

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 4425

6 By: Hilbert

7 COMMITTEE SUBSTITUTE

8 An Act relating to torts; creating the Good Faith  
9 Reporting for Child Protection Act; amending 76 O.S.  
10 2021, Section 31, which relates to immunity from  
11 civil liability for volunteers, charitable  
12 organizations, and not-for-profit corporations;  
13 adding employees of charitable organizations to  
14 immunity; creating immunity for charitable  
15 organizations, volunteers, and employees of  
16 charitable organizations for disclosing sexually  
17 inappropriate conduct with a minor to other  
18 charitable organizations or not-for-profits under  
19 certain conditions; creating a presumption of good  
20 faith if disclosure was made in compliance with a  
21 reporting policy; excluding self-reporting from  
22 immunity protections; defining employee; clarifying  
23 effect of immunity for volunteers; providing  
24 effective date for change; providing for  
noncodification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law not to be  
codified in the Oklahoma Statutes reads as follows:

This act shall be known and may be cited as the "Good Faith  
Reporting for Child Protection Act".

1 SECTION 2. AMENDATORY 76 O.S. 2021, Section 31, is  
2 amended to read as follows:

3 Section 31. A. Any employee of a charitable organization or  
4 volunteer shall be immune from liability in a civil action on the  
5 basis of any act or omission of the employee of a charitable  
6 organization or volunteer resulting in damage or injury if:

7 1. The employee of a charitable organization or volunteer was  
8 acting in good faith and within the scope of the employee's or  
9 volunteer's official functions and duties for a charitable  
10 organization or not-for-profit corporation; and

11 2. The damage or injury was not caused by gross negligence or  
12 willful and wanton misconduct by the employee or volunteer.

13 B. In any civil action against a charitable organization or  
14 not-for-profit corporation for damages based upon the conduct of  
15 employee of a charitable organization or a volunteer, the doctrine  
16 of respondeat superior shall apply, notwithstanding the immunity  
17 granted to the employee or volunteer in subsection A of this  
18 section.

19 C. 1. Any charitable organization, volunteer, or employee of a  
20 charitable organization shall be immune from liability in a civil  
21 action for any act to disclose sexually inappropriate conduct with a  
22 minor by the charitable organization, volunteer, or employee of a  
23 charitable organization resulting in breach of contract, damages, or

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1 injury if the charitable organization, volunteer, or employee of a  
2 charitable organization:

3 a. was acting in good faith in the disclosure of sexually  
4 inappropriate conduct with a minor to another  
5 charitable organization or not-for-profit,

6 b. the person who had sexually inappropriate conduct with  
7 a minor was or is an employee or volunteer of the  
8 disclosing charitable organization,

9 c. the disclosure was made in relation to the person's  
10 current or prospective employment or volunteering with  
11 the disclosed to charitable organization or not-for-  
12 profit, and

13 d. reported the sexually inappropriate conduct with a  
14 minor to a law enforcement agency or the Department of  
15 Human Services within seventy-two (72) hours of  
16 becoming aware of the sexually inappropriate conduct  
17 with a minor.

18 2. A presumption of good faith shall arise if the disclosure  
19 provided for in subparagraph a of paragraph 1 of this subsection was  
20 made in compliance with a reporting policy adopted by the disclosing  
21 charitable organization. The reporting policy shall include, but  
22 not be limited to, defining actions or behaviors constituting  
23 sexually inappropriate conduct with a minor.

1        3. The immunity provided for in this subsection shall not apply  
2 to an individual disclosing his or her own conduct that constitutes  
3 sexually inappropriate conduct with a minor.

4        D. Any person who, in good faith and without compensation, or  
5 expectation of compensation, donates or loans emergency service  
6 equipment to a volunteer shall not be liable for damages resulting  
7 from the use of such equipment by the volunteer, except when the  
8 donor of the equipment knew or should have known that the equipment  
9 was dangerous or faulty in a way which could result in bodily  
10 injury, death, or damage to property.

11        ~~D.~~ E. Definitions.

12        1. For the purposes of this section, the term "volunteer" means  
13 a person who enters into a service or undertaking of the person's  
14 free will without compensation or expectation of compensation in  
15 money or other thing of value in order to provide a service, care,  
16 assistance, advice, or other benefit; provided, being legally  
17 entitled to receive compensation for the service or undertaking  
18 performed shall not preclude a person from being considered a  
19 volunteer.

20        2. For the purposes of this section, the term "charitable  
21 organization" means any benevolent, philanthropic, patriotic,  
22 eleemosynary, educational, social, civic, recreational, religious  
23 group or association, or any other person performing or purporting  
24 to perform acts beneficial to the public.

1           3. For the purposes of this section, the term "not-for-profit  
2 corporation" means a corporation formed for a purpose not involving  
3 pecuniary gain to its shareholders or members, paying no dividends  
4 or other pecuniary remuneration, directly or indirectly, to its  
5 shareholders or members as such, and having no capital stock.

6           4. For purposes of this section, the term "employee" means a  
7 person who performs ministerial, supervisory, or staff services for  
8 a charitable organization and is subject to the organization's  
9 governance, direction, or authority in connection with those  
10 services, regardless of tax classification. The term "employee"  
11 does not include an independent contractor or third-party service  
12 provider who retains control over the manner and means of performing  
13 services.

14           ~~E.~~ F. The provisions of this section shall not affect the  
15 liability that any person may have which arises from the operation  
16 of a motor vehicle, watercraft, or aircraft in rendering the  
17 service, care, assistance, advice, or other benefit as a volunteer.  
18 Provided, however, the liability of any person with a current motor  
19 vehicle insurance policy at the required minimum limits who  
20 volunteers to provide transportation shall not exceed the limits of  
21 such insurance policy, except for gross negligence or willful or  
22 wanton conduct committed in providing such transportation. In no  
23 event shall the limitation on liability provided under this

1 subsection apply to a person who does not possess a current motor  
2 vehicle policy when providing transportation.

3 ~~F. The~~

4 G. For a volunteer, the immunity from civil liability provided  
5 for by subsection A of this section shall extend only to the actions  
6 taken by a person rendering the service, care, assistance, advice,  
7 or other benefit as a volunteer, where such actions are agreed upon  
8 in advance by all involved persons to be provided on a volunteer  
9 basis. This section shall not be construed to confer any immunity  
10 to any person for actions taken by the volunteer prior to or after  
11 the rendering of the service, care, assistance, advice, or other  
12 benefit as a volunteer.

13 ~~G. H.~~ This section shall apply to all civil actions filed after  
14 ~~August 25, 1995~~ November 1, 2026.

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

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