



1 reasonably believes a person is experiencing or has experienced a  
2 drug overdose, the first responder shall contact local law  
3 enforcement as soon as practicable after attending to the medical  
4 needs of the person.

5 B. The obligation to contact law enforcement does not require  
6 delay in providing medically necessary emergency care.

7 C. A first responder acting in good faith under this section  
8 shall be immune from civil or criminal liability for contacting law  
9 enforcement.

10 SECTION 2. AMENDATORY 63 O.S. 2021, Section 2-401, as  
11 last amended by Section 13, Chapter 486, O.S.L. 2025 (63 O.S. Supp.  
12 2025, Section 2-401), is amended to read as follows:

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

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

22 2. To create, distribute, transport with intent to distribute  
23 or dispense, or possess with intent to distribute, a counterfeit  
24 controlled dangerous substance; or

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

5           B. Any person who violates the provisions of this section with  
6 respect to:

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

23           2. Any other controlled dangerous substance classified in  
24 Schedule III, IV, V or marijuana, upon conviction, shall be guilty

1 of a Class D1 felony offense and shall be sentenced to a term of  
2 imprisonment as provided for in subsections B through F of Section  
3 20N of Title 21 of the Oklahoma Statutes and a fine not more than  
4 Twenty Thousand Dollars (\$20,000.00), which shall be in addition to  
5 other punishment provided by law and shall not be imposed in lieu of  
6 other punishment. A second conviction for the violation of the  
7 provisions of this paragraph is a Class D1 felony offense punishable  
8 by a term of imprisonment as provided for in subsections B through F  
9 of Section 20N of Title 21 of the Oklahoma Statutes. A third or  
10 subsequent conviction for the violation of the provisions of this  
11 paragraph is a Class D1 felony offense punishable by a term of  
12 imprisonment as provided for in subsections B through F of Section  
13 20M of Title 21 of the Oklahoma Statutes; or

14 3. An imitation controlled substance as defined by Section 2-  
15 101 of this title, upon conviction, shall be guilty of a misdemeanor  
16 and shall be sentenced to a term of imprisonment in the county jail  
17 for a period not more than one (1) year and a fine not more than One  
18 Thousand Dollars (\$1,000.00). A person convicted of a second  
19 violation of the provisions of this paragraph shall be guilty of a  
20 Class D2 felony offense and shall be sentenced to a term of  
21 imprisonment as provided for in subsections B through F of Section  
22 200 of Title 21 of the Oklahoma Statutes, and a fine not more than  
23 Five Thousand Dollars (\$5,000.00), which shall be in addition to  
24

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

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

7 2. Any person convicted of violating the provisions of  
8 paragraph 1 of this subsection with respect to distributing a  
9 controlled substance is guilty of a Class C2 felony offense and  
10 shall be punished by imprisonment as provided for in subsections B  
11 through F of Section 20M of Title 21 of the Oklahoma Statutes, and a  
12 fine not more than Twenty-five Thousand Dollars (\$25,000.00), which  
13 shall be in addition to other punishment provided by law and shall  
14 not be imposed in lieu of other punishment.

15 3. A second conviction for the violation of the provisions of  
16 paragraph 1 of this subsection with respect to distributing a  
17 controlled substance is a Class C2 felony offense punishable by  
18 imprisonment as provided for in subsections B through F of Section  
19 20M of Title 21 of the Oklahoma Statutes. A third or subsequent  
20 conviction for the violation of the provisions of this paragraph is  
21 a Class C2 felony offense punishable by imprisonment as provided for  
22 in subsections B through F of Section 20M of Title 21 of the  
23 Oklahoma Statutes.

24

1           4. Any person convicted of violating the provisions of  
2 paragraph 1 of this subsection with respect to manufacturing a  
3 controlled substance is guilty of a Class C2 felony offense and  
4 shall be punished by imprisonment as provided for in subsections B  
5 through F of Section 20M of Title 21 of the Oklahoma Statutes, and a  
6 fine not more than Twenty-five Thousand Dollars (\$25,000.00), which  
7 shall be in addition to other punishment provided by law and shall  
8 not be imposed in lieu of other punishment.

9           5. A second conviction for the violation of the provisions of  
10 paragraph 1 of this subsection with respect to manufacturing a  
11 controlled substance is a Class C2 felony offense punishable by  
12 imprisonment as provided for in subsections B through F of Section  
13 20M of Title 21 of the Oklahoma Statutes. A third or subsequent  
14 conviction for the violation of the provisions of this paragraph is  
15 a Class C2 felony offense punishable by imprisonment as provided for  
16 in subsections B through F of Section 20M of Title 21 of the  
17 Oklahoma Statutes.

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

22           E. Any person who is at least eighteen (18) years of age and  
23 who violates the provisions of this section by using or soliciting  
24 the use of services of a person less than eighteen (18) years of age

1 to distribute, dispense, transport with intent to distribute or  
2 dispense or cultivate a controlled dangerous substance or by  
3 distributing a controlled dangerous substance to a person under  
4 eighteen (18) years of age, or in the presence of a person under  
5 twelve (12) years of age, is guilty of a Class C1 felony offense  
6 punishable by:

7 1. For a first violation of this subsection, a term of  
8 imprisonment in the custody of the Department of Corrections not  
9 less than two (2) years nor more than ten (10) years;

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

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

16 F. Any person who violates any provision of this section by  
17 transporting with intent to distribute or dispense, distributing or  
18 possessing with intent to distribute a controlled dangerous  
19 substance to a person, or violation of subsection G of this section,  
20 in or on, or within two thousand (2,000) feet of the real property  
21 comprising a public or private elementary or secondary school,  
22 public vocational school, public or private college or university,  
23 or other institution of higher education, recreation center or  
24 public park, including a state park or recreation area, public

1 housing project, or child care facility as defined by Section 402 of  
2 Title 10 of the Oklahoma Statutes, shall be guilty of a Class C1  
3 felony offense and shall be punished by:

4 1. For a first offense, a term of imprisonment as provided for  
5 in subsections B through E of Section 20L of Title 21 of the  
6 Oklahoma Statutes; or

7 2. For a second or subsequent violation of this section, a term  
8 of imprisonment as provided for in subsections B through E of  
9 Section 20L of Title 21 of the Oklahoma Statutes, or by the  
10 imposition of a fine, or by both, not exceeding thrice that  
11 authorized by the appropriate provision of this section.

12 Convictions for second and subsequent violations of the provisions  
13 of this section shall not be subject to statutory provisions of  
14 suspended sentences, deferred sentences or 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-phenylethyl)-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. In any investigation or prosecution involving a fatal  
23 overdose, the presence of fentanyl, a fentanyl analogue, or any  
24 mixture or substance containing a detectable amount of fentanyl in

1 the decedent's blood, tissue, or post-mortem toxicology shall  
2 constitute rebuttable prima facie evidence that fentanyl was the  
3 proximate cause of death.

4 I. Any person convicted of any offense described in the Uniform  
5 Controlled Dangerous Substances Act may, in addition to the fine  
6 imposed, be assessed an amount not to exceed ten percent (10%) of  
7 the fine imposed. Such assessment shall be paid into a revolving  
8 fund for enforcement of controlled dangerous substances created  
9 pursuant to Section 2-506 of this title.

10 ~~J.~~ J. Any person convicted of any offense described in this  
11 section shall, in addition to any fine imposed, pay a special  
12 assessment trauma-care fee of One Hundred Dollars (\$100.00) to be  
13 deposited into the Trauma Care Assistance Revolving Fund created in  
14 Section 1-2530.9 of this title.

15 ~~K.~~ K. For purposes of this section, "public housing project"  
16 means any dwelling or accommodations operated as a state or  
17 federally subsidized multifamily housing project by any housing  
18 authority, nonprofit corporation or municipal developer or housing  
19 projects created pursuant to the Oklahoma Housing Authorities Act.

20 ~~L.~~ L. When a person is found guilty of a violation of the  
21 provisions of this section, the court shall order, in addition to  
22 any other penalty, the defendant to pay a one-hundred-dollar  
23 assessment to be deposited in the Drug Abuse Education and Treatment  
24

1 Revolving Fund created in Section 2-503.2 of this title, upon  
2 collection.

3 ~~H.~~ M. Any person convicted of a second or subsequent felony  
4 violation of the provisions of this section, except for paragraphs 1  
5 and 2 of subsection B of this section, paragraphs 2, 3, 4 and 5 of  
6 subsection C of this section, paragraphs 1, 2, and 3 of subsection E  
7 of this section and paragraphs 1 and 2 of subsection F of this  
8 section, shall be punished as a habitual offender pursuant to  
9 Section 51.1 of Title 21 of the Oklahoma Statutes.

10 SECTION 3. This act shall become effective November 1, 2026.  
11

12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY AND PUBLIC SAFETY  
13 OVERSIGHT, dated 02/26/2026 - DO PASS, As Coauthored.  
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