsection C of Section 200 of this title, or by
21 both such fine and imprisonment. For purposes of this section, an
22 "endangered runaway child" means an unemancipated minor who is
23 voluntarily absent from the home for seventy-two (72) hours or more
24 without a compelling reason and without the consent of a custodial

1 parent or other custodial adult or an unemancipated minor who is
2 voluntarily absent from the home without a compelling reason and
3 without the consent of a custodial parent or other custodial adult
4 and the child needs medication or other special services. For
5 purposes of this section, "compelling reason" shall be defined as
6 provided in Section 856 of Title 21 of the Oklahoma Statutes.

7 SECTION 597. AMENDATORY 21 O.S. 2021, Section 1272.3, is
8 amended to read as follows:

9 Section 1272.3. It is unlawful for any person to knowingly
10 discharge, or cause to be discharged, any electrical stun gun, tear
11 gas weapon, mace, tear gas, pepper mace or any similar deleterious
12 agent against another person knowing the other person to be a peace
13 officer, corrections officer, probation or parole officer,
14 firefighter, or an emergency medical technician or paramedic who is
15 acting in the course of official duty. Any person violating the
16 provisions of this section, upon conviction, shall be guilty of a
17 Class D2 felony offense punishable by imprisonment in the custody of
18 the Department of Corrections for a term of not exceeding ten (10)
19 years, or by imprisonment in the county jail for a term of not
20 exceeding one (1) year.

21 SECTION 598. AMENDATORY 21 O.S. 2021, Section 1289.18,
22 is amended to read as follows:

23 Section 1289.18.

24 DEFINITIONS

1 A. "Sawed-off shotgun" shall mean any firearm capable of
2 discharging a series of projectiles of any material which may
3 reasonably be expected to be able to cause lethal injury, with a
4 barrel or barrels less than eighteen (18) inches in length, and
5 using a combustible propellant charge, but does not include any
6 weapon so designed with a barrel less than eighteen (18) inches in
7 length, provided it has an overall length of twenty-six (26) inches
8 or more.

9 B. "Sawed-off rifle" shall mean any rifle having a barrel or
10 barrels of less than sixteen (16) inches in length or any weapon
11 made from a rifle (whether by alteration, modification, or
12 otherwise) if such a weapon as modified has an overall length of
13 less than twenty-six (26) inches in length, including the stock
14 portion.

15 C. Every person who knowingly has in his possession or under
16 his immediate control a sawed-off shotgun or a sawed-off rifle,
17 whether concealed or not, shall upon conviction be guilty of a Class
18 D2 felony offense for the possession of such device, and shall be
19 punishable by a fine not to exceed One Thousand Dollars (\$1,000.00),
20 or imprisonment ~~in the State Penitentiary for a period not to exceed~~
21 ~~two (2) years~~ as provided for in subsections B through F of Section
22 200 of this title, or both such fine and imprisonment.

1 D. This section shall not apply to any firearm that is lawfully
2 possessed under federal law or that is otherwise not regulated as a
3 "firearm" pursuant to the National Firearms Act.

4 E. The term "firearm" as used in this section and in the
5 Oklahoma Firearms Act of 1971, shall not include an "antique
6 firearm" as defined in 18 U.S.C., Section 921 (2006).

7 SECTION 599. AMENDATORY 21 O.S. 2021, Section 1304, is
8 amended to read as follows:

9 Section 1304. Any person who shall send, deliver, mail or
10 otherwise transmit to any person, or persons, in this state any
11 letter, document or other written or printed matter, anonymous or
12 otherwise, designed to threaten or intimidate such person or
13 persons, or designed to put him or them in fear of life, bodily harm
14 or the destruction of his or their property, shall be deemed guilty
15 of committing a Class D2 felony offense, and upon conviction thereof
16 shall be punished by a fine of not less than Fifty Dollars (\$50.00)
17 nor more than Five Hundred Dollars (\$500.00), and by imprisonment ~~in~~
18 ~~the county jail or State Penitentiary for a period of not less than~~
19 ~~ninety (90) days nor more than one (1) year~~ as provided for in
20 subsections B through F of Section 200 of this title.

21 SECTION 600. AMENDATORY 63 O.S. 2021, Section 1-731, is
22 amended to read as follows:

23 Section 1-731. A. No person shall perform or induce an
24 abortion upon a pregnant woman unless that person is a physician

1 licensed to practice medicine in the State of Oklahoma who is board-
2 certified in obstetrics and gynecology. Any person violating this
3 section shall be guilty of a Class D2 felony offense punishable by
4 imprisonment for not less than one (1) year nor more than three (3)
5 years in the custody of the Department of Corrections.

6 B. No person shall perform or induce an abortion upon a
7 pregnant woman subsequent to the end of the first trimester of her
8 pregnancy, unless such abortion is performed or induced in a general
9 hospital.

10 SECTION 601. AMENDATORY 63 O.S. 2021, Section 1-733, is
11 amended to read as follows:

12 Section 1-733. No woman shall perform or induce an abortion
13 upon herself, except under the supervision of a duly licensed
14 physician. Any physician who supervises a woman in performing or
15 inducing an abortion upon herself shall fulfill all the requirements
16 of this article which apply to a physician performing or inducing an
17 abortion. Any person violating the provisions of this section shall
18 be guilty of a Class D2 felony offense.

19 SECTION 602. AMENDATORY 63 O.S. 2021, Section 1-737.9,
20 is amended to read as follows:

21 Section 1-737.9. A. Notwithstanding any other provision of
22 law, it shall be unlawful and deemed a Class D2 felony offense for
23 any person to purposely perform or attempt to perform a
24 dismemberment abortion and thereby kill an unborn child unless

1 necessary to prevent serious health risk to the unborn child's
2 mother.

3 B. A person accused in any proceeding of unlawful conduct under
4 subsection A of this section may seek a hearing before the State
5 Board of Medical Licensure and Supervision on whether the
6 dismemberment abortion was necessary to prevent serious health risk
7 to the unborn child's mother. The Board's findings are admissible
8 on that issue at any trial in which such unlawful conduct is
9 alleged. Upon a motion of the person accused, the court shall delay
10 the beginning of the trial for not more than thirty (30) days to
11 permit such a hearing to take place.

12 C. No woman upon whom an abortion is performed or attempted to
13 be performed shall be thereby liable for performing or attempting to
14 perform a dismemberment abortion. No nurse, technician, secretary,
15 receptionist or other employee or agent who is not a physician but
16 who acts at the direction of a physician and no pharmacist or other
17 individual who is not a physician but who fills a prescription or
18 provides instruments or materials used in an abortion at the
19 direction of or to a physician shall be thereby liable for
20 performing or attempting to perform a dismemberment abortion.

21 SECTION 603. AMENDATORY 63 O.S. 2021, Section 1-738.14,
22 is amended to read as follows:

23 Section 1-738.14. Any person who knowingly or recklessly
24 performs or attempts to perform an abortion in violation of the

1 Unborn Child Pain Awareness/Prevention Act shall be guilty of a
2 Class D2 felony offense. Any physician who knowingly or recklessly
3 submits a false report under subsection C of Section 13 of this act
4 shall be guilty of a misdemeanor. No penalty may be assessed
5 against the female upon whom the abortion is performed or attempted
6 to be performed. No penalty or civil liability may be assessed for
7 failure to comply with Section 8 of this act requiring a written
8 certification that the female has been informed of the opportunity
9 to review the information referred to in Section 8 of this act
10 unless the State Department of Health has made the printed materials
11 available at the time the physician or the agent of the physician is
12 required to inform the female of the right to review the materials.

13 SECTION 604. AMENDATORY 63 O.S. 2021, Section 1-740.4b,
14 is amended to read as follows:

15 Section 1-740.4b. A. A person who knowingly or recklessly uses
16 a false governmental record or makes a fraudulent representation or
17 statement in order to obtain an abortion for a minor in violation of
18 this title or intentionally causes, aids, abets or assists an
19 unemancipated minor to obtain an abortion without the consent
20 required by Section 1-740.2 of this title commits a Class D2 felony
21 offense.

22 B. A physician who intentionally or knowingly performs an
23 abortion on a pregnant unemancipated minor in violation of this
24 title commits a Class D2 felony offense.

1 C. 1. It is a defense to prosecution under subsection B of
2 this section if the person falsely representing himself or herself
3 as the parent or guardian of the minor displayed an apparently valid
4 governmental record of identification such that a reasonable person,
5 under similar circumstances, would have relied on the
6 representation.

7 2. The defense does not apply if the physician, or agent of the
8 physician, failed to use due diligence in determining the age of the
9 minor or the identity of the person represented as the parent or
10 guardian of the minor.

11 D. A person who knowingly or recklessly uses a false
12 governmental record or makes a fraudulent representation or
13 statement in order to obtain an abortion for a minor in violation of
14 this title or intentionally causes, aids, abets or assists an
15 unemancipated minor to obtain an abortion without the consent
16 required by Section 1-740.2 of this title or any physician who
17 intentionally or knowingly performs an abortion on a pregnant
18 unemancipated minor in violation of this title shall be civilly
19 liable to the minor and to the person or persons required to give
20 consent pursuant to the provisions of Section 1-740.2 of this title.
21 A court may award damages to the person or persons adversely
22 affected by a violation of this section including compensation for
23 emotional injury without the need for personal presence at the act
24 or event, and the court may further award attorney fees, litigation

1 costs, and punitive damages. Any adult who engages in or consents
2 to another person engaging in a sexual act with a minor, which
3 results in the minor's pregnancy, shall not be awarded damages under
4 this section.

5 E. A court of competent jurisdiction may enjoin conduct that
6 would be in violation of this section upon petition by the Attorney
7 General, a district attorney or any person adversely affected or who
8 reasonably may be adversely affected by such conduct, upon a showing
9 that such conduct:

- 10 1. Is reasonably anticipated to occur in the future; or
- 11 2. Has occurred in the past, whether with the same minor or
12 others, and that it is reasonably expected to be repeated.

13 F. It is not a defense to a claim brought pursuant to this
14 section that the minor gave informed and voluntary consent.

15 G. An unemancipated minor does not have the capacity to consent
16 to any action that violates this title.

17 SECTION 605. AMENDATORY 63 O.S. 2021, Section 1-745.7,
18 is amended to read as follows:

19 Section 1-745.7. Any person who knowingly or recklessly
20 performs or induces or attempts to perform or induce an abortion in
21 violation of the Pain-Capable Unborn Child Protection Act shall be
22 guilty of a Class D2 felony offense. No penalty may be assessed
23 against the woman upon whom the abortion is performed or induced or
24 attempted to be performed or induced.

SECTION 606. AMENDATORY 63 O.S. 2021, Section 1-746.7,
is amended to read as follows:

Section 1-746.7. Any person who knowingly or recklessly performs or attempts to perform an abortion in violation of this act shall be guilty of a Class D2 felony offense. No penalty may be assessed against the female upon whom the abortion is performed or attempted to be performed.

No penalty or civil liability may be assessed for failure to comply with paragraph 1 or 2 of Section 2 of this act or that portion of paragraph 3 of Section 2 of this act requiring a written certification that the female has been informed of her opportunity to review the information referred to in paragraph 1 of Section 2 of this act unless the Board has made the printed materials available at the time the physician or the physician's agent is required to inform the female of her right to review them.

SECTION 607. AMENDATORY 63 O.S. 2021, Section 1-749, is amended to read as follows:

Section 1-749. A. Any physician who performs an abortion on a minor who is less than fourteen (14) years of age at the time of the abortion shall preserve, in accordance with rules promulgated by the Oklahoma State Bureau of Investigation, fetal tissue extracted during such abortion. The physician shall submit the tissue to the Oklahoma State Bureau of Investigation.

1 B. The Oklahoma State Bureau of Investigation shall adopt rules
2 to implement the provisions of this section. Such rules shall
3 contain, at a minimum:

4 1. The amount and type of fetal tissue to be preserved and
5 submitted by a physician pursuant to the provisions of this section;

6 2. Procedures for the proper preservation of such tissue for
7 the purposes of DNA testing and examination;

8 3. Procedures for documenting the chain of custody of such
9 tissue for use as evidence;

10 4. Procedures for the proper disposal of fetal tissue preserved
11 pursuant to this section;

12 5. A uniform reporting form mandated to be utilized by
13 physicians when submitting fetal tissue under this section, which
14 shall include the name and address of the physician submitting the
15 fetal tissue and the name and complete address of residence of the
16 parent or legal guardian of the minor upon whom the abortion was
17 performed; and

18 6. Procedures for communication with law enforcement regarding
19 evidence and information obtained pursuant to this section.

20 C. Failure of a physician to comply with any requirement of
21 this section or any rule adopted thereunder:

22 1. Shall constitute unprofessional conduct pursuant to the
23 provisions of Section 509 of Title 59 of the Oklahoma Statutes; and

24 2. Is a Class D2 felony offense.

SECTION 608. AMENDATORY 2 O.S. 2021, Section 2-18, is amended to read as follows:

Section 2-18. A. After notice and opportunity for a hearing in accordance with the Administrative Procedures Act, if the State Board of Agriculture finds any person in violation of the Oklahoma Agricultural Code or any rule promulgated or order issued pursuant thereto, the Board shall have the authority to assess an administrative penalty of not less than One Hundred Dollars (\$100.00) and not more than Ten Thousand Dollars (\$10,000.00) for each violation. Each animal, each action, or each day a violation continues may constitute a separate and distinct violation.

B. The Board may appoint administrative law judges to conduct the hearings. Hearings shall be held at a location within the region in which the alleged violator resides or the violation occurred, or the central offices of the State Board of Agriculture in Oklahoma City, Oklahoma.

C. Any person who fails to comply with the provisions of the Oklahoma Agricultural Code or rules promulgated by the Board shall be deemed guilty of a misdemeanor unless a violation of the Oklahoma Agricultural Code or rules promulgated thereto is specifically identified with a penalty or as a Class D3 felony offense in the individual articles of the Oklahoma Agricultural Code. Any person who violates the provisions of this subsection shall, upon conviction, be guilty of a Class D3 felony offense and shall be

1 punished by imprisonment as provided for in subsections B through F
2 of Section 20P of Title 21 of the Oklahoma Statutes.

3 D. Nothing in the Oklahoma Agricultural Code shall preclude the
4 Board from seeking penalties in district court in the maximum amount
5 allowed by law. The assessment of penalties in an administrative
6 enforcement proceeding shall not prevent the subsequent assessment
7 by a court of the maximum civil or criminal penalties for violations
8 of the Oklahoma Agricultural Code and rules promulgated pursuant
9 thereto.

10 E. Any person assessed an administrative or civil penalty may
11 be required to pay, in addition to the penalty amount and interest
12 thereon, attorney fees and costs associated with the collection of
13 the penalties.

14 SECTION 609. AMENDATORY 2 O.S. 2021, Section 5-106, is
15 amended to read as follows:

16 Section 5-106. A. A person convicted of any of the offenses
17 defined in subsections A and B of Section 3 of this act shall be
18 guilty of a Class D3 felony offense and, upon conviction, shall be
19 punished by a fine not to exceed Ten Thousand Dollars (\$10,000.00)
20 or by imprisonment ~~for a term not to exceed three (3) years~~ as
21 provided for in subsections B through F of Section 20P of Title 21
22 of the Oklahoma Statutes, or both.

23 B. Any person violating subsection C of Section 3 of this act
24 shall be guilty of a misdemeanor.

SECTION 610. AMENDATORY 2 O.S. 2021, Section 6-94, is amended to read as follows:

Section 6-94. A. The owner of exposed animals or reactors shall present the animals for branding or tagging within fifteen (15) days after receiving notice of reaction or exposure. The failure of an owner to comply with the requirements of this subsection shall be deemed a misdemeanor.

B. The removal of any permanent mark or brand, including official identification, from any animal with a reportable disease or those classified as diseased in a herd being depopulated, without prior authorization from the State Veterinarian, shall be deemed a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes.

SECTION 611. AMENDATORY 2 O.S. 2021, Section 6-125, is amended to read as follows:

Section 6-125. It shall be unlawful and a misdemeanor for any person to remove, change the location of, or to bring into or to take out of any place or area that has been quarantined, any livestock covered by the order of quarantine or to violate any of the conditions of the quarantine. If the aggregate value of the quarantined livestock is in excess of One Thousand Dollars (\$1,000.00), then the person shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as

1 provided for in subsections B through F of Section 20P of Title 21
2 of the Oklahoma Statutes.

3 SECTION 612. AMENDATORY 2 O.S. 2021, Section 6-151, is
4 amended to read as follows:

5 Section 6-151. A. 1. It shall be unlawful and deemed a Class
6 D3 felony offense to ship, transport, or cause to be shipped or
7 transported any livestock into the State of Oklahoma, unless
8 accompanied by an official health certificate, permit, or both,
9 which shall be in the possession of the driver of the vehicle or
10 person in charge of the livestock.

11 2. The owner of the livestock, the shipper, and the operator of
12 the vehicle transporting the livestock shall be equally and
13 individually responsible for meeting all requirements regarding
14 health certificates, permits, and the movement of livestock into
15 this state.

16 3. An official health certificate or permit shall not be
17 required for any livestock shipped directly from a farm of origin,
18 with no diversion in route, to an approved market or slaughtering
19 establishment operating under state or federal supervision, if a
20 waybill, bill of lading, or certificate of ownership accompanies the
21 shipment showing the consignor and the point of origin of the
22 shipment, and the approved market or slaughtering establishment to
23 which the livestock are shipped.

1 B. 1. It shall be unlawful and deemed a Class D3 felony
2 offense for any livestock that are affected with or that have been
3 exposed to any infectious, contagious, or communicable disease or
4 which originate from a quarantined area to be shipped or in any
5 manner transported or moved into or through the state until written
6 permission for entry, transportation, or movement is obtained from
7 the State Board of Agriculture or its authorized agent.

8 2. A written permit shall not be required for diseased animals
9 which are approved for interstate shipment under specified
10 restrictions by the United States Department of Agriculture.

11 SECTION 613. AMENDATORY 2 O.S. 2021, Section 6-155, is
12 amended to read as follows:

13 Section 6-155. Any person violating the provisions of
14 subsections ~~(a)~~ A and ~~(b)~~ B of Section 6-151 of this title relating
15 to the importation and transportation of livestock, is guilty of a
16 Class D3 felony offense and subject to a ~~maximum~~ punishment of ~~two~~
17 ~~(2) years in prison~~ imprisonment as provided for in subsections B
18 through F of Section 20P of Title 21 of the Oklahoma Statutes, or a
19 Two Thousand Dollar (\$2,000.00) fine, or both. Any person violating
20 any of the other provisions of this section, relating to the
21 importation and transportation of livestock, is guilty of a
22 misdemeanor and subject to a maximum punishment of six (6) months in
23 the county jail or a Five Hundred Dollar (\$500.00) fine, or both.
24 Each animal brought into the state in violation of any of the

provisions of this section shall constitute a separate and distinct violation.

SECTION 614. AMENDATORY 2 O.S. 2021, Section 6-190, is amended to read as follows:

Section 6-190. No person, firm or corporation shall, with respect to any cattle, bison, sheep, swine, goats, horses, mules or other equines, or any carcasses, parts of carcasses, meat or meat food products of any such animals:

(a) Slaughter any such animals or prepare any such articles which are capable of use as human food at any establishment preparing such articles for intrastate commerce, except in compliance with the requirements of this act. Any person who violates the provisions of this paragraph shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes;

(b) Slaughter or handle in connection with slaughter any such animals in any manner not in accordance with Section 6-183 of this title. Any person who violates the provisions of this paragraph shall, upon conviction, be guilty of a Class D3 felony offense and shall be punished by imprisonment as provided for in subsections B through F of Section 20P of Title 21 of the Oklahoma Statutes;

(c) Sell, transport, offer for sale or transportation, or receive for transportation, in intrastate commerce, (1) any such

1 articles which (A) are capable of use as human food, and (B) are
2 adulterated or misbranded at the time of such sale, transportation,
3 offer for sale or transportation, or receipt for transportation; or
4 (2) any articles required to be inspected under Sections 6-181
5 through 6-196 of this title unless they have been so inspected and
6 passed;

7 (d) Do, with respect to any such articles which are capable of
8 use as human food, any act while they are being transported in
9 intrastate commerce or held for sale after such transportation,
10 which is intended to cause or has the effect of causing such
11 articles to be adulterated or misbranded.

12 SECTION 615. AMENDATORY 2 O.S. 2021, Section 6-191, is
13 amended to read as follows:

14 Section 6-191. (a) No brand manufacturer, printer, or other
15 person, firm, or corporation shall cast, print, lithograph, or
16 otherwise make any device containing any official mark or simulation
17 thereof, or any label bearing any such mark or simulation, or any
18 form of official certificate or simulation thereof, except as
19 authorized by the Board.

20 (b) No person, firm, or corporation shall

21 (1) forge any official device, mark, or certificate;

22 (2) without authorization from the Board use any official
23 device, mark, or certificate, or simulation thereof, or alter,
24

1 detach, deface, or destroy any official device, mark, or
2 certificate;

3 (3) contrary to the regulations prescribed by the Board, fail to
4 use, or to detach, deface, or destroy any official device, mark, or
5 certificate;

6 (4) knowingly possess, without promptly notifying the Board or
7 its representative, any official device or any counterfeit,
8 simulated, forged, or improperly altered official certificate or any
9 device or label or any carcass of any animal, or part or product
10 thereof, bearing any counterfeit, simulated, forged, or improperly
11 altered official mark;

12 (5) knowingly make any false statement in any shipper's
13 certificate or other nonofficial or official certificate provided
14 for in the regulations prescribed by the Board; or

15 (6) knowingly represent that any article has been inspected and
16 passed, or exempted, under this act, when, in fact, it has,
17 respectively, not been so inspected and passed, or exempted.

18 (c) Any person who violates the provisions of this section
19 shall, upon conviction, be guilty of a Class D3 felony offense and
20 shall be punished by imprisonment as provided for in subsections B
21 through F of Section 20P of Title 21 of the Oklahoma Statutes.

22 SECTION 616. AMENDATORY 2 O.S. 2021, Section 6-192, is
23 amended to read as follows:

1 Section 6-192. A. It shall be unlawful and deemed a Class D3
2 felony offense for any person to sell, offer or exhibit for sale, or
3 have in his or her possession with intent to sell, any quantity of
4 horsemeat for human consumption in Oklahoma. Any person who
5 violates the provisions of this subsection shall, upon conviction,
6 be guilty of a Class D3 felony offense and shall be punished by
7 imprisonment as provided for in subsections B through F of Section
8 20P of Title 21 of the Oklahoma Statutes.

9 B. It shall be unlawful for any person to transfer the
10 possession of any horsemeat to any other person when the person so
11 transferring knows, or in the exercise of a reasonable discretion
12 should have known, that the person receiving the horsemeat intends
13 to sell it in this state, offer it for sale in this state, exhibit
14 it for sale in this state, or keep it in his possession with intent
15 to sell it for human consumption in this state.

16 C. No person, firm, or corporation shall sell in this state,
17 transport, offer for sale in this state or transportation, or
18 receive for transportation, in intrastate commerce, any carcasses of
19 horses, mules, or other equines or parts of such carcasses, or the
20 meat or meat food products thereof, unless they are plainly and
21 conspicuously marked or labeled or otherwise identified as required
22 by regulations prescribed by the Board to show the kinds of animals
23 from which they were derived. When required by the Board with
24 respect to establishments at which inspection is maintained under

1 Section 6-181 et seq. of this title, such animals and their
2 carcasses, parts thereof, meat and meat food products shall be
3 prepared in establishments separate from those in which cattle,
4 sheep, swine, or goats are slaughtered or their carcasses, parts
5 thereof, meat or meat food products are prepared.

6 D. The State Commissioner of Health or his or her authorized
7 representative shall have free access to any transport vehicle,
8 factory, warehouse or establishment in which horsemeat or feed
9 suspected of containing horsemeat is transported, manufactured,
10 processed, packed, sold, or prepared for serving to secure, after
11 payment or offer to pay therefor, samples or specimens of such
12 products found therein, to examine any and all sales records,
13 shipping records relating to foods or horsemeat, to embargo any
14 article of food or horsemeat suspected of being in violation of law,
15 and to determine whether any law is being violated.

16 E. For the purpose of this section:

17 1. The term "horsemeat" shall mean the meat or flesh of any
18 animal of the equine genus;

19 2. The term "package" or "container" shall mean the original,
20 properly labeled package or container in which the horsemeat was
21 packaged by the packer or processor at the point of origin; and

22 3. The term "properly labeled" shall mean a display of written,
23 printed or graphic matter upon the outside package or container, or
24 wrapper if there be one, stating the name and address of the

1 original packer or processor, and in addition thereto shall include
2 the word "horsemeat". All letters and words of the label shall be
3 legible and of such size as to be easily read and understood by the
4 ordinary individual under customary conditions of purchase and use.

5 SECTION 617. AMENDATORY 2 O.S. 2021, Section 6-194, is
6 amended to read as follows:

7 Section 6-194. Any person, firm, or corporation, or any agent
8 or employee of any person, firm, or corporation, who shall give,
9 pay, or offer, directly or indirectly, to any inspector, deputy
10 inspector, chief inspector, or any other officer or employee of this
11 state authorized to perform any of the duties prescribed by this act
12 or by the rules of the Board, any money or other thing of value,
13 with intent to influence said inspector, deputy inspector, chief
14 inspector, or other officer or employee of this state in the
15 discharge of any duty herein provided for, shall be deemed guilty of
16 a Class D3 felony offense, upon conviction thereof, and shall be
17 punished by a fine not less than Five Thousand Dollars (\$5,000.00)
18 nor more than Ten Thousand Dollars (\$10,000.00) and by imprisonment
19 ~~not less than one (1) year nor more than three (3) years as provided~~
20 for in subsections B through F of Section 20P of Title 21 of the
21 Oklahoma Statutes; and any inspector, deputy inspector, chief
22 inspector, or other officer or employee of this state authorized to
23 perform any of the duties prescribed by this act who shall accept
24 any money, gift, or other thing of value from any person, firm, or

1 corporation, or officers, agents, or employees thereof, given with
2 intent to influence his official action, or who shall receive or
3 accept from any person, firm, or corporation engaged in intrastate
4 commerce any gift, money, or other thing of value given with any
5 purpose or intent whatsoever, shall be deemed guilty of a Class D3
6 felony offense and shall, upon conviction thereof, be summarily
7 discharged from office and shall be punished by a fine not less than
8 One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars
9 (\$10,000.00) and by imprisonment ~~not less than one (1) year nor more~~
10 ~~than three (3) years~~ as provided for in subsections B through F of
11 Section 20P of Title 21 of the Oklahoma Statutes.

12 SECTION 618. AMENDATORY 2 O.S. 2021, Section 6-197, is
13 amended to read as follows:

14 Section 6-197. Inspection shall not be provided under Sections
15 181 et seq. of this title at any establishment for the slaughter of
16 cattle, bison, sheep, swine, goats, horses, mules, or other equines,
17 or the preparation of any carcasses or parts or products of such
18 animals which are not intended for use as human food, but such
19 articles shall, prior to their offer for sale or transportation in
20 intrastate commerce, unless naturally inedible by humans, be
21 denatured or otherwise identified as prescribed by regulations of
22 the Board to deter their use for human food. No person, firm, or
23 corporation shall buy, sell, transport, or offer for sale or
24 transportation, or receive for transportation, in intrastate

1 commerce, any carcasses, parts thereof, meat or meat food products
2 of any such animals, which are not intended for use as human food
3 unless they are denatured or otherwise identified as required by the
4 regulations of the Board or are naturally inedible by humans. Any
5 person who violates the provisions of this section shall, upon
6 conviction, be guilty of a Class D3 felony offense and shall be
7 punished by imprisonment as provided for in subsections B through F
8 of Section 20P of Title 21 of the Oklahoma Statutes.

9 SECTION 619. AMENDATORY 2 O.S. 2021, Section 6-199, is
10 amended to read as follows:

11 Section 6-199. No person, firm, or corporation shall engage in
12 business, in or for intrastate commerce, as a meat broker, renderer,
13 or animal food manufacturer, or engage in business in such commerce
14 as a wholesaler of any carcasses, or parts or products of the
15 carcasses, of any cattle, bison, sheep, swine, goats, horses, mules,
16 or other equines, whether intended for human food or other purposes,
17 or engage in business as a public warehouseman storing any such
18 articles in or for such commerce, or engage in the business of
19 buying, selling, or transporting in such commerce any dead, dying,
20 disabled, or diseased animals of the specified kinds, or parts of
21 the carcasses of any such animals that died otherwise than by
22 slaughter, unless, when required by regulations of the Board, he has
23 registered with the Board his name, and the address of each place of
24 business at which and all trade names under which he conducts such

1 business. Any person who violates the provisions of this section
2 shall, upon conviction, be guilty of a Class D3 felony offense and
3 shall be punished by imprisonment as provided for in subsections B
4 through F of Section 20P of Title 21 of the Oklahoma Statutes.

5 SECTION 620. AMENDATORY 2 O.S. 2021, Section 6-200, is
6 amended to read as follows:

7 Section 6-200. No person, firm, or corporation engaged in the
8 business of buying, selling, or transporting in intrastate commerce
9 dead, dying, disabled, or diseased animals, or any part of the
10 carcasses of any animals that died otherwise than by slaughter,
11 shall buy, sell, transport, offer for sale or transportation, or
12 receive for transportation, in such commerce, any dead, dying,
13 disabled, or diseased cattle, bison, sheep, swine, goats, horses,
14 mules or other equines, or parts of the carcasses of any such
15 animals that died otherwise than by slaughter, unless such
16 transaction or transportation is made in accordance with such
17 regulations as the Board prescribes to assure that such animals, or
18 the unwholesome parts or products thereof, will be prevented from
19 being used for human food purposes. Any person who violates the
20 provisions of this section shall, upon conviction, be guilty of a
21 Class D3 felony offense and shall be punished by imprisonment as
22 provided for in subsections B through F of Section 20P of Title 21
23 of the Oklahoma Statutes.

1 SECTION 621. AMENDATORY 2 O.S. 2021, Section 6-207, is
2 amended to read as follows:

3 Section 6-207. (a) Any person, firm, or corporation who
4 violates any provision of the Oklahoma Meat Inspection Act for which
5 no other criminal penalty is provided by this act shall upon
6 conviction be subject to imprisonment for not more than one (1)
7 year, or a fine of not more than One Thousand Dollars (\$1,000.00),
8 or both such imprisonment and fine; but if such violation involves
9 intent to defraud, or any distribution or attempted distribution of
10 an article that is adulterated (except as defined in subparagraph
11 (8) of paragraph (j) of Section 6-182 of this title), such person,
12 firm, or corporation shall be guilty of a Class D3 felony offense
13 and shall be subject to imprisonment ~~for not more than three (3)~~
14 ~~years~~ as provided for in subsections B through F of Section 20P of
15 Title 21 of the Oklahoma Statutes, or a fine of not more than Ten
16 Thousand Dollars (\$10,000.00), or both; provided, that no person,
17 firm, or corporation shall be subject to penalties under this
18 section for receiving for transportation any article or animal in
19 violation of this act if such receipt was made in good faith, unless
20 such person, firm, or corporation refuses to furnish on request of a
21 representative of the Board the name and address of the person from
22 whom he received such article or animal, and copies of all
23 documents, if any there be, pertaining to the delivery of the
24 article or animal to him.

1 (b) Nothing in this act shall be construed as requiring the
2 Board to report for prosecution, or for the institution of legal
3 action or injunction proceedings, minor violations of this act
4 whenever it believes that the public interest will be adequately
5 served by a suitable written notice of warning.

6 SECTION 622. AMENDATORY 2 O.S. 2021, Section 6-258, is
7 amended to read as follows:

8 Section 6-258. A. All poultry products inspected at any
9 official establishment under the authority of this act and found to
10 be not adulterated shall at the time they leave the establishment
11 bear, in distinctly legible form, on their shipping containers and
12 immediate containers as the Board may require, the information
13 required under paragraph 12 of Section 4 of this act. In addition,
14 the Board whenever it determines such action is practicable and
15 necessary for the protection of the public may require nonconsumer
16 packaged carcasses at the time they leave the establishment to bear
17 directly thereon in distinctly legible form any information required
18 under such paragraph 12.

19 B. The Board, whenever it determines such action is necessary
20 for the protection of the public, may prescribe:

21 1. the styles and sizes of type to be used with respect to
22 material required to be incorporated in labeling to avoid false or
23 misleading labeling in marking or otherwise labeling any articles or
24 poultry subject to this act; and

1 2. definitions and standards of identity or composition
2 for articles subject to this act and standards of fill of container
3 for such articles not inconsistent with any such standards
4 established under the Federal Food, Drug, and Cosmetic Act, or under
5 the Federal Poultry Products Inspection Act, and there shall be
6 consultation between the Board and the Secretary of Agriculture of
7 the United States prior to the issuance of such standards to avoid
8 inconsistency between such standards and the Federal standards.

9 C. No article subject to this act shall be sold or offered for
10 sale by any person in intrastate commerce, under any name or other
11 marking or labeling which is false or misleading, or in any
12 container of a misleading form or size, but established trade names
13 and other marking and labeling and containers which are not false or
14 misleading and which are approved by the Board are permitted. Any
15 person who violates the provisions of this subsection shall, upon
16 conviction, be guilty of a Class D3 felony offense and shall be
17 punished by imprisonment as provided for in subsections B through F
18 of Section 20P of Title 21 of the Oklahoma Statutes.

19 D. If the Board has reason to believe that any marking or
20 labeling or the size or form of any container in use or proposed for
21 use with respect to any article subject to this act is false or
22 misleading in any particular, it may direct that such use be
23 withheld unless the marking, labeling, or container is modified in
24 such manner as it may prescribe so that it will not be false or

1 misleading. If the person using or proposing to use the marking,
2 labeling or container does not accept the determination of the
3 Board, such person may request a hearing, but the use of the
4 marking, labeling, or container shall, if the Board so directs, be
5 withheld pending hearing and final determination by the Board. Any
6 such determination by the Board shall be conclusive unless, within
7 thirty (30) days after receipt of notice of such final
8 determination, the person adversely affected thereby appeals to the
9 District Court of Oklahoma County. This provision would not apply to
10 established trademarks or labeling approved by the U.S.D.A.

11 SECTION 623. AMENDATORY 2 O.S. 2021, Section 6-259, is
12 amended to read as follows:

13 Section 6-259. A. No person shall:

14 1. slaughter any poultry or process any poultry products
15 which are capable of use as human food at any establishment
16 processing any such articles solely for intrastate commerce, except
17 in compliance with the requirements of this act;

18 2. sell, transport, offer for sale or transportation, or
19 receive for transportation, in intrastate commerce:

20 (a) any poultry products which are capable of use as
21 human food and are adulterated or misbranded at the
22 time of such sale, transportation, offer for sale or
23 transportation, or receipt for transportation; or
24

1 (b) any poultry products required to be inspected
2 under this act unless they have been so inspected and
3 passed;

4 3. do, with respect to any poultry products which are
5 capable of use as human food, any act while they are being
6 transported in intrastate commerce or held for sale after such
7 transportation, which is intended to cause or has the effect of
8 causing such products to be adulterated or misbranded;

9 4. sell, transport, offer for sale or transportation, or
10 receive for transportation, in intrastate commerce or from an
11 official establishment, any slaughtered poultry from which the
12 blood, feathers, feet, head, or viscera have not been removed in
13 accordance with regulations promulgated by the Board, except as may
14 be authorized by regulations of the Board;

15 5. use to his own advantage, or reveal other than to the
16 authorized representatives of the state government or any other
17 government in their official capacity, or as ordered by a court in
18 any judicial proceedings, any information acquired under the
19 authority of this act concerning any matter which is entitled to
20 protection as a trade secret.

21 B. No brand manufacturer, printer, or other person shall cast,
22 print, lithograph, or otherwise make any device containing any
23 official mark or simulation thereof, or any label bearing any such
24

1 mark or simulation, or any form of official certificate or
2 simulation thereof, except as authorized by the Board.

3 C. No person shall:

4 1. forge any official device, mark, or certificate;

5 2. without authorization from the Board use any official
6 device, mark, or certificate, or simulation thereof, or alter,
7 detach, deface, or destroy any official device, mark, or
8 certificate;

9 3. contrary to the regulations prescribed by the Board,
10 fail to use, or to detach, deface, or destroy any official device,
11 mark, or certificate;

12 4. knowingly possess, without promptly notifying the Board
13 or its representative, any official device or any counterfeit,
14 simulated, forged, or improperly altered official certificate or any
15 device or label or any carcass of any poultry, or part or product
16 thereof, bearing any counterfeit, simulated, forged, or improperly
17 altered official mark;

18 5. knowingly make any false statement in any shipper's
19 certificate or other nonofficial or official certificate provided
20 for in the regulations prescribed by the Board; or

21 6. knowingly represent that any article has been inspected
22 and passed, or exempted, under this act when, in fact, it has,
23 respectively, not been so inspected and passed, or exempted.

24

1 D. Any person who violates the provisions of this section
2 shall, upon conviction, be guilty of a Class D3 felony offense and
3 shall be punished by imprisonment as provided for in subsections B
4 through F of Section 20P of Title 21 of the Oklahoma Statutes.

5 SECTION 624. AMENDATORY 2 O.S. 2021, Section 6-260, is
6 amended to read as follows:

7 Section 6-260. No establishment processing poultry or poultry
8 products solely for intrastate commerce shall process any poultry or
9 poultry product capable of use as human food except in compliance
10 with the requirements of this act. Any person who violates the
11 provisions of this section shall, upon conviction, be guilty of a
12 Class D3 felony offense and shall be punished by imprisonment as
13 provided for in subsections B through F of Section 20P of Title 21
14 of the Oklahoma Statutes.

15 SECTION 625. AMENDATORY 2 O.S. 2021, Section 6-261, is
16 amended to read as follows:

17 Section 6-261. A. Inspection shall not be provided under this
18 act at any establishment for the slaughter of poultry or the
19 processing of any carcasses or parts or products of poultry, which
20 are not intended for use as human food, but such articles shall,
21 prior to their offer for sale or transportation in intrastate
22 commerce, be denatured or otherwise identified as prescribed by
23 regulations of the Board to deter their use for human food. No
24 person shall buy, sell, transport, or offer for sale or

1 transportation, or receive for transportation, in intrastate
2 commerce, any poultry carcasses or parts or products thereof which
3 are not intended for use as human food unless they are denatured or
4 otherwise identified as required by the regulations of the Board or
5 naturally inedible by humans.

6 B. The following classes of persons shall, for such period of
7 time as the Board may by regulations prescribe, not to exceed two
8 (2) years unless otherwise directed by the Board for good cause
9 shown, keep such records as are properly necessary for the effective
10 enforcement of this act in order to insure against adulterated or
11 misbranded poultry products for the American consumer; and all
12 persons subject to such requirements shall, at all reasonable times,
13 upon notice by a duly authorized representative of the Board, afford
14 such representative access to their places of business and
15 opportunity to examine the facilities, inventory, and records
16 thereof, to copy all such records, and to take reasonable samples of
17 their inventory upon payment of the fair market value therefor:

18 1. Any person that engages in the business of slaughtering any
19 poultry or processing, freezing, packaging, or labeling any
20 carcasses, or parts or products of carcasses, of any poultry, for
21 intrastate commerce, for use as human food or animal food;

22 2. Any person that engages in the business of buying or
23 selling, as poultry products brokers, wholesalers, or otherwise, or
24 transporting, in intrastate commerce, or storing in or for

1 intrastate commerce, any carcasses, or parts or products of
2 carcasses, of any poultry;

3 3. Any person that engages in business, in or for intrastate
4 commerce, as a renderer, or engages in the business of buying,
5 selling, or transporting, in intrastate commerce, any dead, dying,
6 disabled, or diseased poultry or parts of the carcasses of any
7 poultry that died otherwise than by slaughter.

8 C. No person shall engage in business, in or for intrastate
9 commerce, as a poultry products broker, renderer, or animal food
10 manufacturer, or engage in business in intrastate commerce as a
11 wholesaler of any carcasses, or parts or products of the carcasses,
12 of any poultry, whether intended for human food or other purposes,
13 or engage in business as a public warehouseman storing any such
14 articles in or for intrastate commerce, or engage in the business of
15 buying, selling, or transporting in intrastate commerce any dead,
16 dying, disabled, or diseased poultry, or parts of the carcasses of
17 any poultry that died otherwise than by slaughter, unless, when
18 required by regulations of the Board, he has registered with the
19 Board his name and the address of each place of business at which,
20 and all trade names under which, he conducts such business.

21 D. No person engaged in the business of buying, selling, or
22 transporting in intrastate commerce, dead, dying, disabled or
23 diseased poultry, or any parts of the carcasses of any poultry that
24 dies otherwise than by slaughter, shall buy, sell, transport, offer

1 for sale or transportation, or receive for transportation in
2 intrastate commerce, any dead, dying, disabled, or diseased poultry
3 or parts of the carcasses of any poultry that died otherwise than by
4 slaughter, unless such transaction or transportation is made in
5 accordance with such regulations as the Board may prescribe to
6 assure that such poultry, or the unwholesome parts or products
7 thereof, will be prevented from being used for human food.

8 E. Any person who violates the provisions of this section
9 shall, upon conviction, be guilty of a Class D3 felony offense and
10 shall be punished by imprisonment as provided for in subsections B
11 through F of Section 20P of Title 21 of the Oklahoma Statutes.

12 SECTION 626. AMENDATORY 2 O.S. 2021, Section 6-262, is
13 amended to read as follows:

14 Section 6-262. A. Any person who violates the provisions of
15 Sections 6-259, 6-260, 6-261 or 6-264 of this title shall be fined
16 not more than One Thousand Dollars (\$1,000.00) or imprisoned not
17 more than one (1) year, or both; but if such violation involves
18 intent to defraud, or any distribution or attempted distribution of
19 an article that is adulterated, except as defined in subparagraph
20 (h) of paragraph 11 of Section 6-254 of this title, such person
21 shall be guilty of a Class D3 felony offense and fined not more than
22 Ten Thousand Dollars (\$10,000.00), or imprisoned not more than three
23 (3) years as provided for in subsections B through F of Section 20P
24 of Title 21 of the Oklahoma Statutes, or both. When construing or

1 enforcing the provisions of said sections, the act, omission, or
2 failure of any person acting for or employed by any individual,
3 partnership, corporation, or association within the scope of his
4 employment or office shall in every case be deemed the act,
5 omission, or failure of such individual, partnership, corporation,
6 or association, as well as of such person.

7 B. No carrier shall be subject to the penalties of this act,
8 other than the penalties for violation of Section 6-261 of this
9 title, by reason of his receipt, carriage, holding, or delivery, in
10 the usual course of business, as a carrier of poultry or poultry
11 products, owned by another person unless the carrier has knowledge,
12 or is in possession of facts which would cause a reasonable person
13 to believe that such poultry or poultry products were not inspected
14 or marked in accordance with the provisions of this act or were
15 otherwise not eligible for transportation under this act or unless
16 the carrier refuses to furnish on request of a representative of the
17 Board the name and address of the person from whom he received such
18 poultry or poultry products, and copies of all documents, if any
19 there be, pertaining to the delivery of the poultry or poultry
20 products to such carrier.

21 C. Any person who interferes by any act with an inspector in
22 the performance of his official duties shall be guilty of a
23 misdemeanor.

1 SECTION 627. AMENDATORY 2 O.S. 2021, Section 6-264, is
2 amended to read as follows:

3 Section 6-264. A. The Board may by regulations prescribe
4 conditions under which poultry products capable of use as human food
5 shall be stored or otherwise handled by any person engaged in the
6 business of buying, selling, freezing, storing, or transporting, in
7 or for intrastate commerce, such articles, whenever the Board deems
8 such action necessary to assure that such articles will not be
9 adulterated or misbranded when delivered to the consumer. Violation
10 of any such regulation is prohibited and shall be deemed a Class D3
11 felony offense punishable by imprisonment as provided for in
12 subsections B through F of Section 20P of Title 21 of the Oklahoma
13 Statutes.

14 B. The Board shall promulgate such other rules and regulations
15 as are necessary to carry out the provisions of this act.

16 C. When opportunity is afforded for submission of comments by
17 interested persons on proposed rules or regulations under this act,
18 it shall include opportunity for oral presentation of views.

19 SECTION 628. AMENDATORY 2 O.S. 2021, Section 6-611, is
20 amended to read as follows:

21 Section 6-611. A. No person shall intentionally or knowingly
22 release or engage in, sponsor, instigate, assist, or profit from the
23 release of any hog, boar, swine, or pig to live in a wild or feral
24 state upon public or private lands, except for:

1 1. Release into a licensed sporting facility pursuant to the
2 Feral Swine Control Act; or

3 2. When utilizing the Judas pig tagging system, release onto
4 the same private land on which a feral hog was trapped or caught.
5 In order to come under the release authorization of this paragraph,
6 the release must occur within twenty-four (24) hours of the capture
7 of the hog.

8 B. No person shall knowingly or intentionally violate the
9 importation, testing, permitting, licensing, and transportation
10 requirements contained in the Feral Swine Control Act and rules
11 promulgated thereto.

12 C. Any person violating the provisions of this section is
13 guilty of a Class D3 felony offense and subject to ~~a maximum~~
14 ~~punishment of two (2) years in prison~~ imprisonment as provided for
15 in subsections B through F of Section 20P of Title 21 of the
16 Oklahoma Statutes, a fine of Two Thousand Dollars (\$2,000.00), or
17 both fine and imprisonment.

18 SECTION 629. AMENDATORY 2 O.S. 2021, Section 9-37, is
19 amended to read as follows:

20 Section 9-37. Any person who deposits or attempts to deposit in
21 a public warehouse any commodities upon which a lien or mortgage
22 exists, without notifying the manager of the public warehouse, and
23 any person who, in order to procure any warehouse receipt, knowingly
24 makes any false statement of material fact shall, upon conviction,

1 be guilty of a Class D3 felony offense. The fine for a violation of
2 this section shall not be more than Ten Thousand Dollars
3 (\$10,000.00), or by imprisonment ~~in the State Penitentiary for a~~
4 ~~period of not more than two (2) years~~ as provided for in subsections
5 B through F of Section 20P of Title 21 of the Oklahoma Statutes, or
6 by both such fine and imprisonment.

7 SECTION 630. AMENDATORY 2 O.S. 2021, Section 9-132, is
8 amended to read as follows:

9 Section 9-132. A. Except as provided by subsection C of this
10 section, no person shall operate, conduct, or maintain a livestock
11 auction market unless the person holds a livestock auction market
12 license issued by the State Board of Agriculture and has:

13 1. Executed a corporate surety bond pursuant to the provisions
14 of this section. The bond shall be conditioned upon the prompt and
15 faithful accounting for all livestock received, handled, or sold,
16 and the remittance of the proceeds from any sale, purchase, or
17 exchange of any livestock to the consignor;

18 2. Opened a certificate of deposit account or a money market
19 savings account. For a certificate of deposit account or a money
20 market savings account to be eligible pursuant to the provisions of
21 this section:

22 a. the account shall be opened at a federally insured
23 financial depository,
24

- b. an officer of the financial depository shall specifically acknowledge and guarantee the deposit of the funds required by subsection B of this section until otherwise released pursuant to this subsection,
- c. the person operating, conducting, or maintaining a livestock auction market may only withdraw funds deposited in a certificate of deposit account or a money market savings account sixty (60) days after the person has permanently ceased operations of the livestock auction market unless the person presents to the financial institution a written authorization for release of funds by the Oklahoma Department of Agriculture, Food, and Forestry; or

3. Provided other financial instruments allowable for livestock markets by the Federal Packers and Stockyards Act of 1921, as amended.

B. 1. The corporate surety bond or account required by subsection A of this section for any person operating, conducting, or maintaining a livestock auction market shall be in accordance with the provisions of the Federal Packers and Stockyards Act of 1921, as amended, but shall not be less than Twenty-five Thousand Dollars (\$25,000.00) for any person conducting less than twenty-five sales in any license year, or no single sale exceeds gross sales of Twenty-five Thousand Dollars (\$25,000.00).

1 2. For all other sales, the corporate surety bond or account
2 required by subsection A of this section for any person operating,
3 conducting, or maintaining a livestock auction market that does not
4 meet the criteria in paragraph 1 of this subsection shall be in
5 accordance with the provisions of the Federal Packers and Stockyards
6 Act of 1921, as amended, but shall not be less than Fifty Thousand
7 Dollars (\$50,000.00) unless the Department approves a lesser amount
8 pursuant to rules promulgated by the State Board of Agriculture.

9 C. The corporate surety bond or account required by subsection
10 A of this section shall not be required of any person who has
11 executed and maintained a corporate surety bond or account pursuant
12 to the provisions of subsection B of this section to secure the
13 performance of obligations under the provisions of the Federal
14 Packers and Stockyards Act of 1921, as amended.

15 D. The Commissioner of Agriculture is authorized to be
16 designated as trustee for any corporate surety bond, certificate of
17 deposit account, money market savings account, or any other
18 financial instruments allowable for livestock markets by the Federal
19 Packers and Stockyards Act of 1921, as amended.

20 E. 1. Any corporate surety company issuing a bond to any
21 person as specified by subsection A or C of this section for
22 operating, conducting, or maintaining a livestock auction market
23 shall notify the Board in writing not less than thirty (30) days
24 prior to the cancellation or nonrenewal of the bond.

1 2. The Board shall provide for the publication of notice to the
2 public of the nonrenewal or cancellation of the bond for a livestock
3 auction market upon any notification that the bond of the livestock
4 auction market has been nonrenewed or canceled and no new bond has
5 been obtained.

6 3. No person shall knowingly operate, conduct, or maintain a
7 livestock auction market without having a bond as specified by this
8 section. Any person convicted of violating the provisions of this
9 paragraph shall be guilty of a Class D3 felony offense and shall be
10 punished by imprisonment as provided for in subsections B through F
11 of Section 20P of Title 21 of the Oklahoma Statutes.

12 F. All records relating to the prompt and faithful accounting
13 for all livestock received, handled, or sold and the remittance of
14 the proceeds from any sale, purchase, or exchange of any livestock
15 to the consignor shall be in accordance with the provisions of the
16 Federal Packers and Stockyards Act of 1921, as amended. The Board
17 shall audit such records at least once a year. Any violation of the
18 standards of the Federal Packers and Stockyards Act may result in
19 the suspension of the livestock auction market license.

20 G. Except as provided by this section, any person found to be
21 in violation of the provisions of this section, upon conviction,
22 shall be guilty of a misdemeanor.

23 SECTION 631. AMENDATORY 2 O.S. 2021, Section 11-2, is
24 amended to read as follows:

1 Section 11-2. It shall be unlawful and deemed a Class D3 felony
2 offense to sell, offer for sale, or advertise any agricultural
3 product using any word, figure, number, or term which pertains to
4 grade, quality, condition, quantity, or size, including No. 1,
5 Fancy, Choice, Select, A, Large, Size A, or any other word, figure,
6 number, or term which in any manner implies or suggests that the
7 product involved has been officially graded unless the product has
8 actually been officially graded, sized, or measured under state or
9 federal regulations or sized or measured in accordance with the
10 requirements of the State Board of Agriculture or federal
11 regulations. Any person who violates the provisions of this section
12 shall, upon conviction, be guilty of a Class D3 felony offense and
13 shall be punished as provided for in subsections B through F of
14 Section 20P of Title 21 of the Oklahoma Statutes.

15 SECTION 632. AMENDATORY 2 O.S. 2021, Section 11-94, is
16 amended to read as follows:

17 Section 11-94. A. Any person found in violation of any
18 provision of the Oklahoma Scrap Metal Dealers Act, with the
19 exceptions as provided by subsections B, C and D of this section,
20 shall, upon conviction, be guilty of a misdemeanor and punished by a
21 fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00)
22 per offense. Any person convicted of a second violation of the
23 Oklahoma Scrap Metal Dealers Act shall be guilty of a misdemeanor
24 and punished by a fine of not more than Five Thousand Dollars

1 (\$5,000.00) per offense or by imprisonment in the county jail for a
2 period of not more than six (6) months. Any person convicted of a
3 third or subsequent violation of the Oklahoma Scrap Metal Dealers
4 Act shall be guilty of a Class D3 felony offense punishable by a
5 fine of not more than Ten Thousand Dollars (\$10,000.00) per offense,
6 or by imprisonment ~~in the custody of the Department of Corrections~~
7 ~~for a period of not more than two (2) years~~ as provided for in
8 subsections B through F of Section 20P of Title 21 of the Oklahoma
9 Statutes, or by both such fine and imprisonment.

10 B. Any person acting as a scrap metal dealer without a scrap
11 metal dealer license or a sales tax permit as required by the
12 Oklahoma Scrap Metal Dealers Act shall, upon conviction, be guilty
13 of a misdemeanor and punished by a fine of not more than Five
14 Hundred Dollars (\$500.00); provided, that each day of operation in
15 violation of the Oklahoma Scrap Metal Dealers Act shall constitute a
16 separate offense.

17 C. Any person who knowingly provides false information with
18 respect to the provisions of subsection I of Section 1423 of this
19 title shall, upon conviction, be guilty of a Class D3 felony offense
20 and punished by a fine of Five Thousand Dollars (\$5,000.00), or by
21 imprisonment ~~in the custody of the Department of Corrections for a~~
22 ~~period of not more than two (2) years~~ as provided for in subsections
23 B through F of Section 20P of Title 21 of the Oklahoma Statutes, or
24 by both such fine and imprisonment.

1 D. Any person convicted of purchasing or selling burnt copper
2 material or copper wire as prohibited by subsection G of Section
3 1423 of this title shall, upon first conviction, be guilty of a
4 misdemeanor and punished by a fine of Two Thousand Five Hundred
5 Dollars (\$2,500.00). Any person convicted of a second or subsequent
6 violation shall be guilty of a Class D3 felony offense punishable by
7 a fine of Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in~~
8 ~~the custody of the Department of Corrections for a period of not~~
9 ~~more than two (2) years~~ as provided for in subsections B through F
10 of Section 20P of Title 21 of the Oklahoma Statutes, or by both such
11 fine and imprisonment.

12 E. Each scrap metal dealer convicted of a violation of the
13 Oklahoma Scrap Metal Dealers Act shall be reported to the Oklahoma
14 Tax Commission by the clerk of the court rendering such verdict.

15 F. The Tax Commission shall revoke the sales tax permit of any
16 person convicted of three separate violations of the Oklahoma Scrap
17 Metal Dealers Act. The person shall not be eligible to receive a
18 sales tax permit for such purpose for a period of one (1) year
19 following the revocation. The revocation procedure shall be subject
20 to notice and hearing as required by Section 1426 of this title.

21 SECTION 633. AMENDATORY 2 O.S. 2021, Section 16-6, is
22 amended to read as follows:

23 Section 16-6. Any person or persons acting in concert who
24 knowingly and willfully interfere with, molest, or assault forest

1 rangers or firefighters in the performance of their duties, or who
2 knowingly and willfully obstruct, interfere with, or impede the
3 progress of forest rangers or firefighters to reach the destination
4 of a fire, or who damage or destroy any vehicles or equipment used
5 to reach or extinguish a fire shall be guilty of a Class D3 felony
6 offense and shall be punished by imprisonment as provided for in
7 subsections B through F of Section 20P of Title 21 of the Oklahoma
8 Statutes.

9 SECTION 634. AMENDATORY 2 O.S. 2021, Section 16-59, is
10 amended to read as follows:

11 Section 16-59. No timber or other timber products shall be
12 removed from any lands owned by the State of Oklahoma, except for
13 public utilities and improvements, and no officer, employee, or any
14 other person employed by the State of Oklahoma shall authorize the
15 removal, except upon written approval of the Director of Forestry.
16 In carrying out the duties of this section, the Director is
17 authorized to delegate authority to persons qualified to act in the
18 Director's behalf.

19 Any person violating this section shall be guilty of a Class D3
20 felony offense and upon conviction shall be punished, for the first
21 offense, by a fine not exceeding One Thousand Dollars (\$1,000.00),
22 or by imprisonment in the State Penitentiary for not exceeding one
23 (1) year as provided for in subsections B through F of Section 20P
24 of Title 21 of the Oklahoma Statutes, or by both. For any

1 subsequent offense, the person shall be punished by a fine not
2 exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment ~~in~~
3 ~~the State Penitentiary for not exceeding three (3) years~~ as provided
4 for in subsections B through F of Section 20P of Title 21 of the
5 Oklahoma Statutes, or both.

6 SECTION 635. AMENDATORY 2 O.S. 2021, Section 16-60, is
7 amended to read as follows:

8 Section 16-60. A. 1. Any person who intentionally, willfully,
9 maliciously, or unlawfully enters upon the lands of another to cut
10 down, injure, remove, or destroy any timber valued at more than Two
11 Hundred Dollars (\$200.00), without the permission of the owner or
12 the owner's representative shall be guilty, upon conviction, of a
13 Class D3 felony offense, punishable by the imposition of a fine of
14 not more than Ten Thousand Dollars (\$10,000.00), by imprisonment ~~in~~
15 ~~the State Penitentiary for not more than five (5) years~~ as provided
16 for in subsections B through F of Section 20P of Title 21 of the
17 Oklahoma Statutes, or both.

18 2. Any person who intentionally, willfully, maliciously, or
19 unlawfully enters upon the lands of another to cut down, injure,
20 remove, or destroy any timber valued at Two Hundred Dollars
21 (\$200.00) or less, without the permission of the owner or the
22 owner's representative shall be guilty, upon conviction, of a
23 misdemeanor, punishable by the imposition of a fine of not more than
24

1 One Thousand Dollars (\$1,000.00) or imprisonment in the county jail
2 for not more than thirty (30) days.

3 3. The necessary trimming and removal of timber to permit the
4 construction, repair, maintenance, cleanup, and operations of
5 pipelines and utility lines and appurtenances of public utilities,
6 public service corporations, and to aid registered land surveyors
7 and professional engineers in the performance of their professional
8 services, and municipalities, and pipeline companies, or lawful
9 operators and product purchasers of oil and gas shall not be deemed
10 a willful and intentional cutting down, injuring, removing, or
11 destroying of timber.

12 4. The necessary trimming and removal of timber for boundary
13 line maintenance, for the construction, maintenance, and repair of
14 streets, roads, and highways or for the control and regulation of
15 traffic by the state and its political subdivisions or registered
16 land surveyors and professional engineers shall not be deemed a
17 willful and intentional cutting down, injuring, removing, or
18 destroying of timber.

19 B. In addition to the punishment prescribed in subsection A of
20 this section, the person is liable in damages pursuant to Section 72
21 of Title 23 of the Oklahoma Statutes for the damage or injury done
22 to the timber, the damages to be recovered in a civil action by the
23 owner of the property or the public officer having charge of the
24 property.

1 SECTION 636. AMENDATORY 2 O.S. 2021, Section 16-63, is
2 amended to read as follows:

3 Section 16-63. A. It shall be unlawful for any person
4 willingly, knowingly, or fraudulently to represent, make, issue,
5 deliver, use or submit, or to participate in representing, making,
6 issuing, delivering, using, or submitting any fictitious, false or
7 fraudulent offer, agreement, contract, or other instrument
8 concerning:

9 1. The sale of timber or the right to cut or harvest or remove
10 timber from a site or from real property not owned or leased by that
11 person; or

12 2. The sale of timber or the right to cut or harvest or remove
13 timber that is not owned by that person.

14 B. It shall be unlawful for a timber owner to, knowingly or
15 with intent to defraud, fail to pay in a timely manner the
16 applicable owners the full price of all the purchased timber.

17 1. A timber owner acts with intent to defraud if the timber
18 owner disperses, uses, or diverts money with the intent to deprive
19 an owner of the purchase money.

20 2. Unless otherwise agreed to in writing, a timber owner is
21 presumed to have acted with intent to defraud if the timber owner
22 does not pay all applicable owners for the purchase price of the
23 timber not later than forty-five (45) calendar days after the date
24 the timber owner collects money for the timber.

1 C. Any person convicted of violating the provisions of this
2 section shall be guilty of:

3 1. A Class D3 felony offense if the timber to be sold or right
4 to cut or harvest the timber pursuant to subsection A of this
5 section is valued at more than Two Hundred Dollars (\$200.00). Upon
6 conviction the person shall be subject to the imposition of a fine
7 of not more than Ten Thousand Dollars (\$10,000.00), or by
8 ~~imprisonment in the State Penitentiary for not more than five (5)~~
9 ~~years~~ as provided for in subsections B through F of Section 20P of
10 Title 21 of the Oklahoma Statutes, or to both; or

11 2. A misdemeanor if the timber to be sold or right to cut or
12 harvest the timber pursuant to subsection A of this section is
13 valued at Two Hundred Dollars (\$200.00) or less. Upon conviction
14 the person shall be subject to the imposition of a fine of not more
15 than One Thousand Dollars (\$1,000.00), or by imprisonment in the
16 county jail not to exceed one (1) year, or to both.

17 SECTION 637. AMENDATORY 2 O.S. 2021, Section 16-66, is
18 amended to read as follows:

19 Section 16-66. Any person selling timber who uses false or
20 altered identification or a false declaration of ownership, pursuant
21 to the provisions of Section 16-65 of this title, upon conviction,
22 shall be guilty of:

23 1. A Class D3 felony offense if the timber to be sold by use of
24 a false or altered identification or false declaration of ownership

1 is valued at more than Two Hundred Dollars (\$200.00). Upon
2 conviction, a person shall be subject to the imposition of a fine of
3 not more than Ten Thousand Dollars (\$10,000.00), or by imprisonment
4 ~~in the State Penitentiary for not more than five (5) years~~ as
5 provided for in subsections B through F of Section 20P of Title 21
6 of the Oklahoma Statutes, or both; or

7 2. A misdemeanor if the timber to be sold by use of a false or
8 altered identification or false declaration of ownership is valued
9 at Two Hundred Dollars (\$200.00) or less. Upon conviction, a person
10 shall be subject to the imposition of a fine of not more than One
11 Thousand Dollars (\$1,000.00), imprisonment in the county jail not to
12 exceed one (1) year, or both.

13 SECTION 638. AMENDATORY 3 O.S. 2021, Section 281, is
14 amended to read as follows:

15 Section 281. A. It is unlawful and deemed a Class D3 felony
16 offense for any person, firm, corporation, or association to install
17 or equip on any aircraft, or install in the wings or fuselage of the
18 aircraft, any fuel tank, bladder, drum, or other container which
19 will hold fuel, if such fuel tank, bladder, drum, or other container
20 does not conform to federal aviation regulations or has not been
21 approved by the Federal Aviation Administration by inspection or
22 special permit. Any person convicted of violating this subsection
23 shall be guilty of a Class D3 felony offense and shall be punished
24

1 by imprisonment as provided for in subsections B through F of
2 Section 20P of Title 21 of the Oklahoma Statutes.

3 B. It is unlawful and deemed a Class D3 felony offense for any
4 person to knowingly possess any aircraft which has been equipped
5 with, or had installed in its wings or fuselage, any fuel tank,
6 bladder, drum, or other container which will hold fuel if such fuel
7 tank, bladder, drum, or other container does not conform to federal
8 aviation regulations or has not been approved by the Federal
9 Aviation Administration by inspection or special permit. Any person
10 convicted of violating this subsection shall be guilty of a Class D3
11 felony offense and shall be punished by imprisonment as provided for
12 in subsections B through F of Section 20P of Title 21 of the
13 Oklahoma Statutes.

14 C. A copy of the Federal Aviation Administration Approval Form
15 337, or special permit pertaining to such installations, shall be
16 carried on board the aircraft at all times. Any person convicted of
17 violating this subsection shall be guilty of a misdemeanor. No
18 person charged with violating this subsection shall be convicted of
19 the charge if he or she produces in court or the office of the
20 arresting officer a copy of the required documentation either valid
21 at the time of arrest or acquired within thirty (30) days after the
22 arrest.

23 D. The provisions of this section shall apply to any pipes,
24 hoses, or auxiliary pumps which when present in the aircraft could

1 be used to introduce fuel into the primary fuel system of the
2 aircraft from such tanks, bladders, drums, or containers.

3 SECTION 639. AMENDATORY 3A O.S. 2021, Section 203.6, is
4 amended to read as follows:

5 Section 203.6. A. The Commission, its executive director, or
6 the stewards may issue subpoenas for the attendance of witnesses or
7 the production of any records, books, memoranda, documents, or other
8 papers or things, to enable any of them to effectually discharge its
9 or his duties, and may administer oaths or affirmations as necessary
10 in connection therewith.

11 B. Any person subpoenaed who fails to appear at the time and
12 place specified in answer to the subpoena and to bring any papers or
13 things specified in the subpoena, or who upon such appearance,
14 refuses to testify or produce such records or things, upon
15 conviction, is guilty of a misdemeanor.

16 C. Any person who testifies falsely under oath in any
17 proceeding before, or any investigation by, the Commission, its
18 executive director, or the stewards, upon conviction, shall be
19 guilty of a Class D3 felony offense and shall be punished ~~in the~~
20 ~~same manner prescribed for the punishment of perjury by imprisonment~~
21 as provided for in subsections B through F of Section 20P of Title
22 21 of the Oklahoma Statutes.

23 SECTION 640. AMENDATORY 3A O.S. 2021, Section 504, is
24 amended to read as follows:

1 Section 504. A. Multiple count violations of subsection A or B
2 of Section 502 of this title, or violations resulting in a loss of
3 money or other valuable consideration, in which said loss exceeds
4 Five Hundred Dollars (\$500.00), shall constitute a Class D3 felony
5 offense, and shall be punishable pursuant to subsection B of Section
6 505 of this title.

7 B. Any person serving in a managerial or supervisory capacity
8 for any fair, exposition, or any other event open to the public,
9 paid admission or free, who knowingly or intentionally promotes or
10 allows the operation of any amusement or carnival game in violation
11 of this act, upon conviction, shall be guilty of a misdemeanor.

12 C. Any person who manufactures or distributes amusement or
13 carnival games of the type described in Section 502 of this title,
14 upon conviction, shall be guilty of a misdemeanor punishable
15 pursuant to subsection A of Section 505 of this title, with said
16 games to be confiscated as contraband.

17 D. Any person charged with law enforcement responsibilities or
18 legal compliance inspections of amusement or carnival games, and who
19 knowingly and intentionally allows or who knowingly and
20 intentionally fails to prevent the operation of any amusement or
21 carnival game violating the Amusement and Carnival Games Act, upon
22 conviction, shall be guilty of omission of duty and/or guilty of a
23 misdemeanor punishable pursuant to subsection A of Section 505 of
24 this title.

1 SECTION 641. AMENDATORY 3A O.S. 2021, Section 505, is
2 amended to read as follows:

3 Section 505. A. Any person convicted of violating any
4 provision of the Amusement and Carnival Games Act, with the
5 exception of subsection A of Section 504 of this title, shall be
6 guilty of a misdemeanor punishable by not more than two hundred
7 twenty (220) days of community service, or by the imposition of a
8 fine of not more than Two Thousand Dollars (\$2,000.00), or by both
9 such fine and community service.

10 B. Any person convicted of violating subsection A of Section
11 504 of this title shall be guilty of a Class D3 felony offense
12 punishable by imprisonment ~~in the State Penitentiary for not less~~
13 ~~than two (2) years, or more than five (5) years~~ as provided for in
14 subsections B through F of Section 20P of Title 21 of the Oklahoma
15 Statutes, or by the imposition of a fine of not more than Five
16 Thousand Dollars (\$5,000.00), or by both such imprisonment and fine.

17 SECTION 642. AMENDATORY 4 O.S. 2021, Section 85.11, is
18 amended to read as follows:

19 Section 85.11. If any person unlawfully takes up or conceals an
20 estray, or fails to comply with the provisions of this act, such
21 person so offending shall be guilty of the felony of larceny of
22 domestic animals, a Class D3 felony offense, and shall be punished
23 ~~according to the provisions of Section 1716~~ by imprisonment as
24

1 provided for in subsections B through F of Section 20P of Title 21
2 of the Oklahoma Statutes.

3 SECTION 643. AMENDATORY 6 O.S. 2021, Section 808, is
4 amended to read as follows:

5 Section 808. A. Prohibition against political expenditures.
6 It is unlawful for any bank to make a contribution or expenditure in
7 connection with any election to any political office, or in
8 connection with any primary election or political convention or
9 caucus held to select candidates for any political office, or for
10 any candidate, political committee, or for any other person to
11 accept or receive any contribution prohibited by this section
12 ~~(Section 808A)~~.

13 B. Penalties. Every bank which makes any contribution or
14 expenditure in violation of subsection A of this section ~~(Section~~
15 ~~808A)~~ shall be fined not more than Five Thousand Dollars
16 (\$5,000.00); and every officer or director of any bank who consents
17 to any such contribution or expenditure by the bank, and any person
18 who accepts or receives any such contribution, shall be fined not
19 more than One Thousand Dollars (\$1,000.00) or imprisoned not more
20 than one (1) year, or both; and if the violation was willful shall
21 be guilty of a Class D3 felony offense and shall be fined not more
22 than Ten Thousand Dollars (\$10,000.00), or imprisoned ~~not more than~~
23 ~~two (2) years~~ as provided for in subsections B through F of Section
24 20P of Title 21 of the Oklahoma Statutes, or both.

1 SECTION 644. AMENDATORY 11 O.S. 2021, Section 39-113, is
2 amended to read as follows:

3 Section 39-113. A. All money received by the city from any
4 special assessment or assessment within a district shall be held in
5 a special fund and used to:

6 1. Pay the cost of the improvement for which the assessment was
7 made;

8 2. Reimburse the city for any work performed or cost incurred
9 by the city in constructing the improvement; or

10 3. Pay the interest and principal due on any outstanding
11 negotiable bonds, including replenishment of debt service reserves,
12 reimbursements to bond insurers or other providers of credit
13 enhancement, and other payments required in connection with bonds
14 issued to pay for improvements.

15 B. Any person who uses money in a district fund other than as
16 provided in this section is guilty of a Class D3 felony offense and
17 shall be punished by a fine not exceeding One Thousand Dollars
18 (\$1,000.00), or by imprisonment in the State Penitentiary for not
19 more than two (2) years as provided for in subsections B through F
20 of Section 20P of Title 21 of the Oklahoma Statutes, or by both such
21 fine and imprisonment, in the discretion of the court.

22 SECTION 645. AMENDATORY 12 O.S. 2021, Section 65, is
23 amended to read as follows:

1 Section 65. Any person willfully making a false affidavit as to
2 the value of any such real estate shall be guilty of perjury, a
3 Class D3 felony offense, and shall be punished accordingly by
4 imprisonment as provided for in subsections B through F of Section
5 20P of Title 21 of the Oklahoma Statutes. Any officer administering
6 or accepting such affidavit knowing it to be false, shall be guilty
7 of the felony of subornation of perjury, a Class D3 felony offense,
8 and shall be punished accordingly by imprisonment as provided for in
9 subsections B through F of Section 20P of Title 21 of the Oklahoma
10 Statutes.

11 SECTION 646. AMENDATORY 12 O.S. 2021, Section 923, is
12 amended to read as follows:

13 Section 923. Any person willfully swearing falsely in making
14 the affidavit aforesaid, shall, on conviction, be adjudged guilty of
15 the felony of perjury, a Class D3 felony offense, and shall be
16 punished as the law prescribes by imprisonment as provided for in
17 subsections B through F of Section 20P of Title 21 of the Oklahoma
18 Statutes.

19 SECTION 647. AMENDATORY 15 O.S. 2021, Section 567, is
20 amended to read as follows:

21 Section 567. Any person, either as agent or principal, who
22 enters into or assists in making any contracts of sale of the sort
23 of character denounced by Section 564 of this title for the future
24 delivery of cotton, grain, stocks or other commodities, or who

1 maintains or operates a bucket shop as that term is defined in
2 Section 565 of this title, shall be guilty of a Class D3 felony
3 offense, and upon conviction thereof shall be fined in a sum not to
4 exceed One Thousand Dollars (\$1,000.00), or be imprisoned ~~in the~~
5 ~~State Penitentiary not exceeding two (2) years~~ as provided for in
6 subsections B through F of Section 20P of Title 21 of the Oklahoma
7 Statutes, and any person who shall be guilty of a second offense
8 under this statute in addition to the penalty above prescribed may,
9 upon conviction, be both fined and imprisoned in the discretion of
10 the court, and if a corporation, it shall be liable to forfeiture of
11 all its rights and privileges as such, and the continuance of such
12 establishment after the first conviction shall be deemed a second
13 offense. It shall be the duty of the Attorney General to institute
14 proceedings for the forfeiture of the charter of any corporation
15 making itself liable to such forfeiture under the provisions of this
16 act.

17 SECTION 648. AMENDATORY 17 O.S. 2021, Section 158.59, is
18 amended to read as follows:

19 Section 158.59. A. Any person who willfully and knowingly does
20 or causes to be done any act, matter or thing prohibited or declared
21 to be unlawful by this act, or who willfully and knowingly omits or
22 fails to do any act, matter or thing required by this act to be
23 done, or willfully and knowingly causes such omission or failure,
24 shall, upon conviction thereof, be guilty of a Class D3 felony

1 offense punishable by a fine of not more than Five Thousand Dollars
2 (\$5,000.00), or by imprisonment for not more than two (2) years as
3 provided for in subsections B through F of Section 20P of Title 21
4 of the Oklahoma Statutes, or both such fine and imprisonment. In
5 addition, such violation shall be punished upon conviction thereof
6 by a fine not exceeding Five Hundred Dollars (\$500.00) for each day
7 during which such offense occurs.

8 B. Any person who willfully and knowingly violates any rule,
9 regulation, restriction, condition or order made or imposed by the
10 Corporation Commission under authority of this act, shall, in
11 addition to any other penalties provided by law, be punished upon
12 conviction thereof by a fine not exceeding Five Hundred Dollars
13 (\$500.00) for each day during which such offense occurs.

14 SECTION 649. AMENDATORY 17 O.S. 2021, Section 191.11, is
15 amended to read as follows:

16 Section 191.11. A. Any person who willfully and knowingly does
17 or causes to be done any act, matter or thing prohibited or declared
18 to be unlawful by this act, or who willfully and knowingly omits or
19 fails to do any act, matter or thing required by this act to be
20 done, or willfully and knowingly causes such omission or failure,
21 shall, upon conviction thereof, be guilty of a Class D3 felony
22 offense punishable by a fine of not more than Five Thousand Dollars
23 (\$5,000.00), or by imprisonment for not more than two (2) years as
24 provided for in subsections B through F of Section 20P of Title 21

1 of the Oklahoma Statutes, or both. In addition, such violation
2 shall be punished upon conviction thereof by a fine not exceeding
3 Five Hundred Dollars (\$500.00) for each day during which such
4 offense occurs.

5 B. Any person who willfully and knowingly violates any rule,
6 regulation, restriction, condition or order made or imposed by the
7 Corporation Commission under authority of this act, shall, in
8 addition to any other penalties provided by law, be punished upon
9 conviction thereof by a fine not exceeding Five Hundred Dollars
10 (\$500.00) for each day during which such offense occurs.

11 SECTION 650. AMENDATORY 18 O.S. 2021, Section 381.73, is
12 amended to read as follows:

13 Section 381.73. A. An out-of-state savings institution, upon
14 approval by the State Banking Commissioner, may acquire direct or
15 indirect control of an unlimited number of in-state savings
16 associations for operation as in-state savings institutions, and may
17 acquire any such institutions' parent Oklahoma holding company. Any
18 acquisition made pursuant to the provisions of this section may
19 include assets and liabilities of the in-state savings institution
20 or its parent Oklahoma holding company and all branches and
21 facilities thereof.

22 B. 1. No in-state savings institution which becomes a
23 subsidiary of an out-of-state savings institution under any
24 extraordinary acquisition provisions of federal law, or which is

1 otherwise controlled by an out-of-state savings institution, shall
2 be permitted to acquire direct or indirect ownership or control of,
3 or to convert to a branch, any additional in-state savings
4 institution or to establish additional branches or facilities,
5 except as otherwise provided for in this section.

6 2. No out-of-state savings institution may directly or
7 indirectly acquire control of an in-state savings institution or its
8 parent Oklahoma holding company except as otherwise permitted by
9 this section.

10 C. No acquisition provided for in this section shall be
11 permitted unless the approval of the Commissioner required pursuant
12 to subsection A of this section:

13 1. Includes, for all acquisitions, a finding that:

14 a. the in-state savings institution sought to be acquired
15 or all of the savings institution subsidiaries of the
16 parent Oklahoma holding company sought to be acquired
17 have either been in existence and continuous operation
18 for more than five (5) years, and

19 b. notice of intent to acquire has been published in a
20 newspaper of general paid circulation in the county or
21 counties where the in-state savings institution to be
22 acquired is located and that a notice of intent to
23 acquire has been mailed by certified mail with return
24 receipt requested to each person owning stock in the

1 in-state savings institution to be acquired or in its
2 parent Oklahoma holding company or, if the in-state
3 savings institution to be acquired is a mutual
4 association, notice has been given as in the case of a
5 proceeding under Section 381.61 of this title;

6 2. Includes, for any acquisition of a majority of the voting
7 shares of a stock association or of its parent Oklahoma holding
8 company, or for any acquisition of a mutual association by merger or
9 purchase and assumption transaction with another in-state savings
10 association, a finding that the acquisition has been approved by the
11 board of directors and a majority of the stockholders of or holders
12 of voting rights in the in-state savings institution or of its
13 parent Oklahoma holding company, as applicable;

14 3. Subjects the acquisition to any conditions, restrictions,
15 and requirements that would be applicable to such an acquisition by
16 an in-state savings institution of an out-of-state savings
17 institution in the state where the out-of-state savings institution
18 has its main office, if such state has enacted and implemented
19 legislation authorizing the acquisition by an in-state savings
20 institution of out-of-state savings institutions located in that
21 state, but that would not be applicable to acquisitions in that
22 state by an out-of-state savings institution all of whose savings
23 institution subsidiaries are located in that state; and
24

1 4. Except when the additional acquisition is of an in-state
2 savings institution whose stock is held as stock acquired in the
3 course of realizing upon a security interest which secured a debt
4 previously contracted in good faith prior to the original
5 acquisition by the out-of-state savings institution, prohibits
6 additional branching and further acquisitions by an in-state savings
7 institution which is a subsidiary of an out-of-state savings
8 institution unless and until the earlier of:

9 a. such time as the Commissioner determines that the
10 state in which the out-of-state savings institution
11 has its main office has enacted and implemented
12 legislation authorizing in-state savings institutions
13 to acquire savings institutions in that state on a
14 reciprocal basis, or

15 b. the expiration of a four-year period commencing on the
16 date of acquisition by the out-of-state savings
17 institution.

18 D. Any in-state savings institution or its parent Oklahoma
19 holding company which becomes a subsidiary of an out-of-state
20 financial institution under the extraordinary acquisition provisions
21 of federal law, or which is otherwise deemed to be controlled by an
22 out-of-state financial institution, may acquire direct or indirect
23 ownership or control of any additional in-state financial
24 institution or its parent Oklahoma holding company, establish

1 additional branches or facilities, or convert the existing
2 controlled in-state savings institution to branches of another in-
3 state savings institution:

4 1. If the Commissioner has determined that the principal place
5 of business of the out-of-state savings institution has enacted and
6 implemented reciprocal acquisition legislation within the purview of
7 this section; or

8 2. Upon the expiration of a four-year period commencing on the
9 date of acquisition by the out-of-state savings institution.

10 E. All limitations and restrictions of this act applicable to
11 in-state savings institutions shall apply to an in-state savings
12 institution which becomes a direct or indirect subsidiary of an out-
13 of-state savings institution and to the out-of-state savings
14 institution. The provisions of this subsection shall not be
15 construed to prohibit the acquisition by an out-of-state savings
16 institution of all or substantially all of the shares of an in-state
17 savings institution organized solely for the purpose of facilitating
18 the acquisition of a savings institution which has been in existence
19 and continuous operation as a savings institution for more than five
20 (5) years, if the acquisition has otherwise been approved pursuant
21 to this subsection. Nor shall the provisions of this subsection be
22 construed to prohibit an out-of-state savings institution which
23 acquires an in-state savings institution under this section from
24

1 additional acquisitions under this section, if such acquisition
2 would otherwise be permitted.

3 F. Any out-of-state savings institution which controls an in-
4 state savings institution shall be subject to the laws of this state
5 and the rules of its agencies relating to the acquisition,
6 ownership, and operation of in-state savings institutions. The
7 Commissioner shall make such rules including the imposition of
8 reasonable application and administration fees as it finds necessary
9 to implement the provisions of this act.

10 G. The Commissioner may enter into cooperative agreements with
11 other regulatory agencies to facilitate the regulation of savings
12 institutions doing business in this state. If such agreements
13 result in the payment of fees, however calculated, by any other
14 regulatory agency to the Oklahoma State Banking Department for
15 examination activities conducted by Department personnel, whether
16 such examination activity is conducted inside or outside this state,
17 such fees shall be deposited in the Bank Examination Revolving Fund
18 established in Section 211.2 of Title 6 of the Oklahoma Statutes.
19 If such agreements result in the payment of fees, however
20 calculated, by the Department to any other bank supervisory agency
21 for examination activities conducted by such other regulatory
22 agency, whether such examination activity is conducted inside or
23 outside this state, such fees shall be paid by the Department from
24 the Bank Examination Revolving Fund established by Section 211.2 of

1 Title 6 of the Oklahoma Statutes. The Commissioner may accept
2 reports of examinations and other records from such other agencies
3 in lieu of the Commissioner conducting examinations of in-state
4 savings institutions controlled by out-of-state savings
5 institutions. The Commissioner may take any action jointly with
6 other regulatory agencies having concurrent jurisdiction over
7 savings institutions doing business in this state or may take such
8 actions independently in order to carry out its responsibilities.

9 H. The Commissioner shall have the power to enforce the
10 prohibitions provided for in subsection B of this section by
11 requiring divestiture and through the imposition of fines and
12 penalties, the issuance of cease and desist orders, and such other
13 remedies as are provided by law.

14 I. Any organization which intentionally and willfully violates
15 any provision of this section, upon conviction, shall be fined not
16 less than Five Hundred Dollars (\$500.00) nor more than Five Thousand
17 Dollars (\$5,000.00) for each day during which the violation
18 continues. Any individual who intentionally and willfully
19 participates in a violation of any provision of this section, upon
20 conviction, shall be guilty of a Class D3 felony offense and shall
21 be fined not more than Ten Thousand Dollars (\$10,000.00), or
22 imprisoned ~~not more than one (1) year~~ as provided for in subsections
23 B through F of Section 20P of Title 21 of the Oklahoma Statutes, or
24 both such fine and imprisonment.

1 J. Any final order of the Commissioner pursuant to this section
2 shall be appealable pursuant to Section 207 of Title 6 of the
3 Oklahoma Statutes.

4 SECTION 651. AMENDATORY 19 O.S. 2021, Section 28, is
5 amended to read as follows:

6 Section 28. Any election officer who shall be appointed, or
7 commissioner, under the provisions of this act or the laws of
8 Oklahoma, and who shall knowingly and willfully fail or refuse to
9 perform required duties shall be guilty of a Class D3 felony offense
10 and shall, upon conviction, be punished by imprisonment as provided
11 for in subsections B through F of Section 20P of Title 21 of the
12 Oklahoma Statutes.

13 SECTION 652. AMENDATORY 19 O.S. 2021, Section 29, is
14 amended to read as follows:

15 Section 29. Any person or corporation offering money or other
16 thing of value, either directly or indirectly, for the purpose of
17 influencing any voter for or against any proposition in such
18 election shall be guilty of the felony of bribery, a Class D3 felony
19 offense and shall, upon conviction, be punished by imprisonment as
20 provided for in subsections B through F of Section 20P of Title 21
21 of the Oklahoma Statutes.

22 SECTION 653. AMENDATORY 19 O.S. 2021, Section 92, is
23 amended to read as follows:

1 Section 92. Any person or corporation offering money or other
2 thing of value, either directly or indirectly, for the purpose of
3 influencing any voter for or against any competing city, town or
4 place in such election shall be guilty of the felony of bribery, a
5 Class D3 felony offense and shall, upon conviction, be punished by
6 imprisonment as provided for in subsections B through F of Section
7 20P of Title 21 of the Oklahoma Statutes.

8 SECTION 654. AMENDATORY 19 O.S. 2021, Section 112, is
9 amended to read as follows:

10 Section 112. Any county treasurer violating any of the
11 provisions of this act shall be guilty of a Class D3 felony offense
12 and upon conviction shall be punished by confinement ~~in the State~~
13 ~~Penitentiary for a term not less than one (1) year nor more than~~
14 ~~four (4) years~~ as provided for in subsections B through F of Section
15 20P of Title 21 of the Oklahoma Statutes.

16 SECTION 655. AMENDATORY 19 O.S. 2021, Section 123, is
17 amended to read as follows:

18 Section 123. It is hereby made unlawful and deemed a Class D3
19 felony offense for any of the funds of the county to be deposited in
20 any bank in which the county treasurer or any member of the board of
21 county commissioners is the owner of any stock or otherwise directly
22 or indirectly pecuniarily interested. A county treasurer or county
23 commissioner shall be considered to be interested in such bank if
24 any member of his immediate family owns any interest in said

1 depository bank. Any person who violates the provisions of this
2 section shall, upon conviction, be guilty of a Class D3 felony
3 offense and shall be punished by imprisonment as provided for in
4 subsections B through F of Section 20P of Title 21 of the Oklahoma
5 Statutes.

6 SECTION 656. AMENDATORY 21 O.S. 2021, Section 187.1, is
7 amended to read as follows:

8 Section 187.1. A. No person may contribute more than:

9 1. The limits set forth in the Rules of the Ethics Commission
10 to a political party committee or political action committee;

11 2. The limits set forth in the Rules of the Ethics Commission
12 to a candidate committee for a candidate for state office; or

13 3. The limits set forth in the Rules of the Ethics Commission
14 to a campaign committee for a candidate for municipal office or to a
15 campaign committee for a candidate for county office or to a
16 municipal or county political committee.

17 B. No candidate, candidate committee, or other committee shall
18 knowingly accept contributions in excess of the amounts provided
19 herein.

20 C. These restrictions shall not apply to a committee supporting
21 or opposing a state question or local question or to a candidate
22 making a contribution of his or her own funds to his or her own
23 campaign.

1 D. It shall be prohibited for a campaign contribution to be
2 made to a particular candidate or committee through an intermediary
3 or conduit for the purpose of:

4 1. Evading requirements of effective Rules of the Ethics
5 Commission promulgated pursuant to Article XXIX of the Oklahoma
6 Constitution or laws relating to the reporting of contributions and
7 expenditures; or

8 2. Exceeding the contribution limitations imposed by subsection
9 A of this section.

10 Any person making a contribution in violation of this subsection
11 or serving as an intermediary or conduit for such a contribution,
12 upon conviction, shall be subject to the penalties prescribed in
13 subsections E and F of this section.

14 E. Any person who knowingly and willfully violates any
15 provision of this section where the aggregate amount contributed
16 exceeds the contribution limitation specified in subsection A of
17 this section by Five Thousand Dollars (\$5,000.00) or more, upon
18 conviction, shall be guilty of a Class D3 felony offense punishable
19 by a fine of up to four times the amount exceeding the contribution
20 limitation, ~~or by imprisonment in the State Penitentiary for up to~~
21 ~~one (1) year~~ as provided for in subsections B through F of Section
22 20P of this title, or by both such fine and imprisonment.

23 F. Any person who knowingly and willfully violates any
24 provision of this section where the aggregate amount contributed is

1 less than Five Thousand Dollars (\$5,000.00) in excess of the
2 contribution limitation specified in subsection A of this section,
3 upon conviction, shall be guilty of a misdemeanor punishable by a
4 fine of not more than three times the amount exceeding the
5 contribution limitation or One Thousand Dollars (\$1,000.00),
6 whichever is greater, or by imprisonment in the county jail for up
7 to one (1) year, or by both such fine and imprisonment.

8 G. No lobbyist or lobbyist principal as defined in the Rules of
9 the Ethics Commission shall make or promise to make a contribution
10 to, or solicit or promise to solicit a contribution for a member of
11 the Oklahoma Legislature or a candidate for a state legislative
12 office during any regular legislative session, beginning the first
13 Monday in February, through its adjournment, and for five (5)
14 calendar days following sine die adjournment. A member of the
15 Oklahoma Legislature or a candidate for a state legislative office
16 shall not intentionally solicit or accept a contribution from a
17 lobbyist or lobbyist principal as defined in the Rules of the Ethics
18 Commission during any regular legislative session and for five (5)
19 calendar days after sine die adjournment. For the purposes of this
20 subsection, a candidate shall mean any person who has filed a
21 statement of organization for a state legislative office pursuant to
22 the Rules of the Ethics Commission.

23 H. Any person who knowingly and willfully violates any
24 provision of subsection G of this section, upon conviction, shall be

1 guilty of a misdemeanor punishable by a fine of not more than One
2 Thousand Dollars (\$1,000.00), or by imprisonment in the county jail
3 for up to one (1) year, or by both such fine and imprisonment.

4 SECTION 657. AMENDATORY 21 O.S. 2021, Section 187.2, is
5 amended to read as follows:

6 Section 187.2. A. 1. No corporation or labor union may make a
7 contribution to a political party, a political action committee or a
8 candidate committee, and no political party committee, political
9 action committee or candidate committee may accept a contribution
10 from a corporation or labor union, except as permitted by law or the
11 Rules of the Ethics Commission.

12 2. No limited liability company that has one or more
13 incorporated members may make a contribution to a political party
14 committee, a political action committee or a candidate committee,
15 except as permitted by law or the Rules of the Ethics Commission.

16 3. No partnership that has one or more incorporated partners
17 may make a contribution to a political party committee, a political
18 action committee or a candidate committee, except as permitted by
19 law or the Rules of the Ethics Commission.

20 B. No candidate, candidate committee, political party
21 committee, political action committee or other committee shall
22 knowingly accept contributions given in violation of the provisions
23 of subsection A of this section.

1 C. The provisions of this section shall not apply to a bank,
2 savings and loan association or credit union loaning money to a
3 candidate in connection with his or her own campaign which is to be
4 repaid with interest at a rate comparable to that of loans for
5 equivalent amounts for other purposes.

6 D. Any person who knowingly and willfully violates any
7 provision of this section where the aggregate amount contributed
8 exceeds Five Thousand Dollars (\$5,000.00), upon conviction, shall be
9 guilty of a Class D3 felony offense punishable by a fine of up to
10 four times the amount of the prohibited contribution, or by
11 imprisonment ~~in the State Penitentiary for up to one (1) year~~ as
12 provided for in subsections B through F of Section 20P of this
13 title, or by both such fine and imprisonment.

14 E. Any person who knowingly and willfully violates any
15 provision of this section where the aggregate amount contributed is
16 Five Thousand Dollars (\$5,000.00) or less, upon conviction, shall be
17 guilty of a misdemeanor punishable by a fine of not more than three
18 times the amount of the prohibited contribution or One Thousand
19 Dollars (\$1,000.00), whichever is greater, or by imprisonment in the
20 county jail for up to one (1) year, or by both such fine and
21 imprisonment.

22 SECTION 658. AMENDATORY 21 O.S. 2021, Section 275, is
23 amended to read as follows:
24

1 Section 275. Any public officer who, for any gratuity or
2 reward, appoints another person to a public office, or permits
3 another person to exercise, perform or discharge any of the
4 prerogatives or duties of his office, shall be guilty of a Class D3
5 felony offense punishable by imprisonment ~~in the county jail not~~
6 ~~less than six (6) months nor more than two (2) years~~ as provided for
7 in subsections B through F of Section 20P of this title, and by a
8 fine of not less than Two Hundred Dollars (\$200.00) or more than One
9 Thousand Dollars (\$1,000.00); and in addition thereto the public
10 officer forfeits office.

11 SECTION 659. AMENDATORY 21 O.S. 2021, Section 306, is
12 amended to read as follows:

13 Section 306. Any person who fraudulently alters the draft of
14 any bill or resolution which has been presented to either of the
15 houses composing the Legislature, to be passed or adopted, with
16 intent to procure it to be passed or adopted by either house, or
17 certified by the presiding officer of either house, in language
18 different from that intended by such house, shall, upon conviction,
19 be guilty of a Class D3 felony offense and shall be punished as
20 provided for in subsections B through F of Section 20P of this
21 title.

22 SECTION 660. AMENDATORY 21 O.S. 2021, Section 307, is
23 amended to read as follows:

24

1 Section 307. Any person who fraudulently alters the engrossed
2 copy or enrollment of any bill which has been passed by the
3 Legislature, with intent to procure it to be approved by the
4 Governor or certified by the Secretary of State, or printed or
5 published by the printer of the statutes in language different from
6 that in which it was passed by the Legislature, shall, upon
7 conviction, be guilty of a Class D3 felony offense and shall be
8 punished by imprisonment as provided for in subsections B through F
9 of Section 20P of this title.

10 SECTION 661. AMENDATORY 21 O.S. 2021, Section 360, is
11 amended to read as follows:

12 Section 360. No public employee or public official, as defined
13 in Section 304 of Title 51 of the Oklahoma Statutes, shall directly
14 or indirectly coerce, attempt to coerce, command, advise or direct
15 any state employee to pay, lend or contribute any part of his or her
16 salary or compensation, time, effort or anything else of value to
17 any party, committee, organization, agency or person for political
18 purposes. No public employee or official shall retaliate against
19 any employee for exercising his or her rights or for not
20 participating in permitted political activities as provided in
21 Ethics Commission Rule 10-1-4. Any person convicted of willfully
22 violating the provisions of this section shall be guilty of a Class
23 D3 felony offense and shall be punished by the imposition of a fine
24 of not more than Ten Thousand Dollars (\$10,000.00), or by

1 imprisonment ~~for not longer than two (2) years~~ as provided for in
2 subsections B through F of Section 20P of this title, or by both
3 said fine and imprisonment.

4 SECTION 662. AMENDATORY 21 O.S. 2021, Section 372, is
5 amended to read as follows:

6 Section 372. A. Any person who shall contemptuously or
7 maliciously tear down, burn, trample upon, mutilate, deface, defile,
8 defy, treat with indignity, wantonly destroy, or cast contempt,
9 either by word or act, upon any flag, standard, colors or ensign of
10 the United States of America, shall, upon conviction, be guilty of a
11 Class D3 felony offense and shall be punished by imprisonment as
12 provided for in subsections B through F of Section 20P of this
13 title.

14 B. The word "defile" as used in this section shall include
15 public conduct which brings shame or disgrace upon any flag of the
16 United States by its use for unpatriotic or profane purpose.

17 C. The terms "flag", "standard", "colors", or "ensign" of the
18 United States as used in this section shall include any picture,
19 representation or part thereof which an average person would
20 believe, upon seeing and without deliberation, to represent the
21 flag, standard, colors or ensign of the United States of America.

22 SECTION 663. AMENDATORY 21 O.S. 2021, Section 384, is
23 amended to read as follows:

1 Section 384. Any juror, referee, arbitrator, umpire or
2 assessor, and every person authorized by law to hear or determine
3 any question or controversy, who asks, receives, or agrees to
4 receive, any bribe upon any agreement or understanding that his
5 vote, opinion or decision upon any matter or question which is or
6 may be brought before him for decision, shall be thereby influenced,
7 shall, upon conviction, be guilty of a Class D3 felony offense and
8 shall be punished by imprisonment as provided for in subsections B
9 through F of Section 20P of this title.

10 SECTION 664. AMENDATORY 21 O.S. 2021, Section 400, is
11 amended to read as follows:

12 Section 400. Every player, participant, coach, umpire, referee
13 or other person having or exercising authority in connection with
14 the conducting of any amateur or professional athletic contest, who
15 corruptly accepts or requests a gift or gratuity or a promise of any
16 such gift or gratuity, or any other thing of value, or the
17 performance of an act beneficial to any such person in consideration
18 of such person performing any act or making any judgment or
19 decision, or in consideration of such person playing or making
20 decisions or judgments or conducting such athletic contest, in a
21 manner intended or calculated to affect or change the result of such
22 athletic contest, or in consideration of such person failing to
23 participate or engage in any such contest, shall be deemed guilty of
24 a Class D3 felony offense and upon conviction shall be punished by

1 ~~imprisonment in the State Penitentiary for not to exceed one (1)~~
2 ~~year~~ as provided for in subsections B through F of Section 20P of
3 this title, or by a fine of not to exceed Three Thousand Dollars
4 (\$3,000.00) ~~or imprisonment in the county jail for not to exceed one~~
5 ~~(1) year~~, or by both such fine and imprisonment.

6 SECTION 665. AMENDATORY 21 O.S. 2021, Section 451, is
7 amended to read as follows:

8 Section 451. Any person who, upon any trial, proceedings,
9 inquiry or investigation whatever, authorized by law, offers in
10 evidence, as genuine, any book, paper, document, record, or other
11 instrument in writing, knowing the same to have been forged, or
12 fraudulently altered, shall, upon conviction, be guilty of a Class
13 D3 felony offense and shall be punished ~~in the same manner as the~~
14 ~~forging or false alteration of such instrument is made punishable by~~
15 ~~the provisions of this title by imprisonment as provided for in~~
16 subsection B through F of Section 20P of this title.

17 SECTION 666. AMENDATORY 21 O.S. 2021, Section 567A, is
18 amended to read as follows:

19 Section 567A. A. Any parent or other person who violates an
20 order of any court of this state granting the custody of a child
21 under the age of eighteen (18) years to any person, agency,
22 institution, or other facility, with the intent to deprive the
23 lawful custodian of the custody of the child, shall, upon
24 conviction, be guilty of a Class D3 felony offense and shall be

1 punished by imprisonment as provided for in subsections B through F
2 of Section 20P of this title. The fine for a violation of this
3 subsection shall not exceed Five Thousand Dollars (\$5,000.00).

4 B. The offender shall have an affirmative defense if the
5 offender reasonably believes that the act was necessary to preserve
6 the child from physical, mental, or emotional danger to the child's
7 welfare and the offender notifies the local law enforcement agency
8 nearest to the location where the custodian of the child resides.

9 C. If a child is removed from the custody of the child's lawful
10 custodian pursuant to the provisions of this section any law
11 enforcement officer may take the child into custody without a court
12 order and, unless there is a specific court order directing a law
13 enforcement officer to take the child into custody and release or
14 return the child to a lawful custodian, the child shall be held in
15 emergency or protective custody pursuant to the provisions of
16 Section 1-4-201 of Title 10A of the Oklahoma Statutes.

17 SECTION 667. AMENDATORY 21 O.S. 2021, Section 589, is
18 amended to read as follows:

19 Section 589. A. It shall be unlawful to willfully, knowingly
20 and without probable cause make a false report to any person of any
21 crime or circumstances indicating the possibility of crime having
22 been committed, including the unlawful taking of personal property,
23 which report causes or encourages the exercise of police action or
24 investigation. Any person convicted of violating the provisions of

1 this subsection shall be guilty of a misdemeanor punishable by
2 imprisonment in the county jail for not more than ninety (90) days
3 or by a fine of not more than Five Hundred Dollars (\$500.00), or by
4 both such fine and imprisonment.

5 B. It shall be unlawful to willfully, knowingly, and without
6 probable cause communicate false information concerning a missing
7 child to a law enforcement agency that causes or encourages the
8 activation of an AMBER alert warning system. Any person convicted
9 of violating the provisions of this subsection shall be guilty of a
10 Class D3 felony offense punishable by imprisonment in the county
11 jail for not more than one (1) year as provided for in subsections B
12 through F of Section 20P of this title, or by a fine of not less
13 than One Thousand Dollars (\$1,000.00), or by both such fine and
14 imprisonment.

15 SECTION 668. AMENDATORY 21 O.S. 2021, Section 590, is
16 amended to read as follows:

17 Section 590. A. Every state governmental entity shall, for a
18 period of two (2) years, maintain accurate and complete records, as
19 defined in Section 203 of Title 67 of the Oklahoma Statutes,
20 reflecting all financial and business transactions, which records
21 shall include support documentation for each transaction. No such
22 records shall be disposed of for three (3) years thereafter, except
23 upon a unanimous vote of the members of the Archives and Records
24 Commission pursuant to Section 306 of Title 67 of the Oklahoma

1 Statutes, or upon a majority vote of the members of the Commission
2 for records more than five (5) years old. The disposition of such
3 records shall be in accordance with the provisions of Sections 305
4 through 317 of Title 67 of the Oklahoma Statutes, provided all state
5 or federal audits have been completed, unless such audits request
6 such records to be maintained for some given period of time.

7 B. Any person who willfully violates the provisions of this
8 section shall, upon conviction, be guilty of a Class D3 felony
9 offense punishable by imprisonment ~~in the State Penitentiary for a~~
10 ~~period of not more than three (3) years~~ as provided for in
11 subsections B through F of Section 20P of this title, or by a fine
12 of not more than Five Thousand Dollars (\$5,000.00), or by both such
13 fine and imprisonment. Any person convicted of any such violation
14 who holds any elective or appointive public office shall also be
15 subject to immediate removal from office.

16 SECTION 669. AMENDATORY 21 O.S. 2021, Section 815, is
17 amended to read as follows:

18 Section 815. Every person who willfully aids another in
19 attempting to take his own life, in any manner which by the
20 preceding sections would have amounted to aiding suicide if the
21 person assisted had actually taken his own life, is, upon
22 conviction, guilty of aiding an attempt at suicide, a Class D3
23 felony offense.

1 SECTION 670. AMENDATORY 21 O.S. 2021, Section 818, is
2 amended to read as follows:

3 Section 818. Every person guilty of aiding an attempt at
4 suicide shall be guilty of a Class D3 felony offense punishable by
5 imprisonment in the State Penitentiary not exceeding two (2) years,
6 or by a fine not exceeding One Thousand Dollars (\$1,000.00), or
7 both.

8 SECTION 671. AMENDATORY 21 O.S. 2021, Section 950, is
9 amended to read as follows:

10 Section 950. Any state, county, city, or township officer, or
11 other person who shall hold for, receive or collect any money, or
12 other valuable consideration, either for his own or the public use,
13 for and with the understanding that he will aid, exempt or otherwise
14 assist said person from arrest or conviction for a violation of any
15 of the provisions of this article, or who shall issue, deliver or
16 cause to be delivered to any person or persons, any license, permit,
17 or other privileges, giving or pretending to give, any authority or
18 right to any person or persons, to carry on, conduct, open or cause
19 to be opened, any game or games which are forbidden or prohibited by
20 any of the provisions of Sections 941 through 953 of this title
21 shall, upon conviction, be deemed guilty of a Class D3 felony
22 offense and shall be punished by imprisonment as provided for in
23 subsections B through F of Section 20P of this title.

24

1 SECTION 672. AMENDATORY 21 O.S. 2021, Section 1053, is
2 amended to read as follows:

3 Section 1053. Any person who contrives, prepares, sets up,
4 proposes or draws any lottery shall be guilty of a Class D3 felony
5 offense punishable by a fine equal to double the amount of the whole
6 sum or value for which such lottery was made, ~~and,~~ if such amount
7 cannot be ascertained, then, ~~by imprisonment in the State~~
8 ~~Penitentiary not exceeding two (2) years or by imprisonment in a~~
9 ~~county jail not exceeding one (1) year~~ as provided for in
10 subsections B through F of Section 20P of this title, or by a fine
11 of Two Thousand Five Hundred Dollars (\$2,500.00), or by both such
12 fine and imprisonment.

13 SECTION 673. AMENDATORY 21 O.S. 2021, Section 1066, is
14 amended to read as follows:

15 Section 1066. Every person who sets up, promotes or engages in
16 any plan by which goods or anything of value is sold to a person,
17 firm or corporation for a consideration and upon the further
18 consideration that the purchaser agrees to secure one or more
19 persons to participate in the plan by respectively making a similar
20 purchase or purchases and in turn agreeing to secure one or more
21 persons likewise to join in said plan, each purchaser being given
22 the right to secure money, credits, goods or something of value,
23 depending upon the number of persons joining in the plan, shall be
24 held to have set up and promoted a lottery, which shall be deemed a

1 Class D3 felony offense, and shall be punished as provided in
2 Section 1068 of this title.

3 SECTION 674. AMENDATORY 21 O.S. 2021, Section 1068, is
4 amended to read as follows:

5 Section 1068. Any person violating the provisions of Section
6 1066 or 1067 of this title shall, upon conviction thereof, be guilty
7 of a Class D3 felony offense and be punished by a fine of not less
8 than One Thousand Dollars (\$1,000.00) nor more than Five Thousand
9 Dollars (\$5,000.00), or by imprisonment ~~for a term not exceeding two~~
10 ~~(2) years in the State Penitentiary~~ as provided for in subsections B
11 through F of Section 20P of this title, or by both such fine and
12 imprisonment.

13 SECTION 675. AMENDATORY 21 O.S. 2021, Section 1092, is
14 amended to read as follows:

15 Section 1092. Any pawnbroker or person carrying on the business
16 of a pawnbroker, and every junk dealer, who having received any
17 goods which have been embezzled or stolen, refuses or omits to
18 exhibit them, upon demand, during the usual business hours, to the
19 owner of said goods or his agent authorized to demand an inspection
20 thereof, or any peace officer, shall, upon conviction, be guilty of
21 a Class D3 felony offense and shall be punished by imprisonment as
22 provided for in subsections B through F of Section 20P of this
23 title.

24

1 SECTION 676. AMENDATORY 21 O.S. 2021, Section 1163, is
2 amended to read as follows:

3 Section 1163. Any person who opens any grave or any place of
4 burial, temporary or otherwise, or who breaks open any building
5 wherein any dead body of a human being is deposited while awaiting
6 burial, with intent either:

7 1. To remove any dead body of a human being for the purpose of
8 selling the same, or for the purpose of dissection; or

9 2. To steal the coffin, or any part thereof or anything
10 attached thereto, or connected therewith, or the vestments or other
11 articles buried with the same,

12 shall, upon conviction, be guilty of a Class D3 felony offense
13 punishable by imprisonment ~~in the State Penitentiary not exceeding~~
14 ~~two (2) years, or in a county jail not exceeding six (6) months~~ as
15 provided for in subsections B through F of Section 20P of this
16 title, or by a fine not exceeding Two Hundred Fifty Dollars
17 (\$250.00), or by both such fine and imprisonment.

18 SECTION 677. AMENDATORY 21 O.S. 2021, Section 1168.1, is
19 amended to read as follows:

20 Section 1168.1. Anyone who knowingly buys, sells or barter for
21 profit human skeletal remains or associated burial furniture,
22 previously buried within this state, shall, upon conviction, be
23 guilty of a Class D3 felony offense and shall be punished by
24

1 imprisonment as provided for in subsections B through F of Section
2 20P of this title.

3 SECTION 678. AMENDATORY 21 O.S. 2021, Section 1168.4, is
4 amended to read as follows:

5 Section 1168.4. A. All persons who encounter or discover human
6 skeletal remains or what they believe may be human skeletal remains
7 or burial furniture thought to be associated with human burials in
8 or on the ground shall immediately cease any activity which may
9 cause further disturbance and shall report the presence and location
10 of such human skeletal remains to an appropriate law enforcement
11 officer.

12 B. Any person who willfully fails to report the presence or
13 discovery of human skeletal remains or what they believe may be
14 human skeletal remains within forty-eight (48) hours to an
15 appropriate law enforcement officer in the county in which the
16 remains are found shall be guilty of a misdemeanor.

17 C. Any person who knowingly disturbs human skeletal remains or
18 burial furniture other than a law enforcement officer, registered
19 mortician, a representative of the Office of the Chief Medical
20 Examiner, a professional archaeologist or physical anthropologist,
21 or other officials designated by law in performance of official
22 duties, shall, upon conviction, be guilty of a Class D3 felony
23 offense and shall be punished by imprisonment as provided for in
24 subsections B through F of Section 20P of this title.

1 D. Anyone other than a law enforcement officer, registered
2 mortician, a representative of the Office of the Chief Medical
3 Examiner, a professional archaeologist or physical anthropologist,
4 or other officials designated by law in performance of official
5 duties, who disturbs or permits disturbance of a burial ground with
6 the intent to obtain human skeletal remains or burial furniture
7 shall, upon conviction, be guilty of a Class D3 felony offense and
8 shall be punished by imprisonment as provided for in subsections B
9 through F of Section 20P of this title.

10 E. The law enforcement officer, if there is a reason to believe
11 that the skeletal remains may be human, shall promptly notify the
12 landowner and the Chief Medical Examiner. If remains reported under
13 this act are not associated with or suspected of association with
14 any crime, the State Archaeologist and the State Historic
15 Preservation Officer shall be notified within fifteen (15) days. If
16 review by the State Archaeologist and the State Historic
17 Preservation Officer of the human skeletal remains and any burial
18 furniture demonstrates or suggests a direct historical relationship
19 to a tribal group, then the State Archaeologist shall:

- 20 1. Notify the State Historic Preservation Officer; and
- 21 2. Consult with the tribal leader, designated by the Oklahoma
22 Indian Affairs Commission, within fifteen (15) days regarding any
23 proposed treatment or scientific studies and final disposition of
24 the materials.

1 SECTION 679. AMENDATORY 21 O.S. 2021, Section 1168.6, is
2 amended to read as follows:

3 Section 1168.6. A. Any person convicted of a misdemeanor
4 pursuant to the provisions of Sections 1168 through 1168.5 of this
5 title shall be punishable by a fine not exceeding Five Hundred
6 Dollars (\$500.00), by imprisonment in the county jail not exceeding
7 six (6) months, or by both such fine and imprisonment.

8 B. Any person convicted of a felony pursuant to the provisions
9 of Sections 1168 through 1168.5 of this title shall be guilty of a
10 Class D3 felony offense punishable by a fine not exceeding One
11 Thousand Dollars (\$1,000.00), or by imprisonment ~~in the State~~
12 ~~Penitentiary not exceeding two (2) years~~ as provided for in
13 subsections B through F of Section 20P of this title, or by both
14 such fine and imprisonment.

15 SECTION 680. AMENDATORY 21 O.S. 2021, Section 1174, is
16 amended to read as follows:

17 Section 1174. It shall be unlawful for any person or persons,
18 with the intent of intimidating any person or group of persons, to
19 burn, or cause to be burned, a cross on the property of another, a
20 highway or other public place. Any person who shall violate any
21 provision of this section shall, upon conviction, be guilty of a
22 Class D3 felony offense and shall be punished by imprisonment as
23 provided for in subsections B through F of Section 20P of this
24 title.

1 SECTION 681. AMENDATORY 21 O.S. 2021, Section 1214, is
2 amended to read as follows:

3 Section 1214. It shall be unlawful for any person to operate a
4 mobile radio capable of receiving transmissions made by any law
5 enforcement agency for illegal purposes or while in the commission
6 of a crime and not otherwise, and any person violating the
7 provisions hereof shall be guilty of a Class D3 felony offense and
8 upon conviction thereof shall be punished by imprisonment ~~in the~~
9 ~~State Penitentiary for not more than three (3) years~~ as provided for
10 in subsections B through F of Section 20P of this title, or fined ~~by~~
11 not more than Five Thousand Dollars (\$5,000.00), or by both such
12 imprisonment and fine.

13 SECTION 682. AMENDATORY 21 O.S. 2021, Section 1267.1, is
14 amended to read as follows:

15 Section 1267.1. Any person organizing or assisting to organize
16 any group, company, assembly of persons, or association with the
17 intent of advocating or encouraging the overthrow of the United
18 States or state governments, or of acting to overthrow such
19 governments, by force or violence, or who is or becomes a member or
20 affiliate of any such organization knowing its purposes shall, upon
21 conviction thereof, be guilty of a Class D3 felony offense and shall
22 be punished by imprisonment as provided for in subsections B through
23 F of Section 20P of this title.

1 SECTION 683. AMENDATORY 21 O.S. 2021, Section 1282, is
2 amended to read as follows:

3 Section 1282.

4 FELONY USE OF A SLUNG SHOT

5 Any person who carries upon his person, whether concealed or
6 not, or uses or attempts to use against another, any instrument or
7 weapon of the kind usually known as slung shot, or of any similar
8 kind, shall, upon conviction, be guilty of a Class D3 felony offense
9 and shall be punished by imprisonment as provided for in subsections
10 B through F of Section 20P of this title.

11 SECTION 684. AMENDATORY 21 O.S. 2021, Section 1442, is
12 amended to read as follows:

13 Section 1442. Any person who has been previously convicted of
14 the crime of burglary who has in his possession, custody or
15 concealed about his person, or transports or causes to be
16 transported, any combination of three (3) or more of the following
17 tools: Sledge hammer, pry bar, punches, chisel, bolt cutters, with
18 the intent to use or employ, or allow the same to be used or
19 employed, in the commission of a crime, or knowing that the tools
20 are to be used in the commission of a crime, shall, upon conviction,
21 be guilty of a Class D3 felony offense and shall be punished by
22 imprisonment as provided for in subsections B through F of Section
23 20P of this title.

24

1 SECTION 685. AMENDATORY 21 O.S. 2021, Section 1503, is
2 amended to read as follows:

3 Section 1503. Any person who shall obtain food, lodging,
4 services or other accommodations at any hotel, inn, restaurant,
5 boarding house, rooming house, motel or auto camp, with intent to
6 defraud the owner or keeper thereof, if the value of such food,
7 lodging, services or other accommodations is less than One Thousand
8 Dollars (\$1,000.00), shall be guilty of a misdemeanor and upon
9 conviction thereof shall be fined not exceeding Five Hundred Dollars
10 (\$500.00), or be imprisoned in the county jail not exceeding three
11 (3) months, or punished by both such fine and imprisonment, and if
12 the value of such food, lodging, services or accommodations is
13 valued at One Thousand Dollars (\$1,000.00) or more, any person
14 convicted hereunder shall be deemed guilty of a Class D3 felony
15 offense and shall be punished by imprisonment ~~in the State~~
16 ~~Penitentiary for a term not exceeding five (5) years~~ as provided for
17 in subsections B through F of Section 20P of this title. Any person
18 who shall obtain shelter, lodging, or any other services at any
19 apartment house, apartment, rental unit, rental house, or trailer
20 camp, with intent to defraud the owner or keeper thereof, shall be
21 guilty of a misdemeanor and upon conviction thereof shall be fined
22 not exceeding One Hundred Dollars (\$100.00), or be imprisoned in the
23 county jail not exceeding three (3) months, or be punished by both
24 fine and imprisonment. Proof that such lodging, food, services or

1 other accommodations were obtained by false pretense or by false or
2 fictitious show or pretense of any baggage or other property, or
3 that he gave a check on which payment was refused, or that he left
4 the hotel, inn, restaurant, boarding house, rooming house, motel,
5 apartment house, apartment, rental unit or rental house, trailer
6 camp or auto camp, without payment or offering to pay for such food,
7 lodging, services or other accommodation, or that he surreptitiously
8 removed or attempted to remove his baggage, or that he registered
9 under a fictitious name, shall be prima facie proof of the intent to
10 defraud mentioned in this section; but this section shall not apply
11 where there has been an agreement in writing for delay in payment.

12 SECTION 686. AMENDATORY 21 O.S. 2021, Section 1506, is
13 amended to read as follows:

14 Section 1506. Any person who obtains any money or property from
15 another, or obtains the signature of another to any written
16 instrument, the false making of which would be forgery, by means of
17 any false or fraudulent sale of property or pretended property by
18 auction, or by any of the practices known as mock auctions, shall,
19 upon conviction, be guilty of a Class D3 felony offense punishable
20 ~~by imprisonment in the State Penitentiary not exceeding three (3)~~
21 ~~years or in a county jail not exceeding one (1) year~~ as provided for
22 in subsections B through F of Section 20P of this title, or by a
23 fine not exceeding One Thousand Dollars (\$1,000.00), or by both such
24 fine and imprisonment; and, in addition, the person forfeits any

1 license he may hold to act as an auctioneer, and is forever
2 disqualified from receiving a license to act as auctioneer within
3 this state.

4 SECTION 687. AMENDATORY 21 O.S. 2021, Section 1542, is
5 amended to read as follows:

6 Section 1542. A. Every person who, with intent to cheat or
7 defraud another, designedly, by color or aid of any false token or
8 writing, or other false pretense, obtains the signature of any
9 person to any written instrument, or obtains from any person any
10 money or property is, upon conviction, guilty of a Class D3 felony
11 offense punishable by imprisonment in the custody of the Department
12 of Corrections for a term not exceeding three (3) years or in a
13 county jail not exceeding one (1) year as provided for in
14 subsections B through F of Section 20P of this title if the value is
15 One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding
16 three times the value of the money or property so obtained, or by
17 both such fine and imprisonment. If the value is less than One
18 Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty
19 of a misdemeanor punishable by imprisonment in the county jail for a
20 term not exceeding one (1) year, or by a fine not exceeding three
21 times the value of the money or property so obtained, or by both
22 such fine and imprisonment.

23 B. Every person who, with intent to cheat or defraud another,
24 possesses, uses, utters, transfers, makes, manufactures,

1 counterfeit, or reproduces a retail sales receipt or a Universal
2 Price Code Label is, upon conviction, guilty of a Class D3 felony
3 offense punishable by imprisonment in the custody of the Department
4 of Corrections for a term not exceeding three (3) years or in a
5 county jail not exceeding one (1) year as provided for in
6 subsections B through F of Section 20P of this title if the value is
7 One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding
8 three times the value represented on the retail sales receipt or the
9 Universal Price Code Label, or by both such fine and imprisonment.
10 If the value is less than One Thousand Dollars (\$1,000.00), the
11 person is, upon conviction, guilty of a misdemeanor punishable by
12 imprisonment in the county jail for a term not exceeding one (1)
13 year, or by a fine not exceeding three times the value represented
14 on the retail sales receipt or the Universal Price Code Label, or by
15 both such fine and imprisonment. For purposes of this subsection, a
16 series of offenses may be aggregated into one offense when they are
17 the result of the formulation of a plan or scheme or the setting up
18 of a mechanism which, when put into operation, results in the taking
19 or diversion of money or property on a recurring basis. When all
20 acts result from a continuing course of conduct, they may be
21 aggregated into one crime. Acts forming an integral part of the
22 first taking which facilitate subsequent takings, or acts taken in
23 preparation of several takings which facilitate subsequent takings,

1 are relevant to determine the intent of the party to commit a
2 continuing crime.

3 SECTION 688. AMENDATORY 21 O.S. 2021, Section 1543, is
4 amended to read as follows:

5 Section 1543. Any person who designedly, by color or aid of any
6 false token or writing, or other false pretense, obtains the
7 signature of any person to any written instrument, or obtains from
8 any person any money or property for any alleged charitable or
9 benevolent purpose whatever, shall, upon conviction, be guilty of a
10 Class D3 felony offense punishable by imprisonment in the State
11 Penitentiary not exceeding three (3) years or in a county jail not
12 exceeding one (1) year as provided for in subsections B through F of
13 Section 20P of this title, or by a fine not exceeding the value of
14 the money or property so obtained, or by both such fine and
15 imprisonment.

16 SECTION 689. AMENDATORY 21 O.S. 2021, Section 1550.32,
17 is amended to read as follows:

18 Section 1550.32. A person who receives money, goods, services
19 or anything else of value obtained in violation of Section 1550.29
20 of this title, with the knowledge or belief that it was so obtained,
21 is, upon conviction, guilty of a Class D3 felony offense and is
22 subject to the penalties set forth in subsection C of Section
23 1550.33 of this title.

1 SECTION 690. AMENDATORY 21 O.S. 2021, Section 1662, is
2 amended to read as follows:

3 Section 1662. Any person who presents or causes to be presented
4 any false or fraudulent claim, or any proof in support of any such
5 claim, upon any contract of insurance, for the payment of any loss,
6 or who prepares, makes or subscribes any account, certificate,
7 survey affidavit, proof of loss, or other book, paper or writing,
8 with intent to present or use the same, or to allow it to be
9 presented or used in support of any such claim, shall, upon
10 conviction, be guilty of a Class D3 felony offense punishable by
11 ~~imprisonment in the State Penitentiary not exceeding three (3) years~~
12 as provided for in subsections B through F of Section 20P of this
13 title, or by a fine not exceeding twice the amount of the aggregated
14 loss sum, or both.

15 SECTION 691. AMENDATORY 21 O.S. 2021, Section 1753, is
16 amended to read as follows:

17 Section 1753. Any person who maliciously digs up, removes,
18 displaces, breaks, or otherwise injures or destroys any public
19 highway or bridge, or any private way laid out by authority of law,
20 or bridge upon such way, shall, upon conviction, be guilty of a
21 Class D3 felony offense and shall be punished by imprisonment as
22 provided for in subsections B through F of Section 20P of this
23 title.
24

SECTION 692. AMENDATORY 21 O.S. 2021, Section 1753.8, is amended to read as follows:

Section 1753.8. A. Any person who defaces, steals or possesses any road sign or marker posted by any city, state or county shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than One Hundred Dollars (\$100.00), or restitution which shall be paid to the city, state or county, or by not more than twenty (20) days of community service, or by imprisonment in the county jail for a term of not more than thirty (30) days, or by such fine, imprisonment, community service, or restitution, as the Court may order.

B. If a violation of subsection A of this section results in personal injury to or death of any person, the person committing the violation shall, upon conviction, be guilty of a Class D3 felony offense, punishable by imprisonment ~~in the custody of the Department of Corrections for not more than two (2) years~~ as provided for in subsections B through F of Section 20P of this title, or by a fine of not more than One Thousand Dollars (\$1,000.00). In addition, the person may be ordered to pay restitution, which shall be paid to the city, state or county, or to perform not less than forty (40) days of community service, or to such combination of fine, imprisonment, community service, and/or restitution, as the Court may order.

SECTION 693. AMENDATORY 21 O.S. 2021, Section 1755, is amended to read as follows:

1 Section 1755. Any person who maliciously injures or destroys
2 any toll house or turnpike gate shall, upon conviction, be guilty of
3 a Class D3 felony offense and shall be punished by imprisonment as
4 provided for in subsections B through F of Section 20P of this
5 title.

6 SECTION 694. AMENDATORY 21 O.S. 2021, Section 1760, is
7 amended to read as follows:

8 Section 1760. A. Every person who maliciously injures, defaces
9 or destroys any real or personal property not his or her own, in
10 cases other than such as are specified in Section 1761 et seq. of
11 this title, is guilty of:

12 1. A misdemeanor, if the damage, defacement or destruction
13 causes a loss which has an aggregate value of less than One Thousand
14 Dollars (\$1,000.00);

15 2. A Class D3 felony offense, if the damage, defacement or
16 destruction causes a loss which has an aggregate value of One
17 Thousand Dollars (\$1,000.00) or more, punishable by imprisonment as
18 provided for in subsections B through F of Section 20P of this
19 title; or

20 3. A Class D3 felony offense, if the defendant has two or more
21 prior convictions for an offense under this section, notwithstanding
22 the value of loss caused by the damage, defacement or destruction.

23 B. In addition to any other punishment prescribed by law for
24 violations of subsection A of this section, he or she is liable in

1 treble damages for the injury done, to be recovered in a civil
2 action by the owner of such property or public officer having charge
3 thereof.

4 SECTION 695. AMENDATORY 21 O.S. 2021, Section 1765, is
5 amended to read as follows:

6 Section 1765. Any person who willfully breaks, defaces, or
7 otherwise injures any house of worship, or any part thereof, or any
8 appurtenance thereto, or any book, furniture, ornament, musical
9 instrument, article of silver or plated ware, or other chattel kept
10 therein for use in connection with religious worship, shall, upon
11 conviction, be guilty of a Class D3 felony offense and shall be
12 punished by imprisonment as provided for in subsections B through F
13 of Section 20P of this title.

14 SECTION 696. AMENDATORY 21 O.S. 2021, Section 1785, is
15 amended to read as follows:

16 Section 1785. Any person who maliciously cuts, tears,
17 disfigures, soils, obliterates, breaks or destroys any book, map,
18 chart, picture, engraving, statue, coin, model, apparatus, specimen
19 or other work of literature or art, or object of curiosity deposited
20 in any public library, gallery, museum, collection, fair or
21 exhibition, shall, upon conviction, be guilty of a Class D3 felony
22 offense punishable by imprisonment ~~in the State Penitentiary for not~~
23 ~~exceeding three (3) years, or in a county jail not exceeding one (1)~~
24

1 year as provided for in subsections B through F of Section 20P of
2 this title.

3 SECTION 697. AMENDATORY 21 O.S. 2021, Section 1786, is
4 amended to read as follows:

5 Section 1786. Any person who willfully breaks, digs up or
6 obstructs any pipes or mains for conducting gas or water, or any
7 works erected for supplying buildings with gas or water, or any
8 appurtenances or appendages therewith connected, or injures, cuts,
9 breaks down or destroys any electric light wires, poles or
10 appurtenances, or any telephone or telegraph wires, cable or
11 appurtenances, shall, upon conviction, be guilty of a Class D3
12 felony offense punishable by imprisonment in the State Penitentiary
13 not exceeding three (3) years, or in the county jail not exceeding
14 one (1) year, and by a fine of not more than Five Hundred Dollars
15 (\$500.00).

16 SECTION 698. AMENDATORY 21 O.S. 2021, Section 1791, is
17 amended to read as follows:

18 Section 1791. A. Any person who, without good cause,
19 maliciously and knowingly cuts or damages a fence used for the
20 production or containment of cattle, bison, horses, sheep, swine,
21 goats, domestic fowl, exotic livestock, exotic poultry or any game
22 animals or domesticated game such that there is a loss or damage to
23 the property is guilty of a misdemeanor. Any person convicted of a
24 second or subsequent offense pursuant to this section shall be

1 guilty of a Class D3 felony offense punishable by a fine not
2 exceeding One Thousand Dollars (\$1,000.00), or by imprisonment ~~in~~
3 ~~the custody of the Department of Corrections not exceeding two (2)~~
4 ~~years~~ as provided for in subsections B through F of Section 20P of
5 this title, or by both such fine and imprisonment.

6 B. The provisions of subsection A of this section shall not
7 apply to any activities:

8 1. Performed pursuant to the Seismic Exploration Regulation
9 Act;

10 2. Performed pursuant to Sections 318.2 through 318.9 of Title
11 52 of the Oklahoma Statutes; or

12 3. That are subject to the regulation of the Oklahoma
13 Corporation Commission or the Federal Energy Regulatory Commission.

14 SECTION 699. AMENDATORY 21 O.S. 2021, Section 1792, is
15 amended to read as follows:

16 Section 1792. A. Any person who shall willfully trespass or
17 enter property containing a critical infrastructure facility without
18 permission by the owner of the property or lawful occupant thereof
19 shall, upon conviction, be guilty of a misdemeanor punishable by a
20 fine of not less than One Thousand Dollars (\$1,000.00), or by
21 imprisonment in the county jail for a term of six (6) months, or by
22 both such fine and imprisonment. If it is determined the intent of
23 the trespasser is to willfully damage, destroy, vandalize, deface,
24 tamper with equipment, or impede or inhibit operations of the

1 facility, the person shall, upon conviction, be guilty of a Class D3
2 felony offense punishable by a fine of not less than Ten Thousand
3 Dollars (\$10,000.00), or by imprisonment ~~in the custody of the~~
4 ~~Department of Corrections for a term of one (1) year~~ as provided for
5 in subsections B through F of Section 20P of this title, or by both
6 such fine and imprisonment.

7 B. Any person who shall willfully damage, destroy, vandalize,
8 deface or tamper with equipment in a critical infrastructure
9 facility shall, upon conviction, be guilty of a Class D3 felony
10 offense punishable by a fine of One Hundred Thousand Dollars
11 (\$100,000.00), or by imprisonment in the custody of the Department
12 of Corrections for a term of not more than ten (10) years, or by
13 both such fine and imprisonment.

14 C. If an organization is found to be a conspirator with persons
15 who are found to have committed any of the crimes described in
16 subsection A or B of this section, the conspiring organization shall
17 be punished by a fine that is ten times the amount of said fine
18 authorized by the appropriate provision of this section.

19 D. As used in this section, "critical infrastructure facility"
20 means:

21 1. One of the following, if completely enclosed by a fence or
22 other physical barrier that is obviously designed to exclude
23 intruders, or if clearly marked with a sign or signs that are posted
24 on the property that are reasonably likely to come to the attention

1 of intruders and indicate that entry is forbidden without site
2 authorization:

- 3 a. a petroleum or alumina refinery,
- 4 b. an electrical power generating facility, substation,
5 switching station, electrical control center or
6 electric power lines and associated equipment
7 infrastructure,
- 8 c. a chemical, polymer or rubber manufacturing facility,
- 9 d. a water intake structure, water treatment facility,
10 wastewater treatment plant or pump station,
- 11 e. a natural gas compressor station,
- 12 f. a liquid natural gas terminal or storage facility,
- 13 g. a telecommunications central switching office,
- 14 h. wireless telecommunications infrastructure, including
15 cell towers, telephone poles and lines, including
16 fiber optic lines,
- 17 i. a port, railroad switching yard, railroad tracks,
18 trucking terminal or other freight transportation
19 facility,
- 20 j. a gas processing plant, including a plant used in the
21 processing, treatment or fractionation of natural gas
22 or natural gas liquids,
- 23 k. a transmission facility used by a federally licensed
24 radio or television station,

1. a steelmaking facility that uses an electric arc furnace to make steel,
- m. a facility identified and regulated by the United States Department of Homeland Security Chemical Facility Anti-Terrorism Standards (CFATS) program,
- n. a dam that is regulated by the state or federal government,
- o. a natural gas distribution utility facility including, but not limited to, pipeline interconnections, a city gate or town border station, metering station, aboveground piping, a regulator station and a natural gas storage facility, or
- p. a crude oil or refined products storage and distribution facility including, but not limited to, valve sites, pipeline interconnections, pump station, metering station, below or aboveground pipeline or piping and truck loading or offloading facility; or

2. Any aboveground portion of an oil, gas, hazardous liquid or chemical pipeline, tank, railroad facility or other storage facility that is enclosed by a fence, other physical barrier or is clearly marked with signs prohibiting trespassing, that are obviously designed to exclude intruders.

SECTION 700. AMENDATORY 21 O.S. 2021, Section 1834, is amended to read as follows:

1 Section 1834. Any mortgagor, conditional sales contract vendee,
2 pledgor or debtor under a security agreement of personal property,
3 or his or her legal representative, who, while such mortgage,
4 security agreement or conditional sales contract remains in force
5 and unsatisfied, conceals, sells or in any manner disposes of such
6 property, or any part thereof, or removes such property, or any part
7 thereof, beyond the limits of the county, or materially injures or
8 willfully destroys such property, or any part thereof, without the
9 written consent of the holder of such mortgage or conditional sales
10 contract, secured party or pledgee under a security agreement shall,
11 upon conviction, be guilty of a Class D3 felony offense if the value
12 of the property is One Thousand Dollars (\$1,000.00) or more and
13 shall be punished by imprisonment ~~in the custody of the Department~~
14 ~~of Corrections for a period not exceeding three (3) years or in the~~
15 ~~county jail not exceeding one (1) year~~ as provided for in
16 subsections B through F of Section 20P of this title, or by a fine
17 of not to exceed Five Hundred Dollars (\$500.00). If the value of
18 the property is less than One Thousand Dollars (\$1,000.00), the
19 person shall, upon conviction, be guilty of a misdemeanor punishable
20 by imprisonment in the county jail not exceeding one (1) year, or by
21 a fine not exceeding Five Hundred Dollars (\$500.00). Provided,
22 however, the writing containing the consent of the holder of the
23 mortgage or conditional sales contract, secured party or pledgee
24 under a security agreement, as before specified, shall be the only

1 competent evidence of such consent, unless it appears that such
2 writing has been lost or destroyed.

3 SECTION 701. AMENDATORY 21 O.S. 2021, Section 1861, is
4 amended to read as follows:

5 Section 1861. A. The name and organizational or business
6 affiliation of every person who by telephone engages in the
7 solicitation or sale of any item, tangible or intangible, shall, by
8 such person, be given to the person answering such telephone call.
9 Such information shall be given immediately and prior to any
10 solicitation or sales presentation. The telephone number of the
11 person placing the call must be given upon request of the party
12 being called. The person in whose name the telephone is registered
13 is responsible for his agents and employees conforming with the
14 provisions of this section. This section does not apply to calls
15 between persons known to each other and to religious groups, or
16 nonprofit organizations within their own membership, and political
17 activities.

18 B. No person may solicit contributions by telephone for a
19 charitable nonprofit organization unless that organization has
20 complied with the provisions of the Oklahoma Solicitation of
21 Charitable Contributions Act, Sections 552.1 et seq. of Title 18 of
22 the Oklahoma Statutes. Such person may charge a reasonable fee for
23 his services, which shall not exceed ten percent (10%) of the net
24 receipts of the solicitation; provided, however, that in the event

1 the fee charged is based upon a predetermined flat fee, then this
2 provision shall not apply. Provided, further, that all sums shall
3 be paid directly to the nonprofit organization.

4 C. Violation of this section by a person, business or
5 organization shall constitute a misdemeanor. A third and subsequent
6 conviction under this section shall constitute a Class D3 felony
7 offense punishable by imprisonment as provided for in subsections B
8 through F of Section 20P of this title.

9 SECTION 702. AMENDATORY 21 O.S. 2021, Section 1871, is
10 amended to read as follows:

11 Section 1871. A. Any person who uses a telecommunication
12 device with the intent to avoid the payment of any lawful charge for
13 telecommunication service or with the knowledge that it was to avoid
14 the payment of any lawful charge for telecommunication service and
15 the value of the telecommunication service is not more than One
16 Thousand Dollars (\$1,000.00) or such value cannot be ascertained
17 shall, upon conviction, be guilty of a misdemeanor.

18 B. Any person who uses a telecommunication device with the
19 intent to avoid the payment of any lawful charge for
20 telecommunication service or with the knowledge that it was to avoid
21 the payment of any lawful charge for telecommunication service and
22 the value of the telecommunication service exceeds One Thousand
23 Dollars (\$1,000.00) shall, upon conviction, be guilty of a ~~Schedule~~
24 ~~& Class D3~~ felony, ~~if the offense occurs on or after the effective~~

1 ~~date of Section 20.1 of this title. If the offense occurs before~~
2 ~~the effective date of Section 20.1 of this title, the crime shall be~~
3 ~~punishable by incarceration in the custody of the Department of~~
4 ~~Corrections for a term not to exceed two (2) years as provided for~~
5 ~~in subsections B through F of Section 20P of this title.~~

6 C. If the cloned cellular telephone used in violation of this
7 section was used to facilitate the commission of a felony the
8 person, upon conviction, shall be guilty of a ~~Schedule F~~ Class D3
9 ~~felony, if the offense occurs on or after the effective date of~~
10 ~~Section 20.1 of this title. If the offense occurs before the~~
11 ~~effective date of Section 20.1 of this title, the crime shall be~~
12 ~~punishable by incarceration in the custody of the Department of~~
13 ~~Corrections for a term not to exceed two (2) years as provided for~~
14 ~~in subsections B through F of Section 20P of this title.~~

15 D. Any person who has been convicted previously of an offense
16 under this section shall be guilty of a Schedule E felony upon a
17 second and any subsequent conviction, if the offense occurs on or
18 after the effective date of Section 20.1 of this title. If the
19 offense occurs before the effective date of Section 20.1 of this
20 title the crime shall be punishable by incarceration in the custody
21 of the Department of Corrections for a term not to exceed five (5)
22 years.

23 SECTION 703. AMENDATORY 21 O.S. 2021, Section 1872, is
24 amended to read as follows:

1 Section 1872. A. Any person who knowingly possesses an
2 unlawful telecommunication device shall, upon conviction, be guilty
3 of a misdemeanor.

4 B. Any person who knowingly possesses five or more unlawful
5 telecommunication devices at the same time shall, upon conviction,
6 be guilty of a ~~Schedule F~~ Class D3 felony, ~~if the offense occurs on~~
7 ~~or after the effective date of Section 20.1 of this title. If the~~
8 ~~offense occurs before the effective date of Section 20.1 of this~~
9 ~~title, the crime shall be punishable by incarceration in the custody~~
10 ~~of the Department of Corrections for a term not to exceed two (2)~~
11 ~~years as provided for in subsections B through F of Section 20P of~~
12 this title.

13 C. Any person who:

14 1. Knowingly possesses an instrument capable of intercepting
15 electronic serial number and mobile identification number
16 combinations under circumstances evidencing an intent to clone; or

17 2. Knowingly possesses cloning paraphernalia under
18 circumstances evidencing an intent to clone,
19 shall, upon conviction, be guilty of a ~~schedule F~~ Class D3 felony,
20 ~~if the offense occurs on or after the effective date of Section 20.1~~
21 ~~of this title. If the offense occurs before the effective date of~~
22 ~~Section 20.1 of this title, the crime shall be punishable by~~
23 ~~incarceration in the custody of the Department of Corrections for a~~
24

1 ~~term not to exceed two (2) years~~ as provided for in subsections B
2 through F of Section 20P of this title.

3 SECTION 704. AMENDATORY 22 O.S. 2021, Section 60.4, as
4 amended by Section 7, Chapter 318, O.S.L. 2022 (22 O.S. Supp. 2024,
5 Section 60.4), is amended to read as follows:

6 Section 60.4. A. 1. A copy of a petition for a protective
7 order, any notice of hearing and a copy of any emergency temporary
8 order or emergency ex parte order issued by the court shall be
9 served upon the defendant in the same manner as a bench warrant. In
10 addition, if the service is to be in another county, the court clerk
11 may issue service to the sheriff by facsimile or other electronic
12 transmission for service by the sheriff and receive the return of
13 service from the sheriff in the same manner. Any fee for service of
14 a petition for protective order, notice of hearing, and emergency ex
15 parte order shall only be charged pursuant to subsection C of
16 Section 60.2 of this title and, if charged, shall be the same as the
17 sheriff's service fee plus mileage expenses.

18 2. Emergency temporary orders, emergency ex parte orders and
19 notice of hearings shall be given priority for service and can be
20 served twenty-four (24) hours a day when the location of the
21 defendant is known. When service cannot be made upon the defendant
22 by the sheriff, the sheriff may contact another law enforcement
23 officer or a private investigator or private process server to serve
24 the defendant.

1 3. An emergency temporary order, emergency ex parte order, a
2 petition for protective order, and a notice of hearing shall have
3 statewide validity and may be transferred to any law enforcement
4 jurisdiction to effect service upon the defendant. The sheriff may
5 transmit the document by electronic means.

6 4. The return of service shall be submitted to the sheriff's
7 office or court clerk in the court where the petition, notice of
8 hearing or order was issued.

9 5. When the defendant is a minor child who is ordered removed
10 from the residence of the victim, in addition to those documents
11 served upon the defendant, a copy of the petition, notice of hearing
12 and a copy of any temporary order or ex parte order issued by the
13 court shall be delivered with the child to the caretaker of the
14 place where such child is taken pursuant to Section 2-2-101 of Title
15 10A of the Oklahoma Statutes.

16 B. 1. Within fourteen (14) days of the filing of the petition
17 for a protective order, the court shall schedule a full hearing on
18 the petition, if the court finds sufficient grounds within the scope
19 of the Protection from Domestic Abuse Act stated in the petition to
20 hold such a hearing, regardless of whether an emergency temporary
21 order or ex parte order has been previously issued, requested or
22 denied. Provided, however, when the defendant is a minor child who
23 has been removed from the residence pursuant to Section 2-2-101 of
24 Title 10A of the Oklahoma Statutes, the court shall schedule a full

1 hearing on the petition within seventy-two (72) hours, regardless of
2 whether an emergency temporary order or ex parte order has been
3 previously issued, requested or denied.

4 2. The court may schedule a full hearing on the petition for a
5 protective order within seventy-two (72) hours when the court issues
6 an emergency temporary order or ex parte order suspending child
7 visitation rights due to physical violence or threat of abuse.

8 3. If service has not been made on the defendant at the time of
9 the hearing, the court shall, at the request of the petitioner,
10 issue a new emergency order reflecting a new hearing date and direct
11 service to issue.

12 4. A petition for a protective order shall, upon the request of
13 the petitioner, renew every fourteen (14) days with a new hearing
14 date assigned until the defendant is served. A petition for a
15 protective order shall not expire unless the petitioner fails to
16 appear at the hearing or fails to request a new order. A petitioner
17 may move to dismiss the petition and emergency or final order at any
18 time; however, a protective order must be dismissed by court order.

19 5. Failure to serve the defendant shall not be grounds for
20 dismissal of a petition or an ex parte order unless the victim
21 requests dismissal or fails to appear for the hearing thereon.

22 6. A final protective order shall be granted or denied within
23 six (6) months of service on the defendant unless all parties agree
24 that a temporary protective order remain in effect; provided, a

1 victim shall have the right to request a final protective order
2 hearing at any time after the passage of six (6) months.

3 C. 1. At the hearing, the court may impose any terms and
4 conditions in the protective order that the court reasonably
5 believes are necessary to bring about the cessation of domestic
6 abuse against the victim or stalking or harassment of the victim or
7 the immediate family of the victim but shall not impose any term and
8 condition that may compromise the safety of the victim including,
9 but not limited to, mediation, couples counseling, family
10 counseling, parenting classes or joint victim-offender counseling
11 sessions. The court may order the defendant to obtain domestic
12 abuse counseling or treatment in a program certified by the Attorney
13 General at the expense of the defendant pursuant to Section 644 of
14 Title 21 of the Oklahoma Statutes.

15 2. If the court grants a protective order and the defendant is
16 a minor child, the court shall order a preliminary inquiry in a
17 juvenile proceeding to determine whether further court action
18 pursuant to the Oklahoma Juvenile Code should be taken against a
19 juvenile defendant.

20 D. Final protective orders authorized by this section shall be
21 on a standard form developed by the Administrative Office of the
22 Courts.

23 E. 1. After notice and hearing, protective orders authorized
24 by this section may require the defendant to undergo treatment or

1 participate in the court-approved counseling services necessary to
2 bring about cessation of domestic abuse against the victim pursuant
3 to Section 644 of Title 21 of the Oklahoma Statutes but shall not
4 order any treatment or counseling that may compromise the safety of
5 the victim including, but not limited to, mediation, couples
6 counseling, family counseling, parenting classes or joint victim-
7 offender counseling sessions.

8 2. The defendant may be required to pay all or any part of the
9 cost of such treatment or counseling services. The court shall not
10 be responsible for such cost.

11 3. Should the plaintiff choose to undergo treatment or
12 participate in court-approved counseling services for victims of
13 domestic abuse, the court may order the defendant to pay all or any
14 part of the cost of such treatment or counseling services if the
15 court determines that payment by the defendant is appropriate.

16 F. When necessary to protect the victim and when authorized by
17 the court, protective orders granted pursuant to the provisions of
18 this section may be served upon the defendant by a peace officer,
19 sheriff, constable, or policeman or other officer whose duty it is
20 to preserve the peace, as defined by Section 99 of Title 21 of the
21 Oklahoma Statutes.

22 G. 1. Any protective order issued on or after November 1,
23 2012, pursuant to subsection C of this section shall be:
24

- 1 a. for a fixed period not to exceed a period of five (5)
2 years unless extended, modified, vacated or rescinded
3 upon motion by either party or if the court approves
4 any consent agreement entered into by the plaintiff
5 and defendant; provided, if the defendant is
6 incarcerated, the protective order shall remain in
7 full force and effect during the period of
8 incarceration. The period of incarceration, in any
9 jurisdiction, shall not be included in the calculation
10 of the five-year time limitation, or
11 b. continuous upon a specific finding by the court of one
12 of the following:
13 (1) the person has a history of violating the orders
14 of any court or governmental entity,
15 (2) the person has previously been convicted of a
16 violent felony offense,
17 (3) the person has a previous felony conviction for
18 stalking as provided in Section 1173 of Title 21
19 of the Oklahoma Statutes,
20 (4) a court order for a final Victim Protection Order
21 has previously been issued against the person in
22 this state or another state, or
23
24

1 (5) the victim provides proof that a continuous
2 protective order is necessary for his or her
3 protection.

4 Further, the court may take into consideration whether the person
5 has a history of domestic violence or a history of other violent
6 acts. The protective order shall remain in effect until modified,
7 vacated or rescinded upon motion by either party or if the court
8 approves any consent agreement entered into by the plaintiff and
9 defendant. If the defendant is incarcerated, the protective order
10 shall remain in full force and effect during the period of
11 incarceration.

12 2. The court shall notify the parties at the time of the
13 issuance of the protective order of the duration of the protective
14 order.

15 3. Upon the filing of a motion by either party to modify,
16 extend, or vacate a protective order, a hearing shall be scheduled
17 and notice given to the parties. At the hearing, the issuing court
18 may take such action as is necessary under the circumstances.

19 4. If a child has been removed from the residence of a parent
20 or custodial adult because of domestic abuse committed by the child,
21 the parent or custodial adult may refuse the return of such child to
22 the residence unless, upon further consideration by the court in a
23 juvenile proceeding, it is determined that the child is no longer a
24 threat and should be allowed to return to the residence.

1 H. 1. It shall be unlawful for any person to knowingly and
2 willfully seek a protective order against a spouse or ex-spouse
3 pursuant to the Protection from Domestic Abuse Act for purposes of
4 harassment, undue advantage, intimidation, or limitation of child
5 visitation rights in any divorce proceeding or separation action
6 without justifiable cause.

7 2. The violator shall, upon conviction thereof, be guilty of a
8 misdemeanor punishable by imprisonment in the county jail for a
9 period not exceeding one (1) year or by a fine not to exceed Five
10 Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

11 3. A second or subsequent conviction under this subsection
12 shall be a Class D3 felony offense punishable by imprisonment ~~in the~~
13 ~~custody of the Department of Corrections for a period not to exceed~~
14 ~~two (2) years~~ as provided for in subsections B through F of Section
15 20P of Title 21 of the Oklahoma Statutes, or by a fine not to exceed
16 Ten Thousand Dollars (\$10,000.00), or by both such fine and
17 imprisonment.

18 I. 1. A protective order issued under the Protection from
19 Domestic Abuse Act shall not in any manner affect title to real
20 property, purport to grant to the parties a divorce or otherwise
21 purport to determine the issues between the parties as to child
22 custody, visitation or visitation schedules, child support or
23 division of property or any other like relief obtainable pursuant to
24 Title 43 of the Oklahoma Statutes, except child visitation orders

1 may be temporarily suspended or modified to protect from threats of
2 abuse or physical violence by the defendant or a threat to violate a
3 custody order. Orders not affecting title may be entered for good
4 cause found to protect an animal owned by either of the parties or
5 any child living in the household.

6 2. When granting any protective order for the protection of a
7 minor child from violence or threats of abuse, the court shall allow
8 visitation only under conditions that provide adequate supervision
9 and protection to the child while maintaining the integrity of a
10 divorce decree or temporary order.

11 J. 1. In order to ensure that a petitioner can maintain an
12 existing wireless telephone number or household utility account, the
13 court, after providing notice and a hearing, may issue an order
14 directing a wireless service provider or public utility provider to
15 transfer the billing responsibility for and rights to the wireless
16 telephone number or numbers of any minor children in the care of the
17 petitioning party or household utility account to the petitioner if
18 the petitioner is not the wireless service or public utility account
19 holder.

20 2. The order transferring billing responsibility for and rights
21 to the wireless telephone number or numbers or household utility
22 account to the petitioner shall list the name and billing telephone
23 number of the account holder, the name and contact information of
24 the person to whom the telephone number or numbers or household

1 utility account will be transferred and each telephone number or
2 household utility to be transferred to that person. The court shall
3 ensure that the contact information of the petitioner is not
4 provided to the account holder in proceedings held under this
5 subsection.

6 3. Upon issuance, a copy of the final order of protection shall
7 be transmitted, either electronically or by certified mail, to the
8 registered agent of the wireless service provider or public utility
9 provider listed with the Secretary of State or Corporation
10 Commission of Oklahoma or electronically to the email address
11 provided by the wireless service provider or public utility
12 provider. Such transmittal shall constitute adequate notice for the
13 wireless service provider or public utility provider.

14 4. If the wireless service provider or public utility provider
15 cannot operationally or technically effectuate the order due to
16 certain circumstances, the wireless service provider or public
17 utility provider shall notify the petitioner. Such circumstances
18 shall include, but not be limited to, the following:

- 19 a. the account holder has already terminated the account,
- 20 b. the differences in network technology prevent the
- 21 functionality of a mobile device on the network, or
- 22 c. there are geographic or other limitations on network
- 23 or service availability.

1 5. Upon transfer of billing responsibility for and rights to a
2 wireless telephone number or numbers or household utility account to
3 the petitioner under the provisions of this subsection by a wireless
4 service provider or public utility provider, the petitioner shall
5 assume all financial responsibility for the transferred wireless
6 telephone number or numbers or household utility account, monthly
7 service and utility billing costs and costs for any mobile device
8 associated with the wireless telephone number or numbers. The
9 wireless service provider or public utility provider shall have the
10 right to pursue the original account holder for purposes of
11 collecting any past due amounts owed to the wireless service
12 provider or public utility provider.

13 6. The provisions of this subsection shall not preclude a
14 wireless service provider or public utility provider from applying
15 any routine and customary requirements for account establishment to
16 the petitioner as part of this transfer of billing responsibility
17 for a household utility account or for a wireless telephone number
18 or numbers and any mobile devices attached to that number including,
19 but not limited to, identification, financial information and
20 customer preferences.

21 7. The provisions of this subsection shall not affect the
22 ability of the court to apportion the assets and debts of the
23 parties as provided for in law or the ability to determine the
24 temporary use, possession and control of personal property.

1 8. No cause of action shall lie against any wireless service
2 provider or public utility provider, its officers, employees or
3 agents for actions taken in accordance with the terms of a court
4 order issued under the provisions of this subsection.

5 9. As used in this subsection:

6 a. "wireless service provider" means a provider of
7 commercial mobile service under Section 332(d) of the
8 federal Telecommunications Act of 1996,

9 b. "public utility provider" means every corporation
10 organized or doing business in this state that owns,
11 operates or manages any plant or equipment for the
12 manufacture, production, transmission, transportation,
13 delivery or furnishing of water, heat or light with
14 gas or electric current for heat, light or power, for
15 public use in this state, and

16 c. "household utility account" shall include utility
17 services for water, heat, light, power or gas that are
18 provided by a public utility provider.

19 K. 1. A court shall not issue any mutual protective orders.

20 2. If both parties allege domestic abuse by the other party,
21 the parties shall do so by separate petitions. The court shall
22 review each petition separately in an individual or a consolidated
23 hearing and grant or deny each petition on its individual merits.
24 If the court finds cause to grant both motions, the court shall do

1 so by separate orders and with specific findings justifying the
2 issuance of each order.

3 3. The court may only consolidate a hearing if:

4 a. the court makes specific findings that:

5 (1) sufficient evidence exists of domestic abuse,
6 stalking, harassment or rape against each party,
7 and

8 (2) each party acted primarily as aggressors,

9 b. the defendant filed a petition with the court for a
10 protective order no less than three (3) days, not
11 including weekends or holidays, prior to the first
12 scheduled full hearing on the petition filed by the
13 plaintiff, and

14 c. the defendant had no less than forty-eight (48) hours
15 of notice prior to the full hearing on the petition
16 filed by the plaintiff.

17 L. The court may allow a plaintiff or victim to be accompanied
18 by a victim support person at court proceedings. A victim support
19 person shall not make legal arguments; however, a victim support
20 person who is not a licensed attorney may offer the plaintiff or
21 victim comfort or support and may remain in close proximity to the
22 plaintiff or victim.

23 SECTION 705. AMENDATORY 22 O.S. 2021, Section 1110, is
24 amended to read as follows:

1 Section 1110. Whoever, having been admitted to bail or released
2 on recognizance, bond, or undertaking for appearance before any
3 magistrate or court of the State of Oklahoma, incurs a forfeiture of
4 the bail or violates such undertaking or recognizance and willfully
5 fails to surrender himself within five (5) days following the date
6 of such forfeiture shall, if the bail was given or undertaking or
7 recognizance extended in connection with a charge of felony or
8 pending appeal or certiorari after conviction of any such offense,
9 be guilty of a Class D3 felony offense and shall be fined not more
10 than One Thousand Dollars (\$1,000.00), or imprisoned not more than
11 one (1) year as provided for in subsections B through F of Section
12 20P of Title 21 of the Oklahoma Statutes, or both. Nothing in this
13 section shall be construed to interfere with or prevent the exercise
14 by any court of its power to punish for contempt.

15 SECTION 706. AMENDATORY 34 O.S. 2021, Section 23, is
16 amended to read as follows:

17 Section 23. Every person who is a qualified elector of the
18 State of Oklahoma may sign a petition for the referendum or for the
19 initiative for any measure upon which he is legally entitled to
20 vote. Any person signing any name other than his own to any
21 petition, or knowingly signing his name more than once for the same
22 measure at one election, or who is not at the time of signing the
23 same a legal voter of this state, or whoever falsely makes or
24 willfully destroys a petition or any part thereof, or who signs or

1 files any certificate or petition knowing the same or any part
2 thereof to be falsely made, or suppresses any certificate or
3 petition or any part thereof which has been duly filed or who shall
4 violate any provision of this statute, or who shall aid or abet any
5 other person in doing any of said acts; and any person violating any
6 provision of this chapter, shall, upon conviction thereof, be guilty
7 of a Class D3 felony offense and shall be punished by a fine of not
8 exceeding Five Hundred Dollars (\$500.00), or by imprisonment ~~in the~~
9 ~~State Penitentiary not exceeding two (2) years~~ as provided for in
10 subsections B through F of Section 20P of Title 21 of the Oklahoma
11 Statutes, or by both such fine and imprisonment in the discretion of
12 the court before which such conviction shall be had.

13 SECTION 707. AMENDATORY 36 O.S. 2021, Section 2737.1, is
14 amended to read as follows:

15 Section 2737.1. A. Any person who willfully makes a false or
16 fraudulent statement in or relating to an application for membership
17 or for the purpose of obtaining money from or a benefit in any
18 society, upon conviction, shall be guilty of a misdemeanor,
19 punishable by a fine of not less than One Hundred Dollars (\$100.00)
20 nor more than One Thousand Dollars (\$1,000.00) or by imprisonment in
21 the county jail for not less than thirty (30) days nor more than one
22 (1) year, or both.

23 B. Any person who willfully makes a false or fraudulent
24 statement in any verified report or declaration under oath required

1 or authorized by this article, or of any material fact or thing
2 contained in a sworn statement concerning the death or disability of
3 a member for the purpose of procuring payment of a benefit named in
4 the certificate, is guilty of the felony of perjury, a Class D3
5 felony offense, and ~~is subject to the penalties therefor prescribed~~
6 ~~by law~~ shall be punished by imprisonment as provided for in
7 subsections B through F of Section 20P of Title 21 of the Oklahoma
8 Statutes.

9 C. Any person who solicits membership for, or in any manner
10 assists in procuring membership in, any society not licensed to do
11 business in this state, upon conviction, shall be fined not less
12 than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars
13 (\$500.00).

14 D. Any person guilty of a willful violation of, or neglect of
15 or refusal to comply with, the provisions of this article for which
16 a penalty is not otherwise prescribed, shall, upon conviction, be
17 subject to a fine not exceeding One Thousand Dollars (\$1,000.00).

18 SECTION 708. AMENDATORY 37A O.S. 2021, Section 6-115, is
19 amended to read as follows:

20 Section 6-115. Any person who shall operate a whiskey still
21 with intent to produce alcoholic beverages or any person who shall
22 carry on the business of a distiller without possessing a valid and
23 existing distiller's license issued pursuant to the provisions of
24 the Oklahoma Alcoholic Beverage Control Act shall be guilty of a

1 Class D3 felony offense and, upon conviction, be fined not less than
2 Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Five
3 Thousand Dollars (\$5,000.00), or imprisoned ~~in the State~~
4 ~~Penitentiary for not more than three (3) years~~ as provided for in
5 subsections B through F of Section 20P of Title 21 of the Oklahoma
6 Statutes, or by both such fine and imprisonment.

7 SECTION 709. AMENDATORY 37A O.S. 2021, Section 6-116, is
8 amended to read as follows:

9 Section 6-116. Any person who shall file a false or fraudulent
10 return in connection with any tax imposed by the Oklahoma Alcoholic
11 Beverage Control Act, or willfully evade, or attempt to evade, any
12 tax herein levied shall be guilty of a Class D3 felony offense and,
13 upon conviction, be fined not less than Two Thousand Five Hundred
14 Dollars (\$2,500.00) nor more than Five Thousand Dollars (\$5,000.00),
15 or imprisoned ~~in the State Penitentiary for not more than three (3)~~
16 ~~years~~ as provided for in subsections B through F of Section 20P of
17 Title 21 of the Oklahoma Statutes, or by both such fine and
18 imprisonment.

19 SECTION 710. AMENDATORY 37A O.S. 2021, Section 6-117, is
20 amended to read as follows:

21 Section 6-117. Any person who shall knowingly engage in any
22 activity or perform any transaction or act for which a license is
23 required under the Oklahoma Alcoholic Beverage Control Act, not
24 having such license, shall be guilty of a misdemeanor and for the

1 first offense, upon conviction, be fined not more than Two Thousand
2 Five Hundred Dollars (\$2,500.00) and imprisoned for not less than
3 thirty (30) days nor more than six (6) months, and for a second or
4 subsequent offense shall be guilty of a Class D3 felony offense and
5 be fined not more than Two Thousand Five Hundred Dollars
6 (\$2,500.00), or imprisoned ~~in the State Penitentiary for not more~~
7 ~~than one (1) year~~ as provided for in subsections B through F of
8 Section 20P of Title 21 of the Oklahoma Statutes, or by both such
9 fine and imprisonment.

10 SECTION 711. AMENDATORY 37A O.S. 2021, Section 6-120, is
11 amended to read as follows:

12 Section 6-120. A. Any person who shall sell, furnish or give
13 alcoholic beverage to a person under twenty-one (21) years of age
14 shall be guilty of a misdemeanor for a first violation, and upon
15 conviction shall be fined not more than Five Hundred Dollars
16 (\$500.00), or imprisoned in the county jail for not more than one
17 (1) year, or by both such fine and imprisonment. Any person
18 convicted of a second or subsequent violation shall be guilty of a
19 Class D3 felony offense, and shall be fined not less than Two
20 Thousand Five Hundred Dollars (\$2,500.00) nor more than Five
21 Thousand Dollars (\$5,000.00), or imprisoned ~~in the State~~
22 ~~Penitentiary for not more than five (5) years~~ as provided for in
23 subsections B through F of Section 20P of Title 21 of the Oklahoma
24 Statutes, or by both such fine and imprisonment. The ABLE

1 Commission shall revoke the license of any person convicted of a
2 violation of this section.

3 B. Any person convicted of a violation pursuant to subsection A
4 of this section shall be required to attend a victims impact panel
5 program, as defined in Section 991a of Title 22 of the Oklahoma
6 Statutes.

7 SECTION 712. AMENDATORY 37A O.S. 2021, Section 6-121, is
8 amended to read as follows:

9 Section 6-121. Any person who shall knowingly sell, furnish or
10 give alcoholic beverage to an insane, mentally deficient or
11 intoxicated person shall be guilty of a misdemeanor for a first
12 violation, and upon conviction shall be fined not more than Five
13 Hundred Dollars (\$500.00), or imprisoned in the county jail for not
14 more than one (1) year, or by both such fine and imprisonment. Any
15 person convicted of a second or subsequent violation shall be guilty
16 of a Class D3 felony offense, and shall be fined not less than Two
17 Thousand Five Hundred Dollars (\$2,500.00) nor more than Five
18 Thousand Dollars (\$5,000.00), or imprisoned ~~in the State~~
19 ~~Penitentiary for not more than five (5) years~~ as provided for in
20 subsections B through F of Section 20P of Title 21 of the Oklahoma
21 Statutes, or by both such fine and imprisonment. The ABLE
22 Commission shall revoke the license of any person convicted of a
23 violation of this section.

SECTION 713. AMENDATORY 37A O.S. 2021, Section 6-129, is amended to read as follows:

Section 6-129. A. As used in this section, "powdered alcohol" means alcohol prepared or sold in a powder form for either direct use or reconstitution.

B. It is unlawful for any person or licensee to use, offer for use, purchase, offer to purchase, sell, offer to sell or possess powdered alcohol.

C. It is unlawful for a holder of a license pursuant to the provisions of ~~Title 37A of the Oklahoma Statutes~~ this title for on-premises or off-premises consumption of alcoholic beverages to use powdered alcohol as an alcoholic beverage.

D. Any person or license holder that violates this section ~~is guilty of a misdemeanor and shall~~, upon conviction, be guilty of and punished as follows:

1. For a first offense, a misdemeanor punishable by a fine of not more than Three Hundred Dollars (\$300.00), or by imprisonment for not more than thirty (30) days, or by both;

2. For a second offense, a misdemeanor punishable by a fine of not more than Seven Hundred Fifty Dollars (\$750.00), or by imprisonment for not more than six (6) months, or by both; or

3. For a third or subsequent offense, a D3 felony offense punishable by a fine of not more than Three Thousand Dollars (\$3,000.00), or by imprisonment ~~for not more than two (2) years as~~

1 provided for in subsections B through F of Section 20P of Title 21
2 of the Oklahoma Statutes, or by both.

3 SECTION 714. AMENDATORY 40 O.S. 2021, Section 181, is
4 amended to read as follows:

5 Section 181. It shall be unlawful and deemed a Class D3 felony
6 offense for any railroad, company or any other person, firm, or
7 corporation, using steam boilers, to command, order or permit by
8 themselves or their agents, any of their employees to enter any
9 steam boiler, firebox or smoke chamber thereto, for the purpose of
10 repairing or cleaning the same or for any other purpose when the
11 same is under steam pressure.

12 SECTION 715. AMENDATORY 40 O.S. 2021, Section 182, is
13 amended to read as follows:

14 Section 182. Any officer, superintendent, foreman, boss, or
15 other person in authority, who, on behalf of any railroad,
16 corporation, or any other person, firm or corporation, using steam
17 boilers, violating any of the provisions of Section 181 of this
18 title, shall be deemed guilty of a Class D3 felony offense, and
19 shall upon conviction, be punished by imprisonment ~~for a period of~~
20 ~~not less than one (1) year nor more than two (2) years~~ as provided
21 for in subsections B through F of Section 20P of Title 21 of the
22 Oklahoma Statutes.

23 SECTION 716. AMENDATORY 44 O.S. 2021, Section 210, is
24 amended to read as follows:

1 Section 210. Whenever the National Guard is called into service
2 under proclamation of the Governor for the performance of any duties
3 contemplated in this act, any person who willfully assaults, or
4 fires at, or throws any dangerous missile at, against, or upon any
5 member or body of the National Guard so engaged, or civil officer or
6 other persons lawfully aiding or assisting them in the discharge of
7 their duties, shall be deemed guilty of a Class D3 felony offense
8 and upon conviction shall be imprisoned ~~in the State Penitentiary~~
9 ~~not more than two (2) years~~ as provided for in subsections B through
10 F of Section 20P of Title 21 of the Oklahoma Statutes.

11 SECTION 717. AMENDATORY 47 O.S. 2021, Section 579.1, as
12 amended by Section 17, Chapter 240, O.S.L. 2024 (47 O.S. Supp. 2024,
13 Section 579.1), is amended to read as follows:

14 Section 579.1. A. It shall be unlawful to be a broker.

15 B. For the purposes of this section, "broker" means a person
16 who, for a fee, commission or other valuable consideration, arranges
17 or offers to arrange a transaction involving the sale of a new motor
18 vehicle or new powersports vehicle, and who is not:

19 1. A new motor vehicle or new powersports vehicle dealer or
20 employee of such a dealer;

21 2. A distributor or employee of such a distributor;

22 3. A motor vehicle manufacturer or employee of such a
23 manufacturer; or
24

1 4. An auctioneer or any other person engaged in the auto
2 auction business.

3 However, an individual shall not be deemed to be a broker if the
4 individual is the owner of the new or used motor vehicle or new or
5 used powersports vehicle which is the object of the brokering
6 transaction.

7 C. Any person convicted of being a broker as defined by this
8 section shall, upon conviction, be guilty of a misdemeanor
9 punishable by imprisonment in the county jail for not more than one
10 (1) year and a fine of not more than One Thousand Dollars
11 (\$1,000.00). Any person convicted of a second or subsequent offense
12 shall be guilty of a ~~Schedule G~~ Class D3 felony offense, and the
13 fine for a felony violation of this section shall be not less than
14 One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars
15 (\$5,000.00).

16 SECTION 718. AMENDATORY 56 O.S. 2021, Section 183, is
17 amended to read as follows:

18 Section 183. A. This section shall be known and may be cited
19 as "Kelley's Law".

20 B. All applications, information and records concerning any
21 applicant or recipient obtained pursuant to law or as authorized by
22 law by the Department of Human Services or any other public or
23 private entity shall be confidential and shall be open to inspection
24 only:

1 1. To persons duly authorized by the Department of Human
2 Services pursuant to rule promulgated in compliance with Article I
3 of the Administrative Procedures Act or by the United States in
4 connection with the performance of their official duties; or

5 2. As otherwise authorized by law.

6 Provided, however, the Department of Human Services shall maintain a
7 process to allow an authorized representative of a client of the
8 Department of Human Services to have access to confidential
9 information when necessary for eligibility determination and the
10 appeals process. For purposes of this section, "authorized
11 representative" shall mean any person designated by a client of the
12 Department of Human Services to review confidential information
13 about the client pertinent to eligibility determination and the
14 appeals process.

15 C. The Developmental Disabilities Services Division of the
16 Department of Human Services shall require all authorized persons
17 accessing service recipient information within a home record to sign
18 a form certifying that they have been informed and understand the
19 penalties for misuse of confidential and protected information
20 within the home record. The form shall include criminal penalties
21 related to identity theft.

22 D. It shall be unlawful and a misdemeanor for any public
23 officer or employee, to furnish or permit to be taken off of the
24

1 records any information therein contained for commercial or
2 political purposes.

3 E. It shall also be a Class D3 felony offense, punishable by
4 ~~imprisonment in the custody of the Department of Corrections for not~~
5 ~~to exceed two (2) years~~ as provided for in subsections B through F
6 of Section 20P of Title 21 of the Oklahoma Statutes, for any person,
7 firm or corporation to publish, or to use for commercial or
8 political purposes, any list or names obtained through access to
9 such information or records.

10 SECTION 719. AMENDATORY 56 O.S. 2021, Section 185, is
11 amended to read as follows:

12 Section 185. A. Any person who:

13 1. Obtains or attempts to obtain, or aids, abets or assists any
14 person to obtain, by means of a false statement or representation,
15 by false impersonation, by a fictitious transfer, conveyance or
16 encumbrance of property or income, by a knowing and willful failure
17 to report to the Department of Human Services income, personal
18 property, real property, household members, or other material
19 eligibility factors at the time of application or during the receipt
20 of assistance, or by other fraudulent device, assistance to which an
21 applicant is not entitled or assistance greater than that to which
22 an applicant is justly entitled; or

23 2. By sale, barter, purchase, theft, acquisition, possession or
24 use of any electronic benefits or debit card or any other device

1 authorizing participation in the Temporary Assistance for Needy
2 Families or other program of the Department, knowingly obtains,
3 aids, abets or assists any person to obtain or attempt to obtain
4 assistance to which a person is not entitled,
5 shall be guilty of a misdemeanor, if the aggregate amount of
6 assistance received as a result thereof is Five Hundred Dollars
7 (\$500.00) or less. Upon conviction thereof, such person shall be
8 fined not more than Five Hundred Dollars (\$500.00) or be imprisoned
9 for not more than three (3) months or be both so fined and
10 imprisoned in the discretion of the court; provided, however, if the
11 aggregate amount of assistance received as a result thereof is in
12 excess of Five Hundred Dollars (\$500.00), such person shall be
13 guilty of a Class D3 felony offense and, upon conviction thereof,
14 shall be fined not more than Five Thousand Dollars (\$5,000.00), or
15 ~~be imprisoned in the State Penitentiary for a term of not more than~~
16 ~~two (2) years~~ as provided for in subsections B through F of Section
17 20P of Title 21 of the Oklahoma Statutes, or be subject to both such
18 fine and imprisonment in the discretion of the court.

19 B. Every county Department of Human Services office in this
20 state shall conspicuously post a sign in an area clearly visible to
21 all visitors of the county office which shall provide information
22 about how to report individuals who have obtained public assistance
23 through fraudulent means or who have used public assistance in a
24 manner not consistent with its intended use. The sign shall make

1 reference to the Department of Human Services fraud hotline and
2 provide the current phone number for the hotline. The sign shall
3 also contain notification that all reports to the hotline may be
4 filed anonymously by persons suspecting fraudulent activity.

5 C. Notwithstanding any other provision of law, the identity of
6 any person making a report on another individual who may have
7 obtained public assistance through fraudulent means, or an
8 individual using public assistance in a manner not consistent with
9 its intended use, shall not be revealed without the permission of
10 the person making the report.

11 SECTION 720. AMENDATORY 56 O.S. 2021, Section 243, is
12 amended to read as follows:

13 Section 243. A. No person shall:

14 1. Obtain;

15 2. Attempt to obtain;

16 3. Aid;

17 4. Abet;

18 5. Assist any person to obtain, by means of:

19 a. a false statement or representation,

20 b. false impersonation,

21 c. a fictitious transfer, conveyance or encumbrance of
22 property or income,

23 d. knowing and willful failure to report to the

24 Department of Human Services:

- (1) income,
 - (2) personal property,
 - (3) real property,
 - (4) household members, or
 - (5) other eligibility factors,
- at the time of application or during a period of receipt of assistance, or
- e. any other fraudulent device:
- (1) food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program, to which such applicant for food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program is not entitled, or
 - (2) a greater amount of food stamps or coupons, or a greater number of benefit or debit cards or any other device authorizing participation in the food stamp program than that amount or number which such applicant for food stamps or coupons, or any benefit or debit card or any other device authorizing participation in the food stamp program is justly entitled to;

1 6. Acquire, possess, use or transfer food stamps or coupons, or
2 any benefit or debit card or any other device authorizing
3 participation in the food stamp program that has been issued to
4 another person, except as authorized by this act and the rules of
5 the Department of Human Services;

6 7. Acquire or transfer food stamps or coupons, or any benefit
7 or debit card or any other device authorizing participation in the
8 food stamp program, except in exchange for food or food products for
9 human consumption. For purposes of this paragraph, the phrase "food
10 or food products for human consumption" shall not be construed as
11 including alcoholic beverages, tobacco, beer, or imported foods; or

12 8. Transfer any food stamps or coupons, or any benefit or debit
13 card or any other device authorizing participation in the food stamp
14 program, to a person who is not authorized by this act and rules of
15 the Department of Human Services to acquire, possess, or use the
16 transferred food stamps or coupons, or any benefit or debit card or
17 any other device authorizing participation in the food stamp
18 program.

19 B. 1. Any person, firm or corporation who violates any of the
20 provisions of this section shall be guilty of a:

21 a. misdemeanor, if the aggregate amount of food stamps or
22 coupons, or the aggregate value of any benefit or
23 debit card or any other device authorizing
24 participation in the food stamp program obtained or

1 transferred is Five Hundred Dollars (\$500.00) or less,
2 and, upon conviction thereof, shall be punishable by a
3 fine of not more than Five Hundred Dollars (\$500.00),
4 or by imprisonment in the county jail for not more
5 than three (3) months, or by both such fine and
6 imprisonment, in the discretion of the court, or

7 b. Class D3 felony offense, if the aggregate amount of
8 food stamps or coupons, or the aggregate value of any
9 benefit card or debit card or any other device
10 authorizing participation in the food stamp program
11 obtained or transferred is in excess of Five Hundred
12 Dollars (\$500.00), and, upon conviction thereof, shall
13 be punishable by a fine of not more than Five Thousand
14 Dollars (\$5,000.00), or by imprisonment ~~in the State~~
15 ~~Penitentiary for not more than two (2) years~~ as
16 provided for in subsections B through F of Section 20P
17 of Title 21 of the Oklahoma Statutes, or by both such
18 fine and imprisonment, in the discretion of the court.

19 2. Any store which allows purchases of prohibited items shall
20 not be allowed to participate in the program.

21 3. Any person, firm or corporation who knowingly traffics in
22 food stamps or coupons of an aggregate value of One Hundred Dollars
23 (\$100.00) or less, or any benefit or debit card or any other device
24 authorizing participation in the food stamp program with an

1 aggregate value of One Hundred Dollars (\$100.00) or less, shall,
2 upon conviction, be guilty of a misdemeanor, punishable by a fine of
3 not more than Five Hundred Dollars (\$500.00), by imprisonment in the
4 county jail for not more than three (3) months, or by both such fine
5 and imprisonment, in the discretion of the court.

6 4. Any person, firm or corporation who knowingly traffics in
7 food stamps or coupons of an aggregate value exceeding One Hundred
8 Dollars (\$100.00), or any benefit or debit card or any other device
9 authorizing participation in the food stamp program with an
10 aggregate value exceeding One Hundred Dollars (\$100.00), shall, upon
11 conviction, be guilty of a Class D3 felony offense, punishable by a
12 fine of not more than Five Thousand Dollars (\$5,000.00), by
13 ~~imprisonment in the State Penitentiary for not more than two (2)~~
14 ~~years~~ as provided for in subsections B through F of Section 20P of
15 Title 21 of the Oklahoma Statutes, or by both such fine and
16 imprisonment, in the discretion of the court.

17 5. Any district attorney who enters into a deferred
18 adjudication or who negotiates for a deferred sentence with a
19 defendant charged with a violation of the provisions of this section
20 shall present the defendant with a disqualification consent
21 agreement as part of the deferred adjudication or sentence.

22 C. As used in this section, "to traffic or trafficking in food
23 stamps" means:
24

1 1. The buying, selling, stealing, or otherwise effecting an
2 exchange of food stamp benefits issued and accessed via electronic
3 benefit transfer cards, benefit or debit cards, card numbers and
4 personal identification numbers, or by manual voucher and signature,
5 for cash or consideration other than eligible food, either directly,
6 indirectly, in complicity or collusion with others, or acting alone;

7 2. The exchange of firearms, ammunition, explosives, or
8 controlled substances, as defined in Section 802 of Title 21 of the
9 United States Code, for food stamp benefits or food stamp electronic
10 benefit transfer cards, benefit or debit cards;

11 3. The possession of stolen food stamp electronic benefit
12 transfer cards, benefit or debit cards;

13 4. Purchasing a product with food stamp benefits that has a
14 container requiring a return deposit with the intent of obtaining
15 cash by discarding the product and returning the container for the
16 deposit amount, intentionally discarding the product, and
17 intentionally returning the container for the deposit amount;

18 5. Purchasing a product with food stamp benefits with the
19 intent of obtaining cash or consideration other than eligible food
20 by reselling the product, and subsequently intentionally reselling
21 the product purchased with food stamp benefits in exchange for cash
22 or consideration other than eligible food; or
23
24

1 6. Intentionally purchasing products originally purchased with
2 food stamp benefits in exchange for cash or consideration other than
3 eligible food.

4 SECTION 721. AMENDATORY 57 O.S. 2021, Section 13, is
5 amended to read as follows:

6 Section 13. If any person committed to prison, for the purpose
7 of detaining him for trial, for a capital offense, shall break
8 prison and escape, he shall be guilty of a Class D3 felony offense
9 and shall be imprisoned ~~in the state prison for the term of two (2)~~
10 ~~years~~ as provided for in subsections B through F of Section 20P of
11 Title 21 of the Oklahoma Statutes.

12 SECTION 722. AMENDATORY 59 O.S. 2021, Section 15.26, is
13 amended to read as follows:

14 Section 15.26. Any individual holding a certificate or license
15 who knowingly falsifies any report or statement bearing on any
16 attestation, investigation, or audit made by the individual or
17 subject to the individual's direction shall be guilty of a Class D3
18 felony offense, and upon conviction shall be punishable ~~by~~
19 ~~imprisonment for a period of not more than one (1) year~~ as provided
20 for in subsections B through F of Section 20P of Title 21 of the
21 Oklahoma Statutes, or by a fine of not more than Twenty-five
22 Thousand Dollars (\$25,000.00) per occurrence, or by both such fine
23 and imprisonment.

1 SECTION 723. AMENDATORY 59 O.S. 2021, Section 328.49, is
2 amended to read as follows:

3 Section 328.49. A. The Board of Dentistry shall be responsible
4 for the enforcement of the provisions of the State Dental Act
5 against all persons who are in violation thereof, including, but not
6 limited to, individuals who practice or attempt to practice
7 dentistry or dental hygiene without proper authorization from the
8 Board.

9 B. 1. It shall be unlawful for any person, except a licensed
10 dentist, to:

- 11 a. practice or attempt to practice dentistry,
- 12 b. hold oneself out to the public as a dentist or as a
13 person who practices dentistry, or
- 14 c. employ or use the words "Doctor" or "Dentist", or the
15 letters "D.D.S." or "D.M.D.", or any modification or
16 derivative thereof, when such use is intended to give
17 the impression that the person is a dentist.

18 2. It shall be unlawful for any person, except a registered
19 dental hygienist, to:

- 20 a. practice or attempt to practice dental hygiene,
- 21 b. hold oneself out to the public as a dental hygienist
22 or as a person who practices dental hygiene, or
- 23 c. employ or use the words "Registered Dental Hygienist",
24 or the letters "R.D.H.", or any modification or

1 derivative thereof, when such use is intended to give
2 the impression that the person is a dental hygienist.

3 3. It shall be unlawful for any person to:

4 a. give false or fraudulent evidence or information to
5 the Board in an attempt to obtain any license or
6 permit from the Board, or

7 b. aid or abet another person in violation of the State
8 Dental Act.

9 4. Each day a person is in violation of any provision of this
10 subsection shall constitute a separate criminal offense and, in
11 addition, the district attorney may file a separate charge of
12 medical battery for each person who is injured as a result of
13 treatment performed in violation of this subsection.

14 C. 1. If a person violates any of the provisions of subsection
15 B of this section, the Board shall refer the alleged violation to
16 the district attorney of the county in which the violation is
17 alleged to have occurred to bring a criminal action in that county
18 against the person. At the request of the Board, district attorney
19 or Attorney General, attorneys employed or contracted by the Board
20 may assist the district attorney or Attorney General in prosecuting
21 charges under the State Dental Act or any violation of law relating
22 to or arising from an investigation conducted by the Board of
23 Dentistry upon approval of the Board or the Executive Director.

1 2. Any person who violates any of the provisions of paragraph 1
2 or 3 of subsection B of this section, upon conviction, shall be
3 guilty of a Class D1 felony offense punishable by a fine in an
4 amount not less than One Thousand Dollars (\$1,000.00) nor more than
5 Ten Thousand Dollars (\$10,000.00), or by imprisonment ~~in the county~~
6 ~~jail for a term of not more than one (1) year or imprisonment in the~~
7 ~~custody of the Department of Corrections for a term of not more than~~
8 ~~four (4) years~~ as provided for in subsections B through F of Section
9 20N of Title 21 of the Oklahoma Statutes, or by both such fine and
10 imprisonment.

11 Any person who violates any of the provisions of paragraph 2 of
12 subsection B of this section, upon conviction, shall be guilty of a
13 misdemeanor punishable by a fine in an amount not less than Five
14 Hundred Dollars (\$500.00) nor more than Two Thousand Five Hundred
15 Dollars (\$2,500.00), or by imprisonment in the county jail for a
16 term of not more than ninety (90) days, or by both such fine and
17 imprisonment. Any second or subsequent violation of paragraph 2 of
18 subsection B of this section, upon conviction, shall be a Class D3
19 felony offense punishable by a fine in an amount not less than One
20 Thousand Five Hundred Dollars (\$1,500.00) nor more than Five
21 Thousand Dollars (\$5,000.00), or by imprisonment ~~in the county jail~~
22 ~~for a term of not more than one (1) year or imprisonment in the~~
23 ~~custody of the Department of Corrections for a term of not more than~~
24 ~~two (2) years~~ as provided for in subsections B through F of Section

1 20P of Title 21 of the Oklahoma Statutes, or by both such fine and
2 imprisonment.

3 D. The Board may initiate a civil action, pursuant to Chapter
4 24 of Title 12 of the Oklahoma Statutes, seeking a temporary
5 restraining order or injunction, without bond, commanding a person
6 to refrain from engaging in conduct which constitutes a violation of
7 any of the provisions of subsection B of this section. In a civil
8 action filed pursuant to this subsection, the prevailing party shall
9 be entitled to recover costs and reasonable attorney fees.

10 E. In addition to any other penalties provided herein, any
11 person found guilty of contempt of court by reason of the violation
12 of any injunction prohibiting the unlicensed practice of dentistry
13 now in effect or hereafter entered pursuant to any provision of the
14 State Dental Act or any preceding state dental act, shall be
15 punished by imprisonment in the county jail for a term of not less
16 than thirty (30) days nor more than one (1) year, and by a fine of
17 not less than Five Hundred Dollars (\$500.00) nor more than One
18 Thousand Dollars (\$1,000.00). The court may also require the
19 defendant to furnish a good and sufficient bond in a penal sum to be
20 set by the court, not less than One Thousand Dollars (\$1,000.00),
21 which shall be conditioned upon future compliance in all particulars
22 with the injunction entered, and in the event of failure of the
23 defendant to furnish such bond when so ordered, the defendant shall
24 be confined in the county jail pending compliance therewith. Such

1 bond shall be mandatory as to any person hereafter found guilty of a
2 second contempt of court for violation of any injunction entered
3 pursuant to the State Dental Act, or any preceding state dental act.

4 SECTION 724. AMENDATORY 59 O.S. 2021, Section 1350.2, is
5 amended to read as follows:

6 Section 1350.2. A. On and after February 1, 2015, no person
7 shall act or engage in, solicit or offer services, or represent
8 himself or herself, as a bail enforcer as defined by the Bail
9 Enforcement and Licensing Act without first having been issued a
10 valid license by the Council on Law Enforcement Education and
11 Training.

12 B. On or after February 1, 2015, any person who shall act or
13 engage in, solicit or offer services, or represent himself or
14 herself, as a bail enforcer without a valid license issued by the
15 Council shall be guilty of a Class D3 felony offense, upon
16 conviction, punishable by a fine in an amount not exceeding Ten
17 Thousand Dollars (\$10,000.00), or by imprisonment ~~in the custody of~~
18 ~~the Department of Corrections for a term of not more than three (3)~~
19 ~~years~~ as provided for in subsections B through F of Section 20P of
20 Title 21 of the Oklahoma Statutes, or by both such fine and
21 imprisonment.

22 C. Any person violating the provisions of subsection B of this
23 section while having in his or her possession or under his or her
24 control any firearm or weapon, including a firearm under the

1 authority of the Oklahoma Self-Defense Act, shall be guilty of a
2 Class D3 felony offense and shall be punished, upon conviction, by
3 an additional fine in an amount not exceeding Five Thousand Dollars
4 (\$5,000.00), or by an additional term of imprisonment ~~up to three~~
5 ~~(3) years, or by both such fine and imprisonment~~ as provided for in
6 subsections B through F of Section 20P of Title 21 of the Oklahoma
7 Statutes. In addition, the authority to carry the firearm may be
8 permanently revoked by the issuing authority.

9 SECTION 725. AMENDATORY 59 O.S. 2021, Section 1350.4, is
10 amended to read as follows:

11 Section 1350.4. A. It shall be unlawful and deemed a Class D3
12 felony offense for any person whose license as a bail enforcer has
13 been suspended, revoked, surrendered or denied, to perform, or
14 assist in the performance of, any function or service as a bail
15 enforcer.

16 B. Except as provided in ~~paragraph~~ subsection C of Section
17 1311.3 of this title, it shall be unlawful and deemed a Class D3
18 felony offense for a bail enforcer licensed in this state to assist,
19 aid or conspire with an unlicensed person, or a person whose license
20 as a bail enforcer or bail bondsman has been suspended, revoked,
21 surrendered or denied, to engage in any function or service as a
22 bail enforcer. Provided, however, a commissioned Oklahoma peace
23 officer or reserve peace officer who is off-duty may assist a bail
24 enforcer without having been issued a bail enforcer license. Any

1 such peace officer engaged in a recovery and surrender shall wear
2 clothing clearly marked "bail enforcer" or "bail enforcement" and
3 shall not wear any clothing marked "police" or use any other words
4 or phrases that imply that such person is associated with law
5 enforcement or a government agency; or use any vehicle marked
6 "police" or with any other words or phrases that imply that such a
7 person is associated with law enforcement or a government agency; or
8 display an official peace officer badge, except when the policies of
9 the officer's employing law enforcement agency, and the agency in
10 whose jurisdiction the officer is engaged in a recovery and
11 surrender, allows the officer to do so.

12 C. Any violation of this section shall be a violation of the
13 Bail Enforcement and Licensing Act which is punishable as provided
14 in Section 1350.2 of this title.

15 SECTION 726. AMENDATORY 59 O.S. 2021, Section 1350.12,
16 is amended to read as follows:

17 Section 1350.12. A. It shall be unlawful and deemed a D3
18 felony offense for any person engaged in a recovery and surrender to
19 mark any vehicle, wear any apparel, or display any badge or
20 identification card bearing the words "police", "deputy",
21 "detective", "officer", "agent", "investigator", "fugitive agent",
22 "recovery agent", "enforcement officer", "bounty hunter", "bail
23 agent", or "recovery detective" or use any other words or phrases
24 that imply that such person is associated with law enforcement or a

1 government agency except as provided in ~~paragraph~~ subsection B of
2 Section 1350.4 of this title.

3 B. It shall be unlawful for any person not duly licensed or not
4 authorized to engage in a recovery and surrender pursuant to the
5 Bail Enforcement and Licensing Act to mark any vehicle, wear any
6 apparel, or display any badge or identification card bearing the
7 words "bail enforcer", "bail enforcement" or "bail enforcement
8 agency" or use any other words or phrases that imply that such
9 person is licensed or authorized to act under the Bail Enforcement
10 and Licensing Act or state or federal laws.

11 C. Any person duly licensed, or authorized to engage in a
12 recovery and surrender pursuant to the Bail Enforcement and
13 Licensing Act, shall wear apparel bearing the words "bail enforcer"
14 or "bail enforcement" during the recovery and surrender as provided
15 in ~~paragraph~~ subsection B of Section 1350.4 of this title.

16 D. Any violation shall be deemed a D3 felony offense and shall
17 be a violation of the Bail Enforcement and Licensing Act which is
18 punishable as provided in Section 1350.2 of this title, or the
19 violator may be prosecuted for false impersonation of an officer.

20 SECTION 727. AMENDATORY 59 O.S. 2021, Section 1350.16,
21 is amended to read as follows:

22 Section 1350.16. A. The words "Bail Enforcer" or "Bail
23 Enforcement" shall be displayed in bold letters on all clothing worn
24 during the recovery of a defendant and such words together with the

1 person's valid state-issued license number shall be on the badge
2 authorized by or issued by CLEET, which badge shall be in the
3 possession of and visibly displayed by the bail enforcer during the
4 recovery of a defendant.

5 B. Vehicles used by a bail enforcer, if marked, must bear the
6 words "Bail Enforcer" or "Bail Enforcement". No such vehicle shall
7 be equipped with a siren, a lamp with a red or blue lens, or an
8 overhead light or lights with red or blue lens.

9 C. Any violation of the provisions of this section shall be
10 deemed a Class D3 felony offense punishable as provided in Section
11 1350.2 of this title. In addition, the Council on Law Enforcement
12 Education and Training may suspend or revoke the license pursuant to
13 the rules promulgated for such prohibited conduct.

14 SECTION 728. AMENDATORY 59 O.S. 2021, Section 1529, is
15 amended to read as follows:

16 Section 1529. Willful violation of any of the provisions of
17 this act shall be a misdemeanor upon first conviction punishable by
18 not more than thirty (30) days in the county jail or by a fine not
19 to exceed Five Hundred Dollars (\$500.00) or both. Subsequent
20 convictions of a willful violation of this act shall be a Class D3
21 felony offense punishable by ~~not more than three (3) years in the~~
22 ~~State Penitentiary~~ imprisonment as provided for in subsections B
23 through F of Section 20P of Title 21 of the Oklahoma Statutes.
24

1 SECTION 729. AMENDATORY 61 O.S. 2021, Section 114, is
2 amended to read as follows:

3 Section 114. The chief administrative officer and members of
4 the governing body of the awarding public agency authorizing or
5 awarding or supervising the execution of a public construction
6 contract, and their relatives within the third degree of
7 consanguinity or affinity, are forbidden to be interested directly
8 or indirectly through stock ownership, partnership interest or
9 otherwise in any such contract. Contracts entered into in violation
10 of this section shall be void. Persons willfully violating this
11 section shall be guilty of a Class D3 felony and shall be offense
12 punishable by imprisonment as provided for in subsections B through
13 F of Section 20P of Title 21 of the Oklahoma Statutes and shall be
14 subject to removal from office.

15 SECTION 730. AMENDATORY 62 O.S. 2021, Section 89.11, is
16 amended to read as follows:

17 Section 89.11. A. The State Treasurer shall develop and
18 implement a system of procedures to record and audit all
19 transactions, including electronic investment bidding transactions
20 with outside financial concerns. Said system of procedures shall be
21 promulgated pursuant to the Administrative Procedures Act and must
22 be approved by the Cash Management and Investment Oversight
23 Commission not later than October 1, 1994.

24

1 B. The Executive Review Committee must approve any proposed
2 destruction or changes of any transaction records, including
3 electronic investment bidding transactions. Any approved
4 destructions or changes of such transactions shall be detailed in
5 writing by the Executive Review Committee. The provisions of this
6 subsection shall not apply to corrections of scrivener error in
7 transaction records; however, for purposes of this section,
8 "scrivener error" shall not be defined to include any deliberate
9 change in a transaction record made:

10 1. For the purpose of causing a record to reflect a transaction
11 having occurred which did not in fact occur;

12 2. For the purpose of causing a record to reflect that a
13 transaction did not occur when in fact it did occur; or

14 3. Resulting in inaccuracy in a record which is material to
15 determining whether an act or omission occurred if such act or
16 omission constitutes a violation of any law, rule or requirement.

17 C. The State Auditor and Inspector, the Attorney General and
18 other authorized law enforcement officers are authorized to inspect
19 any transaction records or documents, including electronic
20 investment bidding transactions created pursuant to this section.

21 D. The willful interference with the inspections authorized by
22 subsection C of this section or the deliberate falsification or
23 destruction of transaction records, other than as permitted by
24 subsection B of this section, by the State Treasurer, any employee

1 of the State Treasurer, or any other person or firm shall, upon
2 conviction, be a Class D3 felony offense and shall be punishable by
3 imprisonment ~~in the State Penitentiary for a term not to exceed~~
4 ~~three (3) years~~ as provided for in subsections B through F of
5 Section 20P of Title 21 of the Oklahoma Statutes, by a fine of Ten
6 Thousand Dollars (\$10,000.00), or by both such imprisonment and
7 fine, and shall also constitute grounds for termination of such
8 employee. A violation of the requirements of subsection C of this
9 section, shall be grounds for disciplinary action, including
10 termination from employment.

11 SECTION 731. AMENDATORY 63 O.S. 2021, Section 1-324.1,
12 is amended to read as follows:

13 Section 1-324.1. A. It shall be unlawful and deemed a Class D3
14 felony offense for any person to commit any of the following
15 specified acts in relation to birth, death or stillbirth
16 certificates issued by this state:

17 1. Create, issue, present or possess a fictitious birth, death
18 or stillbirth certificate;

19 2. Apply for a birth, death or stillbirth certificate under
20 false pretenses;

21 3. Alter information contained on a birth, death or stillbirth
22 certificate;

23

24

1 4. Obtain, display or represent a birth certificate of any
2 person as one's own by any person, other than the person named on
3 the birth certificate;

4 5. Obtain, display or represent a fictitious death or
5 stillbirth certificate for the purpose of fraud;

6 6. Make a false statement or knowingly conceal a material fact
7 or otherwise commit fraud in an application for a birth, death or
8 stillbirth certificate;

9 7. Knowingly present a false or forged certificate for filing;

10 8. Knowingly provide false personal data to a certifier of a
11 death certificate; or

12 9. Knowingly misrepresent any person's relationship to the
13 decedent.

14 B. Except as otherwise provided in this subsection, it is a
15 felony for any employee or person authorized to issue or create a
16 birth, death or stillbirth certificate or related record under this
17 title to knowingly issue such certificate or related record to a
18 person not entitled thereto, or to knowingly create or record such
19 certificate bearing erroneous information thereon. A certifier who
20 knowingly omits to list a lethal agent or improperly states manner
21 of death in violation of subsection E of Section 1-317 of this title
22 shall be deemed to have engaged in unprofessional conduct as
23 described in paragraph 8 of Section 509 of Title 59 of the Oklahoma
24 Statutes.

1 C. Except as otherwise provided in subsection B of this
2 section, a violation of any of the provisions of this section shall
3 constitute a Class D3 felony offense punishable as provided for in
4 subsections B through F of Section 20P of Title 21 of the Oklahoma
5 Statutes.

6 D. Notwithstanding any provision of this section, the State
7 Commissioner of Health or a designated agent, upon the request of a
8 chief administrator of a health or law enforcement agency, may
9 authorize the issuance, display or possession of a birth, death or
10 stillbirth certificate, which would otherwise be in violation of
11 this section, for the sole purpose of education with regard to
12 public health or safety; provided, however, any materials used for
13 such purposes shall be marked "void".

14 E. The provisions of this section shall not apply to any
15 request made to the State Department of Health pursuant to
16 subsection E of Section 1550.41 of Title 21 of the Oklahoma
17 Statutes.

18 SECTION 732. AMENDATORY 63 O.S. 2021, Section 1-757.10,
19 is amended to read as follows:

20 Section 1-757.10. A. Individuals or entities not certified
21 under the Oklahoma Abortion-Inducing Drug Certification Program that
22 provide drugs for the purpose of inducing abortion are in violation
23 of this act.
24

1 B. Individuals or entities that provide abortion-inducing drugs
2 to any person or entity that is not certified, or otherwise
3 authorized, to provide abortion-inducing drugs under the Oklahoma
4 Abortion-Inducing Drug Certification Program are in violation of
5 this act.

6 C. A person who intentionally, knowingly or recklessly violates
7 any provision of this act is guilty of a misdemeanor.

8 D. A person who intentionally, knowingly or recklessly violates
9 any provision of this act by fraudulent use of an abortion-inducing
10 drug, with or without the knowledge of the pregnant woman, is guilty
11 of a Class D3 felony offense.

12 E. No civil or criminal penalty may be assessed against the
13 pregnant woman upon whom the drug-induced abortion is attempted,
14 induced or performed.

15 SECTION 733. AMENDATORY 63 O.S. 2021, Section 2-307, is
16 amended to read as follows:

17 Section 2-307. Persons registered to manufacture, distribute,
18 or dispense controlled dangerous substances under this act shall
19 keep records and maintain inventories in conformance with the
20 record-keeping and inventory requirements of federal law and with
21 the additional rules the Director issues. Any person who violates
22 the provisions of this section shall, upon conviction, be guilty of
23 a Class D3 felony offense and shall be punished by imprisonment as
24

1 provided for in subsections B through F of Section 20P of Title 21
2 of the Oklahoma Statutes.

3 SECTION 734. AMENDATORY 63 O.S. 2021, Section 2-312.1,
4 is amended to read as follows:

5 Section 2-312.1. A. A licensed practitioner as defined in
6 Section 355 of Title 59 of the Oklahoma Statutes shall not
7 prescribe, dispense, deliver, or administer an anabolic steroid or
8 human growth hormone or cause an anabolic steroid or human growth
9 hormone to be administered under the direction or supervision of the
10 practitioner except for a valid medical purpose and in the course of
11 a professional practice. A valid medical purpose for the use of
12 anabolic steroids or human growth hormones shall not include
13 bodybuilding, muscle enhancement or increasing muscle bulk or
14 strength of a person who is in good health. This section shall not
15 prohibit the use of anabolic steroids for the treatment of livestock
16 or domestic animals in accordance with state or federal law.

17 B. The prescribing, dispensing, delivering or administering of
18 an anabolic steroid by a licensed practitioner in violation of the
19 provisions of subsection A of this section shall be grounds for
20 revocation or nonrenewal of the license of such licensed
21 practitioner to practice in this state. In addition, any licensed
22 practitioner prescribing, dispensing, delivering or administering an
23 anabolic steroid in violation of the provisions of subsection A of
24 this section, upon conviction thereof shall be guilty of a Class D3

1 felony offense punishable by imprisonment ~~in the State Penitentiary~~
2 ~~for a term of not more than three (3) years~~ as provided for in
3 subsections B through F of Section 20P of Title 21 of the Oklahoma
4 Statutes, or by a fine not to exceed Ten Thousand Dollars
5 (\$10,000.00), or by both such imprisonment and fine.

6 SECTION 735. AMENDATORY 63 O.S. 2021, Section 2-314, is
7 amended to read as follows:

8 Section 2-314. A. Whenever a manufacturer or wholesaler
9 distributes a controlled dangerous substance in a container prepared
10 by him, he shall securely affix to each individual container in
11 which that substance is contained a label showing in legible English
12 the name and address of the vendor and the quantity, kind, and form
13 of substance contained therein.

14 B. Whenever a pharmacist dispenses any controlled dangerous
15 substance, he shall affix to each immediate container in which such
16 substance is dispensed the prescription number, the date dispensed,
17 the patient's name, the name of the doctor, name and address of the
18 pharmacy for which he is lawfully acting; or, if the patient is an
19 animal, the name of the owner of the animal and words "for
20 veterinary use only".

21 C. Whenever a practitioner dispenses any controlled dangerous
22 substance, he shall affix to each immediate container in which such
23 substance is dispensed a label showing date dispensed, his name, his
24

1 address, his state registration number, name of the patient, or, if
2 the patient is an animal, the name of the owner of the animal.

3 D. No person except a pharmacist for the purpose of filling a
4 prescription shall alter, deface, or remove any label so affixed.

5 Any person who violates the provisions of this subsection shall,
6 upon conviction, be guilty of a Class D3 felony offense and shall be
7 punished by imprisonment as provided for in subsections B through F
8 of Section 20P of Title 21 of the Oklahoma Statutes.

9 SECTION 736. AMENDATORY 63 O.S. 2021, Section 2-405, is
10 amended to read as follows:

11 Section 2-405. A. No person shall use tincture of opium,
12 tincture of opium camphorated, or any derivative thereof, by the
13 hypodermic method, either with or without a medical prescription
14 therefor.

15 B. No person shall use drug paraphernalia to plant, propagate,
16 cultivate, grow, harvest, manufacture, compound, convert, produce,
17 process, prepare, test, analyze, pack, repack, store, contain,
18 conceal, inject, ingest, inhale or otherwise introduce into the
19 human body a controlled dangerous substance in violation of the
20 Uniform Controlled Dangerous Substances Act, except those persons
21 holding an unrevoked license in the professions of podiatry,
22 dentistry, medicine, nursing, optometry, osteopathy, veterinary
23 medicine or pharmacy.

1 C. No person shall deliver, sell, possess or manufacture drug
2 paraphernalia knowing, or under circumstances where one reasonably
3 should know, that it will be used to plant, propagate, cultivate,
4 grow, harvest, manufacture, compound, convert, produce, process,
5 prepare, test, analyze, pack, repack, store, contain, conceal,
6 inject, ingest, inhale or otherwise introduce into the human body a
7 controlled dangerous substance in violation of the Uniform
8 Controlled Dangerous Substances Act.

9 D. Any person eighteen (18) years of age or over who violates
10 subsection C of this section by delivering or selling drug
11 paraphernalia to a person under eighteen (18) years of age shall,
12 upon conviction, be guilty of a Class D3 felony offense and shall be
13 punished by imprisonment as provided for in subsections B through F
14 of Section 20P of Title 21 of the Oklahoma Statutes.

15 E. Any person who violates subsections A, B or C of this
16 section shall, upon conviction, be guilty of a misdemeanor
17 punishable as follows:

18 1. For a first offense the person shall be punished by
19 imprisonment in the county jail for not more than one (1) year or by
20 a fine of not more than One Thousand Dollars (\$1,000.00), or both
21 such fine and imprisonment;

22 2. For a second offense the person shall be punished by
23 imprisonment in the county jail for not more than one (1) year or by
24

1 a fine of not more than Five Thousand Dollars (\$5,000.00), or both
2 such fine and imprisonment; and

3 3. For a third or subsequent offense the person shall be
4 punished by imprisonment in the county jail for not more than one
5 (1) year or by a fine of not more than Ten Thousand Dollars
6 (\$10,000.00), or both such fine and imprisonment.

7 F. Any person convicted of any offense described in this
8 section shall, in addition to any fine imposed, pay a special
9 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be
10 deposited into the Trauma Care Assistance Revolving Fund created in
11 Section 1-2522 of this title.

12 SECTION 737. AMENDATORY 63 O.S. 2021, Section 3101.11,
13 is amended to read as follows:

14 Section 3101.11. A. A physician or other health care provider
15 who willfully fails to arrange the care of a patient in accordance
16 with Section 3101.9 of this title shall be guilty of unprofessional
17 conduct.

18 B. A physician who willfully fails to record the determination
19 of the patient's condition in accordance with Section 3101.7 of this
20 title shall be guilty of unprofessional conduct.

21 C. Any person who willfully conceals, cancels, defaces, alters,
22 or obliterates the advance directive of another without the
23 declarant's consent, or who falsifies or forges a revocation of the
24 advance directive of another shall be, upon conviction, guilty of a

1 Class D3 felony offense and shall be punished by imprisonment as
2 provided for in subsections B through F of Section 20P of Title 21
3 of the Oklahoma Statutes.

4 D. A person who in any way falsifies or forges the advance
5 directive of another, or who willfully conceals or withholds
6 personal knowledge of a revocation as provided in Section 3101.6 of
7 this title shall be, upon conviction, guilty of a Class D3 felony
8 offense and shall be punished by imprisonment as provided for in
9 subsections B through F of Section 20P of Title 21 of the Oklahoma
10 Statutes.

11 E. A person who requires or prohibits the execution of an
12 advance directive as a condition for being insured for, or
13 receiving, health care services shall be, upon conviction, guilty of
14 a Class D3 felony offense and shall be punished by imprisonment as
15 provided for in subsections B through F of Section 20P of Title 21
16 of the Oklahoma Statutes.

17 F. A person who coerces or fraudulently induces another to
18 execute an advance directive or revocation shall be, upon
19 conviction, guilty of a Class D3 felony offense and shall be
20 punished by imprisonment as provided for in subsections B through F
21 of Section 20P of Title 21 of the Oklahoma Statutes.

22 G. The sanctions provided in this section do not displace any
23 sanction applicable under other law.

1 SECTION 738. AMENDATORY 63 O.S. 2021, Section 4009.1, as
2 amended by Section 206, Chapter 282, O.S.L. 2022 (63 O.S. Supp.
3 2024, Section 4009.1), is amended to read as follows:

4 Section 4009.1. A. 1. Service Oklahoma shall promulgate rules
5 specifying the location and manner in which serial numbers for
6 outboard motors shall be affixed. In promulgating such rules,
7 Service Oklahoma shall consider the existence of voluntary industry
8 standards, the current state of technology and the overall process
9 of reducing vessel and motor thefts in this state.

10 2. Any outboard motor manufactured on or after October 1, 1985,
11 which is for sale in this state shall comply with the rules
12 promulgated pursuant to this section.

13 3. Any person, firm or corporation which sells or offers to
14 sell any outboard motor or outboard motor part manufactured on or
15 after October 1, 1985, which does not comply with this subsection
16 shall be, upon conviction, guilty of a misdemeanor, punishable by a
17 fine of up to Five Hundred Dollars (\$500.00), imprisonment in the
18 county jail for a period of up to one (1) year, or both such fine
19 and imprisonment.

20 B. 1. It is unlawful for any person to knowingly possess any
21 outboard motor or outboard motor part upon which the serial number
22 required by subsection A of this section has been removed, erased,
23 defaced or otherwise altered to prevent identification.

1 2. It is unlawful for any person to knowingly possess,
2 manufacture, sell or exchange, offer to sell or exchange, aid in
3 sale or exchange, supply in blank, authorize or direct, give away,
4 or to conspire to or attempt to commit any of the previously
5 mentioned acts, any counterfeit manufacturer's outboard motor or
6 outboard motor part serial number plate or decal, used for the
7 purpose of identification of any outboard motor or outboard motor
8 part, or to conspire or attempt to commit any of these acts.

9 3. Any person violating any provision of this subsection shall
10 be, upon conviction, guilty of a Class D3 felony offense and shall
11 be punished by imprisonment as provided for in subsections B through
12 F of Section 20P of Title 21 of the Oklahoma Statutes.

13 C. If any serial number required by this section to identify
14 ownership of an outboard motor or outboard motor part does not exist
15 or has been removed, erased, defaced or otherwise altered to prevent
16 identification, and the true identity cannot be determined, the
17 outboard motor or outboard motor part may be seized by any peace
18 officer in this state and shall be subject to forfeiture pursuant to
19 the procedures established for the law enforcement agency by which
20 the seizing officer is employed. Such outboard motor or outboard
21 motor part may not be sold or used to propel a vessel on the waters
22 of this state unless and until Service Oklahoma issues to the
23 outboard motor or outboard motor part a replacement identifying
24

1 number which shall be affixed to the motor or part and shall
2 thereafter be used for identification purposes of the motor or part.

3 SECTION 739. AMENDATORY 64 O.S. 2021, Section 1017, is
4 amended to read as follows:

5 Section 1017. Any person who shall execute or make any sworn
6 statement or affidavit containing false information in connection
7 with any transaction made from the funds held by the Commissioners
8 of the Land Office shall be guilty of the felony of perjury, a Class
9 D3 felony offense, and, upon conviction thereof, shall be punished
10 by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by
11 imprisonment in the custody of the Department of Corrections for a
12 term not to exceed one (1) year as provided for in subsections B
13 through F of Section 20P of Title 21 of the Oklahoma Statutes, or by
14 both fine and imprisonment.

15 SECTION 740. AMENDATORY 64 O.S. 2021, Section 1018, is
16 amended to read as follows:

17 Section 1018. Any person, firm, business, or other entity who,
18 without written authority from the Commissioners of the Land Office,
19 trespasses, uses, cuts timber, injures or destroys surface or
20 subsurface lands or improvements, removes anything of value from the
21 surface or subsurface, assumes possession without a lease or other
22 legal interest in the lands, or who refuses to surrender possession
23 at the expiration, rescission or termination of a lease or easement
24 shall be subject to a civil action for actual damages, possession of

1 the land, injunction, civil penalties equal to the amount of actual
2 damages, attorney fees, litigation expenses, sheriff fees and court
3 costs. Damage claims shall carry sixteen-percent interest from the
4 date of injury. The person, business or other entity shall also,
5 upon conviction, be guilty of a Class D3 felony offense and shall be
6 subject to ~~criminal penalties as may be provided by law~~ imprisonment
7 as provided for in subsections B through F of Section 20P of Title
8 21 of the Oklahoma Statutes.

9 SECTION 741. AMENDATORY 64 O.S. 2021, Section 1029, is
10 amended to read as follows:

11 Section 1029. The Cash Journal shall be balanced daily and the
12 total of the receipts of each day shall be deposited with the State
13 Treasurer as now required by the State Depository Law, except that
14 deposits placed at auction for the sale or lease of lands or
15 minerals pending finalization of a sale or lease transaction shall
16 be secured by the Secretary of the Land Office for safekeeping. The
17 deposits held by the Secretary shall be paid into the treasury
18 clearing account of the Commissioners of the Land Office within
19 three (3) business days following final approval and execution of
20 all required documents related to the transaction. A deposit shall
21 be returned to the payor of the deposit within three (3) business
22 days following the determination by the Commissioners of the Land
23 Office that the transaction will not be finalized. It shall be the
24 duty of the Commissioners of the Land Office to notify each debtor

1 to make their checks, drafts, or other transfer of monies payable to
2 the order of the Commissioners of the Land Office. The endorsements
3 on the checks, drafts or other evidence of transfers of monies shall
4 be in the following words:

5 "Pay to the order of the Treasury of the State of Oklahoma, for
6 credit only to the Commissioners of the Land Office". No person,
7 firm or corporation shall cash or pay out on any check, voucher,
8 draft, money order or other evidence of transfers of money, or its
9 equivalent, without the endorsements, and the endorsement of the
10 State Treasurer appearing thereon.

11 Any person, firm or corporation knowingly violating this
12 provision shall be guilty of a Class D3 felony offense and, upon
13 conviction, shall be punished by a fine of not less than One Hundred
14 Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or
15 by imprisonment ~~in the custody of the Department of Corrections for~~
16 ~~a term of not more than three (3) years~~ as provided for in
17 subsections B through F of Section 20P of Title 21 of the Oklahoma
18 Statutes, or by both the fine and imprisonment. In addition, the
19 person, firm or corporation shall be civilly liable to the
20 Commissioners of the Land Office for the use and benefit of the fund
21 which has sustained the loss in double the amount of the check,
22 voucher, money order, draft or other evidence of transfer of money,
23 so cashed or paid.

1 All checks or vouchers drawn against any Special Agency Account
2 by the Commissioners of the Land Office shall be issued only by the
3 principal fiscal officer upon written application of the head of the
4 division of the School Land Department. Each check or voucher shall
5 be signed in the name of the Commissioners of the Land Office by the
6 Secretary or in the absence of the Secretary by the Assistant
7 Secretary and shall be countersigned by the principal fiscal
8 officer. The form of check or voucher shall be prescribed by the
9 State Treasurer and shall indicate on its face the purpose for which
10 drawn, the amount and the account to which chargeable. No check
11 shall leave the office until protected by use of a machine for
12 printing amounts on checks, as by perforations, so as to prevent
13 alterations.

14 SECTION 742. AMENDATORY 68 O.S. 2021, Section 317.1, is
15 amended to read as follows:

16 Section 317.1. A. No person shall make a delivery sale of
17 cigarettes to any individual who is under the legal minimum purchase
18 age in this state. Any person who violates the provisions of this
19 section shall, upon conviction, be guilty of a Class D3 felony
20 offense and shall be punished by imprisonment as provided for in
21 subsections B through F of Section 20P of Title 21 of the Oklahoma
22 Statutes.

23 B. Each person taking a delivery sale order shall comply with:
24

1 1. The age verification requirements set forth in Section 7 of
2 this act;

3 2. The disclosure requirements set forth in Section 8 of this
4 act;

5 3. The shipping requirements set forth in Section 9 of this
6 act;

7 4. The registration and reporting requirements set forth in
8 Section 10 of this act;

9 5. The tax collection requirements set forth in Section 11 of
10 this act; and

11 6. All other laws of Oklahoma generally applicable to sales of
12 cigarettes that occur entirely within Oklahoma, including, but not
13 limited to, those laws imposing:

14 a. excise taxes,

15 b. sales taxes,

16 c. licensing and tax-stamping requirements, and

17 d. escrow or other payment obligations.

18 SECTION 743. AMENDATORY 68 O.S. 2021, Section 349.1, is
19 amended to read as follows:

20 Section 349.1. A. Sales of cigarettes and other tobacco
21 products by retailers licensed by noncompacting federally recognized
22 Indian tribes or nations (hereinafter "tribe or nation") shall be
23 subject to the cigarette excise tax imposed by Section 302 et seq.

1 of this title and the excise tax on other tobacco products imposed
2 by Section 402 et seq. of this title.

3 B. 1. Members of noncompacting federally recognized Indian
4 tribes or nations may purchase cigarettes and other tobacco
5 products, without payment of Oklahoma cigarette excise tax or
6 Oklahoma other tobacco products excise tax, subject to the following
7 conditions:

8 a. the member of the noncompacting federally recognized
9 Indian tribe (hereinafter "purchaser") is purchasing
10 for his or her personal use, and not for sale,
11 transfer or other disposition to another person or
12 entity,

13 b. the purchaser is purchasing from a retailer licensed
14 by the federally recognized Indian tribe or nation of
15 which the purchaser is a member,

16 c. the licensed retailer of purchaser's federally
17 recognized Indian tribe or nation is located upon
18 "Indian country" of that licensing tribe or nation, as
19 that term is defined by 18 USC Section 1151(a) and
20 paragraph 3 of Section 348 of this title.

21 2. Members of noncompacting federally recognized tribes or
22 nations are not entitled to purchase cigarettes or other tobacco
23 products, free of Oklahoma excise tax, from retailers licensed by
24 any other tribe or nation, compacting or not, but have a right to

1 purchase cigarettes and other tobacco products, free of Oklahoma
2 excise tax, upon the "Indian country" of the tribe or nation of
3 which the purchaser is a member, per the United States Supreme Court
4 decision "Oklahoma Tax Commission v. Citizen Band Potawatomi Indian
5 Tribe of Oklahoma", 498 U.S. 505 (1991).

6 C. Cigarettes held for sale to members of a noncompacting tribe
7 or nation by licensed retailers of that tribe or nation, which are
8 located on the "Indian country" of that tribe or nation, as defined
9 by 18 USC Section 1151(a) and paragraph 3 of Section 348 of this
10 title, must bear a stamp issued by the Oklahoma Tax Commission
11 evidencing that cigarettes are purchased free of Oklahoma cigarette
12 excise tax. The following procedures shall apply to said stamps
13 (hereafter, "Native American tax free stamps"):

14 1. The probable demand for Native American tax free stamps for
15 each noncompacting tribe or nation shall be determined by the Tax
16 Commission by ascertaining the total membership in Oklahoma of the
17 tribe or nation from the Bureau of Indian Affairs or other reliable
18 source of public information regarding such membership, and
19 multiplying that number by the percentage of smokers in Oklahoma or
20 in the United States, whichever is greater, based on the most recent
21 data available from the State Department of Health and/or other
22 reliable source of public information. The product of that
23 calculation shall be multiplied by the average yearly consumption of
24 cigarettes by smokers in Oklahoma or the United States, whichever is

1 greater, based on the most recent data available from the State
2 Department of Health and/or other reliable source of public
3 information. The resulting number shall be deemed to constitute the
4 probable demand for Native American tax free stamps of such
5 noncompacting tribe or nation for a calendar year.

6 2. A preliminary determination of probable demand shall be
7 furnished to the governing authorities of each noncompacting tribe
8 or nation which may submit, for consideration by the Tax Commission,
9 any verifiable information in its possession regarding such probable
10 demand, including, but not limited to, a verifiable record of
11 previous sales to tribal members or other statistical evidence.

12 3. After consideration of all verifiable information furnished
13 by a noncompacting tribe or nation pursuant to paragraph 2 of this
14 subsection, the Tax Commission shall make its final determination of
15 probable demand, and furnish such determination to the subject
16 noncompacting tribe or nation and to all Oklahoma-licensed cigarette
17 wholesalers.

18 4. Each calendar year, the Tax Commission shall establish, as
19 to any and all Oklahoma-licensed cigarette wholesalers supplying
20 cigarettes to tribally licensed or owned retailers of each
21 noncompacting tribe or nation an allocation of the probable demand
22 for such tribe or nation, based upon each wholesaler's previous
23 year's reported sales of cigarettes to the tribally licensed or
24 owned retailers of such tribe or nation. In making such allocation,

1 the Tax Commission shall consider such other verifiable information
2 as may be submitted by a licensed wholesaler or such tribe or
3 nation. Upon reaching a final determination of allocation, the Tax
4 Commission shall advise the affected wholesaler and the tribe or
5 nation.

6 5. Oklahoma-licensed wholesalers may request and receive from
7 the Tax Commission, at the beginning of each quarter of the year,
8 their allocated share of Native American tax free stamps for the
9 tribally licensed or owned retailers of each noncompacting tribe or
10 nation. Once a wholesaler has received its allocated share of
11 Native American tax free stamps for the tribally licensed or owned
12 retailers of a noncompacting tribe or nation for the quarter, that
13 wholesaler may not receive any further Native American tax free
14 stamps for tribally licensed or owned retailers of that tribe or
15 nation during the quarter, absent good cause shown by verifiable
16 information submitted by the wholesaler and/or that tribe or nation,
17 which shall be considered and determined by the Tax Commission on a
18 case-by-case basis.

19 6. The Tax Commission is empowered and authorized to promulgate
20 such rules and regulations as, in its discretion, shall be deemed
21 necessary to implement and enforce the provisions of this section.

22 7. The sale of cigarettes bearing the Native American tax-free
23 stamp to a nonmember of the tribe or nation which licensed the
24 tribally owned or licensed retailer shall, in accordance with the

1 United States Supreme Court decision "Oklahoma Tax Commission v.
2 Citizen Band Potawatomi Indian Tribe of Oklahoma", 498 U.S. 505
3 (1991), obligate that tribal retailer for payment of the applicable
4 Oklahoma cigarette excise tax, together with the costs and attorney
5 fees associated with any civil action brought to collect the unpaid
6 Oklahoma cigarette excise tax. Such actions may be instituted in
7 the district court in and for the county in which the tribal
8 retailer is located.

9 D. The Oklahoma excise tax on all tobacco products other than
10 cigarettes (hereafter "other tobacco products") held for sale by
11 Oklahoma-licensed wholesalers shall be paid by the wholesaler and
12 stamps affixed thereto by the wholesaler pursuant to Section 403 of
13 this title, including those other tobacco products which may be
14 purchased by members of noncompacting tribes and nations on the
15 "Indian country" of such tribe or nation from a retailer licensed or
16 owned by such tribe or nation. The following procedures shall apply
17 to the tax-free sale of other tobacco products:

18 1. The probable demand for the tax-free consumption of other
19 tobacco products by members of each noncompacting tribe or nation
20 shall be determined by the Tax Commission by ascertaining the total
21 membership in Oklahoma of the tribe or nation from the Bureau of
22 Indian Affairs or other reliable source of public information
23 regarding such membership, and multiplying that number by the
24 percentage of users of such other tobacco products in Oklahoma or

1 the United States, whichever is greater, based on the most recent
2 data available from the State Department of Health and/or other
3 reliable source of public information. The product of that
4 calculation shall be multiplied by the average yearly consumption of
5 users of such other tobacco products in Oklahoma or the United
6 States, whichever is greater, based on the most recent data
7 available from the State Department of Health and/or other reliable
8 source of public information. The resulting number shall be deemed
9 to constitute the probable demand for the tax-free consumption of
10 other tobacco products by members of such noncompacting tribes or
11 nations for a calendar year.

12 2. A preliminary determination of probable demand shall be
13 furnished to the governing authorities of each noncompacting tribe
14 or nation, which may submit, for consideration by the Tax
15 Commission, any verifiable information in its possession regarding
16 such probable demand, including, but not limited to, a verifiable
17 record of previous sales to tribal members or other statistical
18 evidence.

19 3. After consideration of all verifiable information furnished
20 by a noncompacting tribe or nation pursuant to paragraph 2 of this
21 subsection, the Tax Commission shall make its final determination of
22 probable demand and furnish such determination to the subject
23 noncompacting tribe or nation and to all Oklahoma-licensed other
24 tobacco product wholesalers.

1 4. Each calendar year, the Tax Commission shall establish, as
2 to any and all Oklahoma-licensed other tobacco product wholesalers
3 supplying other tobacco products to the tribally licensed or owned
4 retailers of each noncompacting tribe or nation an allocation of the
5 probable demand for such tribe or nation, based upon each
6 wholesaler's previous year's reported sales of other tobacco
7 products to the tribally licensed or owned retailers of such tribe
8 or nation. In making such allocation, the Tax Commission shall
9 consider such other verifiable information as may be submitted by a
10 licensed wholesaler or such tribe or nation. Upon reaching a final
11 determination of allocation, the Tax Commission shall advise the
12 affected wholesaler and the tribe or nation.

13 5. Oklahoma-licensed wholesalers may request and receive from
14 the Tax Commission, on the 30th of each month, a refund and/or
15 credit for the previous month's tax-free sales of other tobacco
16 products, equal to the lesser of: one twelfth (1/12) of their
17 allocated share of tax-free sales of other tobacco products to the
18 tribally licensed or owned retailers of each noncompacting tribe or
19 nation or verifiable tax-free sales to the licensed or owned tribal
20 retailers of such tribe or nation. Once a wholesaler has received
21 such refund and/or credit for a previous month's tax-free sales to
22 the tribally licensed or owned retailers of each noncompacting tribe
23 or nation, that wholesaler may not receive any further refund and/or
24 credit for said previous month, absent good cause shown by

1 verifiable information submitted by the wholesaler and/or the
2 noncompacting tribe or nation, which shall be considered and
3 determined by the Tax Commission on a case-by-case basis.

4 6. The Tax Commission is empowered and authorized to promulgate
5 such rules and regulations as, in its discretion, shall be deemed
6 necessary to implement and enforce the provisions of this section.

7 7. The tax-free sale of other tobacco products to a nonmember
8 of the noncompacting tribe or nation which licenses the tribally
9 owned or licensed retailer shall, in accordance with the United
10 States Supreme Court decision "Oklahoma Tax Commission v. Citizen
11 Potawatomi Indian Tribe of Oklahoma", 498 U.S. 505 (1991), obligate
12 that tribal retailer for payment of the applicable Oklahoma other
13 tobacco product excise tax, together with the costs and attorney
14 fees associated with any civil action brought to collect the unpaid
15 Oklahoma other tobacco product excise tax. Such actions may be
16 instituted in the district court in and for the county in which the
17 tribal retailer is located.

18 E. The provisions of this section are intended to, and shall be
19 construed to apply only to, sales of cigarettes and other tobacco
20 products on the "Indian country" of noncompacting federally
21 recognized Indian tribes or nations to the members of such tribes or
22 nations. In the event that a noncompacting tribe or nation enters
23 into an agreement with the State of Oklahoma, pursuant to Section
24 346 of this title, the terms of such compact shall take precedence

1 over the provisions of this section, which shall have no application
2 to any tribe or nation, while any compact between the State of
3 Oklahoma and that tribe or nation is in force and effect.

4 F. All cigarettes which are sold or held for sale at tribally
5 owned or licensed stores shall have affixed thereto a stamp or
6 stamps evidencing payment or nonpayment of the Oklahoma cigarette
7 excise tax, as required by the provisions in this section.

8 G. It shall be unlawful for any person knowingly to ship,
9 transport, receive, possess, sell, distribute or purchase contraband
10 cigarettes. Any person who engages in shipping, transporting,
11 receiving, possessing, selling, distributing or purchasing
12 contraband cigarettes shall, upon conviction, be guilty of a
13 misdemeanor punishable by a fine of not more than One Thousand
14 Dollars (\$1,000.00). Any person convicted of a second or subsequent
15 violation hereof shall be guilty of a Class D3 felony offense and
16 shall be ~~punishable~~ punished by a fine of not more than Five
17 Thousand Dollars (\$5,000.00), by a term of imprisonment ~~in the~~
18 ~~custody of the Department of Corrections for not more than two (2)~~
19 ~~years~~ as provided for in subsections B through F of Section 20P of
20 Title 21 of the Oklahoma Statutes, or by both such fine and
21 imprisonment.

22 H. Any person who knowingly engages in shipping, transporting,
23 receiving, processing, selling, distributing or purchasing
24 contraband cigarettes shall be subject to the forfeiture of property

1 as is provided by Section 305 of this title and assessment of
2 penalty as provided thereby and assessment for any delinquent taxes
3 found to be owing.

4 I. Pursuant to 25 C.F.R., Section 140.17, no trader shall sell
5 tobacco, cigars or cigarettes to any Indian or other person under
6 eighteen (18) years of age.

7 SECTION 744. AMENDATORY 68 O.S. 2021, Section 426, is
8 amended to read as follows:

9 Section 426. A. It shall be unlawful for any person knowingly
10 to ship, transport, receive, possess, sell, distribute or purchase
11 contraband tobacco products. Any person who engages in shipping,
12 transporting, receiving, possessing, selling, distributing or
13 purchasing contraband tobacco products shall, upon conviction, be
14 guilty of a misdemeanor punishable by a fine of not more than Two
15 Thousand Dollars (\$2,000.00). Any person convicted of a second or
16 subsequent violation hereof shall be guilty of a Class D3 felony
17 offense and shall be ~~punishable~~ punished by a fine of not more than
18 Five Thousand Dollars (\$5,000.00), by a term of imprisonment ~~in the~~
19 ~~custody of the Department of Corrections for not more than two (2)~~
20 ~~years~~ as provided for in subsections B through F of Section 20P of
21 Title 21 of the Oklahoma Statutes, or by both such fine and
22 imprisonment.

23 B. Any person who knowingly engages in shipping, transporting,
24 receiving, possessing, selling, distributing or purchasing

1 contraband tobacco products shall be subject to the forfeiture of
2 property as is provided by Section 417 of this title and assessment
3 of penalty as provided thereby and assessment for any delinquent
4 taxes found to be owing.

5 SECTION 745. AMENDATORY 68 O.S. 2021, Section 1364, as
6 last amended by Section 1, Chapter 203, O.S.L. 2024 (68 O.S. Supp.
7 2024, Section 1364), is amended to read as follows:

8 Section 1364. Permits to do business.

9 A. Every person desiring to engage in a business within this
10 state who would be designated as a Group One or Group Three vendor,
11 pursuant to Section 1363 of this title, shall be required to secure
12 from the Oklahoma Tax Commission every three (3) years a written
13 permit for a fee of Twenty Dollars (\$20.00) prior to engaging in
14 such business in this state. Each such person shall file with the
15 Tax Commission an application for a permit to engage in or transact
16 business in this state, setting forth such information as the Tax
17 Commission may require. The application shall be signed by the
18 owner of the business or representative of the business entity and
19 as a natural person, and, in the case of a corporation, as a legally
20 constituted officer thereof. To obtain a sales tax permit, an
21 individual or sole proprietor must be at least eighteen (18) years
22 of age. A parent or legal guardian may apply for a permit on behalf
23 of an individual or sole proprietor who is not at least eighteen
24

1 (18) years of age, provided the parent or legal guardian will be
2 considered the authorized user responsible for remitting state tax.

3 B. Upon receipt of an initial application, the Tax Commission
4 may issue a probationary permit effective for six (6) months which
5 will automatically renew for an additional thirty (30) months unless
6 the applicant receives written notification of the refusal of the
7 Commission to renew the permit. Within twenty (20) days of the date
8 of the written notification of the notice of refusal, the applicant
9 may request a hearing to show cause why the permit should be
10 renewed. Upon receipt of a request for a hearing, the Tax
11 Commission shall set the matter for hearing and give ten (10) days'
12 notice in writing of the time and place of the hearing. At the
13 hearing, the applicant shall set forth the qualifications of the
14 applicant for a permit and proof of compliance with all state tax
15 laws.

16 C. Holders of a probationary permit as provided in subsection B
17 of this section shall not be permitted to present the permit to
18 obtain a commercial license plate for their motor vehicle as
19 provided in Section 1133.1 of Title 47 of the Oklahoma Statutes.

20 D. Upon verification that the applicant is a Group Three
21 vendor, the Tax Commission may require such applicant to furnish a
22 surety bond or other security as the Commission may deem necessary
23 to secure payment of taxes under this article, prior to issuance of
24 a permit for the place of business set forth in the application for

1 permit. Provided, the Tax Commission is hereby authorized to set
2 guidelines, by adoption of regulations, for the issuance of sales
3 tax permits. Pursuant to the guidelines the Tax Commission may
4 refuse to issue permits to any Group Three vendors, or any class of
5 vendors included in the whole classification of Group Three vendors,
6 if the Tax Commission determines that it is likely this state will
7 lose tax revenue due to the difficulty of enforcing this article for
8 any reasons stated in paragraph 21 of Section 1354 of this title.

9 E. A separate permit for each additional place of business to
10 be operated must be obtained from the Tax Commission for a fee of
11 Ten Dollars (\$10.00). Such permit shall be good for a period of
12 three (3) years. The Tax Commission shall grant and issue to each
13 applicant a separate permit for each place of business in this
14 state, upon proper application therefor and verification thereof by
15 the Tax Commission.

16 F. A permit is not assignable and shall be valid only for the
17 person in whose name it is issued and for the transaction of
18 business at the place designated therein. The permit shall at all
19 times be conspicuously displayed at the place of business for which
20 issued in a position where it can be easily seen. The permit shall
21 be in addition to all other permits required by the laws of this
22 state. Provided, if the location of the business is changed, such
23 person shall file with the Tax Commission an application for a
24 permit to engage in or transact business at the new location. Upon

1 issuance of the permit to the new location of such business, no
2 additional permit fee shall be due until the expiration of the
3 permit issued to the previous location of such business.

4 G. It shall be unlawful for any person coming within the class
5 designated as Group One or the class designated as Group Three to
6 engage in or transact a business of reselling tangible personal
7 property or services within this state unless a written permit or
8 permits shall have been issued to such person. Any person who
9 engages in a business subject to the provisions of this section
10 without a permit or permits, or after a permit has been suspended,
11 upon conviction, shall be guilty of a misdemeanor punishable by a
12 fine of not more than One Thousand Dollars (\$1,000.00). Any person
13 convicted of a second or subsequent violation hereof shall be guilty
14 of a Class D3 felony and offense punishable by a fine of not more
15 than Five Thousand Dollars (\$5,000.00), or by a term of imprisonment
16 ~~in the custody of the Department of Corrections for not more than~~
17 ~~two (2) years~~ as provided for in subsections B through F of Section
18 20P of Title 21 of the Oklahoma Statutes, or both such fine and
19 imprisonment.

20 H. Any person operating under a permit as provided in this
21 article shall, upon discontinuance of business by sale or otherwise,
22 return such permit to the Tax Commission for cancellation, together
23 with a remittance for any unpaid or accrued taxes. Failure to
24 surrender a permit and pay any and all accrued taxes will be

1 sufficient cause for the Tax Commission to refuse to issue a permit
2 subsequently to such person to engage in or transact any other
3 business in this state. In the case of a sale of any business, the
4 tax shall be deemed to be due on the sale of the fixtures and
5 equipment, and the Tax Commission shall not issue a permit to
6 continue or conduct the business to the purchaser until all tax
7 claims due this state have been settled.

8 I. All permits issued under the provisions of this article
9 shall expire three (3) years from the date of issuance at the close
10 of business at each place or location of the business within this
11 state. No refund of the fee shall be made if the business is
12 terminated prior to the expiration of the permit. Whenever the
13 sales tax reports required to be filed by Section 1365 of this title
14 indicate there is no business activity at a place of business for a
15 period of twelve (12) months, the Tax Commission, after giving
16 twenty (20) days' notice to the permit holder in writing of the time
17 and place of hearing to show cause why the sales tax permit for that
18 place of business should not be revoked, may revoke or suspend the
19 permit pursuant to an order of the Tax Commission after failure to
20 show cause or failure to appear by the permit holder.

21 J. Whenever a holder of a permit fails to comply with any
22 provisions of this article, the Tax Commission, after giving twenty
23 (20) days' notice in writing of the time and place of hearing to
24 show cause why the permit should not be revoked, may revoke or

1 suspend the permit pursuant to an order of the Tax Commission after
2 failure to show cause or failure to appear by the permit holder, the
3 permit to be renewed upon removal of cause or causes of revocation
4 or suspension. However, if a holder of a permit becomes delinquent
5 for a period of three (3) months or more in reporting or paying of
6 any tax due under this article, any duly authorized agent of the Tax
7 Commission may remove the permit from the taxpayer's premises and it
8 shall be returned or renewed only upon the filing of proper reports
9 and payment of all taxes due under this article.

10 K. Permits are not required of persons coming within the
11 classification designated as Group Two. The Oklahoma Tax Commission
12 shall issue a limited permit to Group Five vendors. The permit
13 shall be in such form as the Tax Commission may prescribe.

14 L. Nothing in this article shall be construed to allow a permit
15 holder to purchase, tax exempt, anything for resale that the permit
16 holder is not regularly in the business of reselling.

17 M. All monies received pursuant to issuance of such permits to
18 do business shall be paid to the State Treasurer and placed to the
19 credit of the General Revenue Fund of the State Treasury.

20 N. Notwithstanding the provisions of Section 205 of this title,
21 the Oklahoma Tax Commission is authorized to release the following
22 information contained in the Master Sales and Use Tax File to
23 vendors:

24 1. Permit number;

2. Name in which permit is issued;
3. Name of business operation if different from ownership (DBA);
4. Mailing address;
5. Business address;
6. Business class, North American Industry Classification System (NAICS), or Standard Industrial Classification (SIC); and
7. Effective date and expiration or cancellation date of permit.

Release of such information shall be limited to tax remitters for the express purpose of determining the validity of sales permits presented as evidence of purchasers' sales tax resale status under this Oklahoma Tax Code.

The provisions of this subsection shall be strictly interpreted and shall not be construed as permitting the disclosure of any other information contained in the records and files of the Tax Commission relating to sales tax or to any other taxes.

This information may be provided on a subscription basis, with periodic updates, and sufficient fee charged, not to exceed One Hundred Fifty Dollars (\$150.00) per year, to offset the administrative costs of providing the list. All revenue received by the Oklahoma Tax Commission from such fees shall be deposited to the credit of the Oklahoma Tax Commission Fund. No liability whatsoever, civil or criminal, shall attach to any member of the Tax

1 Commission or any employee thereof for any error or omission in the
2 disclosure of information pursuant to this subsection.

3 O. If the Tax Commission enters into the Streamlined Sales and
4 Use Tax Agreement under Section 1354.18 of this title, the Tax
5 Commission is authorized to participate in its online sales and use
6 tax registration system and shall not require the payment of the
7 registration fees or other charges provided in this section from a
8 vendor who registers within the online system if the vendor has no
9 legal requirement to register.

10 SECTION 746. AMENDATORY 68 O.S. 2021, Section 1625, is
11 amended to read as follows:

12 Section 1625. The following license fees shall be due and
13 payable on or before March 1 of each year to the Office of the State
14 Fire Marshal. Any licensed manufacturer, distributor or wholesaler
15 permitted to sell fireworks at wholesale or retail, pursuant to
16 Section 1623 of this title, may apply for a license.

17 1. A license fee of One Thousand Dollars (\$1,000.00) annually
18 shall be charged for the license to do business within this state as
19 a manufacturer. Provided, no manufacturer's license shall be issued
20 without:

- 21 a. proof of inspection by the State Fire Marshal pursuant
22 to Section 1633 of this title, and
- 23 b. proof of workers' compensation coverage pursuant to
24 the provisions of Title 85 of the Oklahoma Statutes.

1 2. A license fee of One Thousand Dollars (\$1,000.00) annually
2 shall be charged for the license to do business within this state as
3 a distributor.

4 3. A license fee of Five Hundred Dollars (\$500.00) annually
5 shall be charged for the license to do business within this state as
6 a wholesaler.

7 4. Any person operating a retail location where fireworks are
8 sold directly to the consumer shall be required to purchase a retail
9 fireworks license. The retail license fee shall be Ten Dollars
10 (\$10.00) annually and may be purchased from any licensed wholesaler,
11 manufacturer or distributor. These serially numbered licenses shall
12 be made available at any time to the licensed wholesalers,
13 manufacturers or distributors in books of twenty licenses to a book.
14 Retail licenses which are unsold may be exchanged for new licenses.
15 Any person purchasing a retail fireworks license pursuant to this
16 paragraph shall, at the time of purchasing such license, sign an
17 affidavit attesting to the fact that the name, mailing address and
18 telephone number of the purchaser as it appears on such license is
19 correct and that the purchaser operates a retail location where
20 fireworks are sold directly to the consumer. Said affidavit shall
21 be an integral but easily detachable part of the application form
22 for a retail fireworks license. Any person who signs said affidavit
23 as required by this paragraph when such person knows that it is not
24 true, upon conviction, shall be guilty of the felony of perjury, a

1 Class D3 felony offense, and shall be punished by imprisonment as
2 provided for ~~by law~~ in subsections B through F of Section 20P of
3 Title 21 of the Oklahoma Statutes.

4 Any person engaged in more than one of the licensed activities
5 provided in this section shall only pay one fee to be based on the
6 classification requiring the higher fee.

7 SECTION 747. AMENDATORY 68 O.S. 2021, Section 2861, is
8 amended to read as follows:

9 Section 2861. A. A county board of equalization is hereby
10 created for each county in the state. Said board shall consist of
11 three (3) members.

12 B. Members of the county board of equalization shall be
13 appointed as follows:

14 1. One member shall be appointed by the Oklahoma Tax
15 Commission;

16 2. One member shall be appointed by the board of county
17 commissioners; and

18 3. One member shall be appointed by the district judge or a
19 majority of the district judges in all judicial districts where more
20 than one district judge is elected.

21 C. The tenure of office of each county board of equalization
22 member shall be coterminous with that of the first county
23 commissioner district and the third county commissioner district.
24

1 D. The qualifications of the members of the county board of
2 equalization shall be as follows:

3 1. The member must be a qualified elector and resident of the
4 county;

5 2. The member may not hold an elected office of the state,
6 county, school district or municipal subdivision;

7 3. The member may not file for any elected office of the state,
8 county, school district or municipal subdivision without first
9 resigning from the county board of equalization; and

10 4. Not more than one member shall live in any one county
11 commissioner's district; provided, any member serving on the
12 effective date of this act may continue to serve until completion of
13 the member's tenure of office pursuant to the provisions of
14 subsection C of this section notwithstanding the provisions of this
15 paragraph.

16 E. The county clerk shall serve as secretary and clerk of said
17 board without additional compensation.

18 F. If there is a conflict or dispute as to the membership, the
19 eligibility of any appointee for membership, the priority of an
20 appointment or appointments, one as opposed to another, or the right
21 of any appointee to serve in any county commissioner's district,
22 then, such conflict or dispute shall be resolved by a determination
23 and order of the Oklahoma Tax Commission.

1 G. It shall be unlawful for any member of the county board of
2 equalization to sell or contract to sell, or to lease or contract to
3 lease, or to represent any person, firm, corporation or association
4 in the sale or the lease of any machinery, supplies, equipment,
5 material, or other goods, wares, or merchandise to any county or
6 city or town of the county. It shall also be unlawful for any
7 member of the county board of equalization to serve as employee,
8 official, or attorney for any county or city, or town of the county,
9 or for any such member to represent any taxpayer before the board in
10 any manner, or to use the position as a board member to further the
11 member's own interests. It shall also be unlawful for any taxpayer
12 or interested party to employ any member of the county board of
13 equalization in any matter coming before the board.

14 H. Any person violating any of the provisions of this section
15 shall be deemed guilty of a Class D3 felony offense, and upon
16 conviction thereof shall be punished by a fine of not less than Two
17 Hundred Dollars (\$200.00) and not more than One Thousand Dollars
18 (\$1,000.00), or by imprisonment in the State Penitentiary for not
19 less than six (6) months or more than two (2) years as provided for
20 in subsections B through F of Section 20P of Title 21 of the
21 Oklahoma Statutes, or by both such fine and imprisonment.

22 I. Any action taken by a county excise board after August 24,
23 1989, and before May 30, 1990, are hereby declared to be official
24 actions of a duly constituted county excise board.

1 SECTION 748. AMENDATORY 68 O.S. 2021, Section 3908, is
2 amended to read as follows:

3 Section 3908. Any person making an application, claim for
4 payment or any report, return, statement, invoice, or other
5 instrument or providing any other information pursuant to the
6 provisions of this act who willfully makes a false or fraudulent
7 application, claim, report, return, statement, invoice, or other
8 instrument or who willfully provides any false or fraudulent
9 information, or any person who willfully aids or abets another in
10 making such false or fraudulent application, claim, report, return,
11 statement, invoice, or other instrument or who willfully aids or
12 abets another in providing any false or fraudulent information, upon
13 conviction, shall be guilty of a Class D3 felony offense. The fine
14 for a violation of this provision shall not be less than One
15 Thousand Dollars (\$1,000.00) nor more than Fifty Thousand Dollars
16 (\$50,000.00). Any person convicted of a violation of this section
17 shall be liable for the repayment of all incentive payments which
18 were paid to the establishment. Interest shall be due on such
19 payments at the rate of ten percent (10%) per annum.

20 SECTION 749. AMENDATORY 69 O.S. 2021, Section 1213, is
21 amended to read as follows:

22 Section 1213. ~~(a)~~ A. Any person or persons who shall willfully
23 or knowingly obstruct or damage any public road or highway by
24 obstructing the side or cross drain or ditches thereof, or by

1 turning water upon such road or highway or right-of-way, or by
2 throwing or depositing brush, trees, stumps, logs, or any refuse or
3 debris whatsoever in the road or highway, or on the sides or in the
4 ditches thereof, or by fencing across or upon the right-of-way of
5 the same, or by planting any hedge within the lines established for
6 such road or highway, or by changing the location thereof, or shall
7 obstruct said road, highway or drains in any other manner
8 whatsoever, or, except as provided in subsection ~~(b)~~ B of this
9 section, any person or persons who shall willfully or knowingly
10 deface, damage, destroy or remove any traffic-control device, road
11 sign, signboard, guide sign or signpost shall be deemed guilty of a
12 misdemeanor.

13 ~~(b)~~ B. If any person or persons willfully or knowingly defaces,
14 damages, destroys or removes any traffic-control device, road sign,
15 signboard, guide sign or signpost and such action results in
16 personal injury to or death of any person, the person or persons
17 responsible for such action shall be guilty of a Class D3 felony
18 offense punishable by imprisonment in the custody of the Department
19 of Corrections for not more than two (2) years as provided for in
20 subsections B through F of Section 20P of Title 21 of the Oklahoma
21 Statutes, or by a fine of not more than One Thousand Dollars
22 (\$1,000.00), or by both such fine and imprisonment. Notice of this
23 provision shall be placed in the manual provided by the Department
24

1 of Public Safety which manual is issued for purpose of passing
2 driving privilege.

3 ~~(e)~~ C. The governing body who finds any road or highway
4 obstructed as above specified shall notify the person violating the
5 provisions of this section, verbally or in writing, to remove such
6 obstruction forthwith, and if such person does not remove the
7 obstruction within ten (10) days after being notified, he shall pay
8 the sum of Five Dollars (\$5.00) for each and every day after the
9 tenth day such obstruction is maintained or permitted to remain,
10 such fine to be recovered by suit brought by the governing body in
11 any court of competent jurisdiction.

12 SECTION 750. AMENDATORY 70 O.S. 2021, Section 17-110, is
13 amended to read as follows:

14 Section 17-110. Any person who shall knowingly make any false
15 statement or shall falsify or permit to be falsified, any record or
16 records of this retirement system in any attempt to defraud such
17 system as a result of such act shall be guilty of a Class D3 felony
18 offense and shall be punished by imprisonment as provided for in
19 subsections B through F of Section 20P of Title 21 of the Oklahoma
20 Statutes. Should any charge or error in the records result in any
21 member or beneficiary receiving from the retirement system more or
22 less than he would have been entitled to receive had the records
23 been correct, the Board of Trustees shall correct such error, and so
24 far as practicable, shall adjust the payment in such a manner that

1 the actuarial equivalent of the benefit to which such member or
2 beneficiary was correctly entitled shall be paid, and to take from
3 the Interest Fund sufficient to reimburse the Fund where an
4 overpayment had already been made, and any such overpayment
5 recovered from the member shall be placed in the Interest Fund.

6 SECTION 751. AMENDATORY 71 O.S. 2021, Section 621, is
7 amended to read as follows:

8 Section 621. A. It is unlawful and deemed a Class D3 felony
9 offense for any person to offer or dispose of any interest in
10 subdivided land located in this state or to offer or dispose in this
11 state of any subdivided land located without this state unless it is
12 registered under this Code or the land or transaction is exempt
13 under Sections 622 or 623 of this Code.

14 B. It is unlawful and deemed a Class D3 felony offense for any
15 subdivider or registrant of subdivided lands registered under this
16 Code, or any person in control of, controlled by, or under common
17 control with the subdivider or registrant, or any agent, to offer or
18 dispose of any of the registered subdivided land if the subdivider
19 or registrant is in violation of this Code, or any rule promulgated
20 under this Code, or any order issued under this Code of which he has
21 notice, or if the registration statement relating to the subdivided
22 lands, as of the date of such offer or disposition, is incomplete in
23 any material respect or contains any statement which is false or
24 misleading with respect to any material fact.

1 SECTION 752. AMENDATORY 71 O.S. 2021, Section 626, as
2 amended by Section 3, Chapter 78, O.S.L. 2022 (71 O.S. Supp. 2024,
3 Section 626), is amended to read as follows:

4 Section 626. A. It shall be unlawful and deemed a Class D3
5 felony offense for a person to dispose of an interest in subdivided
6 lands, pursuant to a registration under this Code, unless a current
7 public offering statement is delivered to the purchaser at the
8 expense of the subdivider or the subdivider's agent at least forty-
9 eight (48) hours prior to any sale, contract to sell or option to
10 purchase and unless the purchaser is afforded a reasonable
11 opportunity to examine and is permitted to retain the public
12 offering statement. The subdivider shall obtain and retain a
13 receipt, signed by the purchaser, acknowledging receipt of a copy of
14 the public offering statement prior to the execution by the
15 purchaser of any contract or agreement for the disposition of any
16 lot in a subdivision, which receipt shall be kept in the files of
17 the subdivider and be subject to inspection by the Administrator for
18 a period of three (3) years from the date the receipt is taken.

19 B. A public offering statement shall disclose fully and
20 accurately all material circumstances or features which affect the
21 subdivided lands or which would be a material consideration in
22 making the purchasing decision. The proposed public offering
23 statement shall be submitted to the Administrator as required by
24 paragraph 20 of Section 625 of this Code and shall be in such form

1 and contain such information as the Administrator by rule requires
2 including:

3 1. The name, principal address, electronic mail address,
4 website address, and telephone number of the subdivider and the
5 subdivider's offices and agents in this state;

6 2. A general description of the subdivided lands including a
7 statement of the total number of lots to be offered;

8 3. A statement as to whether the subdivider holds any option to
9 purchase adjacent properties and, if so, a description of such
10 option and the location and zoning of the adjacent properties;

11 4. The assistance, if any, that the subdivider and the
12 subdivider's agents or affiliates will provide to the purchaser in
13 the resale of the property and the extent to which the subdivider,
14 agents, or affiliates will be in competition in the event of resale;

15 5. The material terms of any encumbrances, easements, liens,
16 and restrictions including zoning and other regulations affecting
17 the subdivided lands and each unit or lot, the efforts to remove
18 such liens or encumbrances, the results of the success or failure
19 thereof, and all existing taxes and existing or proposed special
20 taxes or assessments which affect the subdivided lands;

21 6. The use for which the property is to be offered;

22 7. Information concerning existing or proposed improvements
23 including, but not limited to, streets, water supply, levees,
24 drainage control systems, irrigation systems, sewage disposal

1 systems and customary utilities and the estimated cost, date of
2 completion, and responsibility for construction and maintenance of
3 existing and proposed improvements which are referred to in
4 connection with the offering or disposition of any lot in subdivided
5 lands;

6 8. Such financial statements of the subdivider as the
7 Administrator may require;

8 9. The topographic and climatic characteristics of the
9 subdivided lands and adjacent area;

10 10. A statement of the existing provisions for access of the
11 subdivision to community fire protection, the location of primary
12 and secondary schools, the proximity to municipalities and the
13 population thereof, the improvements installed or to be installed
14 including off-site and on-site community and recreational
15 facilities, by whom they were or are to be installed, maintained or
16 paid for, and an estimate of completion thereof; and

17 11. Such additional information as may be required by the
18 Administrator including any of the information contained in the
19 application for registration.

20 C. The public offering statement shall not be used for any
21 promotional purpose before registration of the subdivided lands and
22 afterwards it shall be used only in its entirety. It shall be
23 unlawful for any person to advertise or represent that the
24 Administrator has approved or recommended the subdivided lands or a

1 disposition thereof. No portion of the public offering statement
2 may be underscored, italicized, or printed in larger or heavier or
3 different colored type than the remainder of the statement unless
4 required or approved by the Administrator.

5 D. The Administrator may require the subdivider or the
6 subdivider's agent to alter or amend the proposed public offering
7 statement in order to provide full and fair disclosure to
8 prospective purchasers.

9 SECTION 753. AMENDATORY 71 O.S. 2021, Section 631, as
10 amended by Section 6, Chapter 78, O.S.L. 2022 (71 O.S. Supp. 2024,
11 Section 631), is amended to read as follows:

12 Section 631. It is unlawful and shall be deemed a Class D3
13 felony offense for any person to transact business in this state as
14 an agent unless the person has obtained a real estate broker's or
15 real estate sales associate's license from this state, provided that
16 the provisions of this section shall not apply to a person whose
17 dealings relate solely to property exempt under Section 622 of this
18 title or to transactions exempt under Section 623 of this title.

19 SECTION 754. AMENDATORY 71 O.S. 2021, Section 641, is
20 amended to read as follows:

21 Section 641. It is unlawful and deemed a Class D3 felony
22 offense for any subdivider, agent, or affiliate of either, in
23 connection with the offer or disposition in this state of any
24 subdivided land, directly or indirectly, to:

1 1. Employ any device, scheme or artifice to defraud;

2 2. Make any untrue statement of a material fact or omit to
3 state a material fact necessary in order to make the statements
4 made, in light of the circumstances under which they were made, not
5 misleading; or

6 3. Engage in any act, practice or course of business which
7 operates or would operate as a fraud or deceit upon any person.

8 SECTION 755. AMENDATORY 71 O.S. 2021, Section 653, is
9 amended to read as follows:

10 Section 653. A. It is unlawful and deemed a Class D3 felony
11 offense for any person, in connection with the offer or disposition
12 of subdivided land, to publish, circulate or use any advertising
13 concerning the subdivided land which contains:

14 1. Any untrue statement, omission or pictorial representation
15 of a material fact which under the circumstances makes the
16 statement, omission or pictorial representation misleading; or

17 2. Any statement which differs materially from the information
18 contained in a registration application or public offering
19 statement.

20 B. All advertising except advertising relating to subdivided
21 land or transactions exempt pursuant to Sections 622 and 623 shall
22 be filed with the Administrator not later than ten (10) days prior
23 to its use and shall not be used until a copy thereof has been
24 approved for use by the Administrator, except advertising which the

1 Administrator exempts by rule or order. Any advertising filed with
2 the Administrator pursuant to this section shall be accompanied by
3 the filing fee specified in Section 652 of this title.

4 SECTION 756. AMENDATORY 71 O.S. 2021, Section 654, is
5 amended to read as follows:

6 Section 654. It is unlawful and shall be deemed a Class D3
7 felony offense for any person to make or cause to be made, in any
8 document filed under this Code or in any proceeding under this Code,
9 any false or misleading statement in any material respect or, in
10 connection with such statement, to omit to state a material fact
11 necessary in order to make the statements made, in light of the
12 circumstances under which they are made, not misleading.

13 SECTION 757. AMENDATORY 71 O.S. 2021, Section 658, is
14 amended to read as follows:

15 Section 658. A. Any person who willfully violates any
16 provision of this Code ~~except Section 654 of this title~~, or any rule
17 under this Code, or any order of which the person has notice, or who
18 violates Section 654 of this title, knowing or having reasonable
19 cause to believe that the statement made was false or misleading in
20 any material respect, shall be guilty of a Class D3 felony offense
21 and may be fined not more than Twenty-five Thousand Dollars
22 (\$25,000.00), or imprisoned not more than three (3) years as
23 provided for in subsections B through F of Section 20P of Title 21
24 of the Oklahoma Statutes, or both.

1 B. The Administrator may refer such evidence as is available
2 concerning violations of this Code or any rule or order hereunder to
3 the Attorney General or the district attorney of the appropriate
4 district, who may, with or without any reference, institute the
5 appropriate criminal proceedings. The Attorney General or district
6 attorney may designate and appoint one or more lawyers of the
7 Department of Securities as special assistants as available for the
8 purpose of assisting in or conducting all criminal prosecutions
9 arising by reason of proceedings under this section.

10 C. Nothing in this Code limits the power of the state to punish
11 any person for any conduct which constitutes a crime under any other
12 statute.

13 SECTION 758. AMENDATORY 72 O.S. 2021, Section 6-1, is
14 amended to read as follows:

15 Section 6-1. A. Any person who knowingly with intent to
16 impersonate and with intent to deceive, misrepresents himself or
17 herself as a member or veteran of the United States Armed Forces by
18 wearing any decoration or medal authorized by the Congress of the
19 United States for the Armed Forces of the United States, or any of
20 the service medals or badges awarded to the members of such forces,
21 or the ribbon, button, or rosette of any such badge, decoration or
22 medal, or any colorable imitation thereof, except when authorized
23 under regulations as authorized by the applicable federal law, shall
24 be guilty of a misdemeanor and shall be fined One Thousand Dollars

1 (\$1,000.00) or be imprisoned in the county jail for a period of not
2 more than six (6) months or both.

3 B. If a decoration or medal involved in an offense under
4 subsection A of this section is a Congressional Medal of Honor, the
5 offender shall upon conviction be guilty of a Class D3 felony
6 offense and fined an amount not to exceed Five Thousand Dollars
7 (\$5,000.00), or be imprisoned in the county jail for a period of not
8 more than one (1) year as provided for in subsections B through F of
9 Section 20P of Title 21 of the Oklahoma Statutes, or both.

10 C. If a person presents any falsified or altered document as
11 proof of service or authorization for decoration or medal, such
12 person shall be guilty of a Class D3 felony offense and fined an
13 amount not to exceed Five Thousand Dollars (\$5,000.00), or be
14 imprisoned in the county jail for a period of not more than one (1)
15 year as provided for in subsections B through F of Section 20P of
16 Title 21 of the Oklahoma Statutes.

17 SECTION 759. AMENDATORY 74 O.S. 2021, Section 217, is
18 amended to read as follows:

19 Section 217. If by reason of sickness, absence or other cause,
20 the State Auditor and Inspector is temporarily unable to perform the
21 duties of the office, the Deputy State Auditor and Inspector shall
22 perform the duties of the office of State Auditor and Inspector
23 until such disability ceases, whenever the same will not be
24 inconsistent with the Constitution.

1 The State Auditor and Inspector shall be reimbursed actual and
2 necessary travel expenses when traveling on official state business
3 as provided by the State Travel Reimbursement Act.

4 If the State Auditor and Inspector, or any deputy, or employee,
5 shall at any time, directly or indirectly, receive compensation for
6 service, or neglect of service, other than that provided for in this
7 article, such person shall be guilty of a Class D3 felony offense
8 and shall be punished by imprisonment as provided for in subsections
9 B through F of Section 20P of Title 21 of the Oklahoma Statutes.

10 The making of a false report knowingly by the State Auditor and
11 Inspector, or any assistant or deputy, authorized by this article,
12 of the financial condition of any office or institution required or
13 authorized to be examined by this article shall, upon conviction, be
14 a Class D3 felony, and any offense and shall be punished by
15 imprisonment as provided for in subsections B through F of Section
16 20P of Title 21 of the Oklahoma Statutes. Any failure to perform
17 the duties required of them to be performed by this article shall
18 constitute a misdemeanor.

19 SECTION 760. AMENDATORY 82 O.S. 2021, Section 674, is
20 amended to read as follows:

21 Section 674. The making of profit, directly or indirectly, by
22 any officer of any district organized under this act, or by any
23 public officer within the state, out of any contracts entered into
24 by the district, or by use of any contracts entered into by the

1 district, or by use of any money belonging to a district by lending
2 it or otherwise using it, or by depositing the same in any manner,
3 contrary to law, or by removal of any money by any such officer or
4 by his consent and placing elsewhere than is prescribed either by
5 law or by the official acts of the board of directors for the
6 purpose of profit, or any person who shall misrepresent any material
7 fact concerning the proposed project to any property owner when
8 procuring signatures to a petition to inaugurate such project, shall
9 constitute a Class D3 felony offense, and on conviction thereof
10 shall subject such officer to imprisonment ~~in the State Penitentiary~~
11 ~~for a term not exceeding two (2) years~~ as provided for in
12 subsections B through F of Section 20P of Title 21 of the Oklahoma
13 Statutes, or a fine not exceeding Five Thousand Dollars (\$5,000.00),
14 or both such fine and imprisonment, and the officer offending shall
15 be liable personally and upon his official bond for all losses to
16 such district and for all profits realized by such unlawful use of
17 monies.

18 SECTION 761. AMENDATORY 85A O.S. 2021, Section 38, is
19 amended to read as follows:

20 Section 38. A. An employer shall secure compensation to
21 employees under this act in one of the following ways:

22 1. By insuring and keeping insured the payment of compensation
23 with any stock corporation, mutual association, or other concerns
24 authorized to transact the business of workers' compensation

1 insurance in this state. When an insurer issues a policy to provide
2 workers' compensation benefits under the provisions of this act, it
3 shall file a notice with the Workers' Compensation Commission
4 containing the name, address, and principal occupation of the
5 employer, the number, effective date, and expiration date of the
6 policy, and such other information as may be required by the
7 Commission. The notice shall be filed by the insurer within thirty
8 (30) days after the effective date of the policy. Any insurer who
9 does not file the notice required by this paragraph shall be subject
10 to a fine by the Commission of not more than One Thousand Dollars
11 (\$1,000.00);

12 2. By obtaining and keeping in force guaranty insurance with
13 any company authorized to do guaranty business in this state. Each
14 company that issues workers' compensation guaranty insurance shall
15 file a copy of the contract with the Commission within thirty (30)
16 days after the effective date of the contract. Any company that
17 does not file a copy of the contract as required by this paragraph
18 shall be subject to a fine by the Commission of not more than One
19 Thousand Dollars (\$1,000.00);

20 3. By furnishing satisfactory proof to the Commission of the
21 employer's financial ability to pay the compensation. The
22 Commission, under rules adopted by the Commission, shall require any
23 employer that has:

24

1 a. less than one hundred employees or less than One
2 Million Dollars (\$1,000,000.00) in net assets to:

3 (1) deposit with the Commission securities, an
4 irrevocable letter of credit or a surety bond
5 payable to the state, in an amount determined by
6 the Commission which shall be at least an average
7 of the yearly claims for the last three (3)
8 years, or

9 (2) provide proof of excess coverage with such terms
10 and conditions as is commensurate with their
11 ability to pay the benefits required by the
12 provisions of this act, and

13 b. one hundred or more employees and One Million Dollars
14 (\$1,000,000.00) or more in net assets to:

15 (1) secure a surety bond payable to the state, or an
16 irrevocable letter of credit, in an amount
17 determined by the Commission which shall be at
18 least an average of the yearly claims for the
19 last three (3) years, or

20 (2) provide proof of excess coverage with terms and
21 conditions that are commensurate with their
22 ability to pay the benefits required by the
23 provisions of this act;

1 4. By forming a group self-insurance association consisting of
2 two or more employers which shall have a common interest and which
3 shall have entered into an agreement to pool their liabilities under
4 the Administrative Workers' Compensation Act. Such agreement shall
5 be subject to rules of the Commission. Any employer, upon
6 application to become a member of a group self-insurance
7 association, shall file with the Commission a notice, in such form
8 as prescribed by the Commission, acknowledging that the employer
9 accepts joint and several liability. Upon approval by the
10 Commission of such application for membership, said member shall be
11 a qualified self-insured employer; or

12 5. By any other security as may be approved by the Commission
13 and the Insurance Department.

14 B. The Commission may waive the requirements of this section in
15 an amount which is commensurate with the ability of the employer to
16 pay the benefits required by the provisions of this act.
17 Irrevocable letters of credit required by this subsection shall
18 contain such terms as may be prescribed by the Commission and shall
19 be issued for the benefit of the state by a financial institution
20 whose deposits are insured by the Federal Deposit Insurance
21 Corporation.

22 C. An employer who does not fulfill the requirements of this
23 section is not relieved of the obligation to pay compensation under
24 this act. The security required under this section, including any

1 interest, shall be maintained by the Commission as provided in this
2 act until each claim for benefits is paid, settled, or lapses under
3 this act, and costs of administration of such claims are paid.

4 D. Failure on the part of any employer to secure the payment of
5 compensation provided in this act shall have the effect of enabling
6 the Commission to assert the rights of an injured employee against
7 the employer.

8 E. Any employer that knowingly provides false information to
9 the Commission for purposes of securing or maintaining a self-
10 insurance permit shall be guilty of a Class D3 felony offense and
11 subject to a maximum fine of Ten Thousand Dollars (\$10,000.00).

12 SECTION 762. This act shall become effective January 1, 2026.

13

14 60-1-13818 GRS 05/21/25

15

16

17

18

19

20

21

22

23

24