

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 4104

By: Ford

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6 AS INTRODUCED

7 An Act relating to loitering; amending 21 O.S. 2021,
8 Section 1171, as amended by Section 403, Chapter 486,
9 O.S.L. 2025 (21 O.S. Supp. 2025, Section 1171), which
10 relates to penalties for loitering; requiring
11 convicted persons to register as sex offenders;
12 amending 57 O.S. 2021, Sections 582, as amended by
13 Section 14, Chapter 151, O.S.L. 2024, and 583 (57
14 O.S. Supp. 2025, Section 582), which relates to the
15 Sex Offenders Registration Act; adding statutory
16 reference to list of registerable offenses; providing
17 for removal from registry requirements; excluding
18 certain persons; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1171, as
amended by Section 403, Chapter 486, O.S.L. 2025 (21 O.S. Supp.
2025, Section 1171), is amended to read as follows:

Section 1171. A. Every person who hides, waits or otherwise
loiters in the vicinity of any private dwelling house, apartment
building, any other place of residence, or in the vicinity of any
locker room, dressing room, restroom or any other place where a
person has a right to a reasonable expectation of privacy, with the

1 unlawful and willful intent to watch, gaze, or look upon any person
2 in a clandestine manner, shall, upon conviction, be guilty of a
3 misdemeanor. The violator shall be punished by imprisonment in the
4 county jail for a term of not more than one (1) year, or by a fine
5 not to exceed Five Thousand Dollars (\$5,000.00), or by both such
6 fine and imprisonment.

7 B. Every person who uses photographic, electronic or video
8 equipment in a clandestine manner for any illegal, illegitimate,
9 prurient, lewd or lascivious purpose with the unlawful and willful
10 intent to view, watch, gaze or look upon any person without the
11 knowledge and consent of such person when the person viewed is in a
12 place where there is a right to a reasonable expectation of privacy,
13 or who publishes or distributes any image obtained from such act,
14 shall, upon conviction, be guilty of a Class D1 felony offense. The
15 violator shall be punished by imprisonment as provided for in
16 subsections B through F of Section 20N of this title, or by a fine
17 not exceeding Five Thousand Dollars (\$5,000.00), or by both such
18 fine and imprisonment.

19 C. Every person who uses photographic, electronic or video
20 equipment in a clandestine manner for any illegal, illegitimate,
21 prurient, lewd or lascivious purpose with the unlawful and willful
22 intent to view, watch, gaze or look upon any person and capture an
23 image of a private area of a person without the knowledge and
24 consent of such person and knowingly does so under circumstances in

1 which a reasonable person would believe that the private area of the
2 person would not be visible to the public, regardless of whether the
3 person is in a public or private place shall, upon conviction, be
4 guilty of a misdemeanor. The violator shall be punished by
5 imprisonment in the county jail for a term of not more than one (1)
6 year, or by a fine not exceeding Five Thousand Dollars (\$5,000.00),
7 or by both such fine and imprisonment.

8 D. Any person convicted of violating the provisions of this
9 section shall be required to register as a sex offender under the
10 Sex Offenders Registration Act.

11 E. As used in this section, the phrase "private area of the
12 person" means the naked or undergarment-clad genitals, pubic area,
13 buttocks, or any portion of the areola of the female breast of that
14 individual.

15 SECTION 2. AMENDATORY 57 O.S. 2021, Section 582, as
16 amended by Section 14, Chapter 151, O.S.L. 2024 (57 O.S. Supp. 2025,
17 Section 582), is amended to read as follows:

18 Section 582. A. The provisions of the Sex Offenders
19 Registration Act shall apply to any person residing, working or
20 attending school within the State of Oklahoma who, after November 1,
21 1989, has been convicted, whether upon a verdict or plea of guilty
22 or upon a plea of nolo contendere, or received a suspended sentence
23 or any probationary term, or is currently serving a sentence or any
24 form of probation or parole for a crime or an attempt to commit a

1 crime provided for in Section 843.5 of Title 21 of the Oklahoma
2 Statutes if the offense involved sexual abuse or sexual exploitation
3 as those terms are defined in Section 1-1-105 of Title 10A of the
4 Oklahoma Statutes, Section 681, if the offense involved sexual
5 assault, 741, if the offense involved sexual abuse or sexual
6 exploitation, Section 748, if the offense involved human trafficking
7 for commercial sex, Section 843.1, if the offense involved sexual
8 abuse or sexual exploitation, Section 852.1, if the offense involved
9 sexual abuse of a child, 856, if the offense involved child sex
10 trafficking or human trafficking for commercial sex, 865 et seq.,
11 885, 886, 888, 891, if the offense involved sexual abuse or sexual
12 exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense
13 involved child sex trafficking, 1040.8, if the offense involved
14 child pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1,
15 1114 ~~or~~, 1123, or 1171 of Title 21 of the Oklahoma Statutes.

16 B. The provisions of the Sex Offenders Registration Act shall
17 apply to any person who after November 1, 1989, resides, works or
18 attends school within the State of Oklahoma and who has been
19 convicted or received a suspended sentence at any time in any court
20 of another state, the District of Columbia, Puerto Rico, Guam,
21 American Samoa, the Northern Mariana Islands and the United States
22 Virgin Islands, a federal court, an Indian tribal court, a military
23 court, or a court of a foreign country for a crime, attempted crime
24 or a conspiracy to commit a crime which, if committed or attempted

1 in this state, would be a crime, an attempt to commit a crime or a
2 conspiracy to commit a crime provided for in any of the laws listed
3 in subsection A of this section.

4 C. The provisions of the Sex Offenders Registration Act shall
5 apply to any person who resides, works or attends school within the
6 State of Oklahoma and who has received a deferred judgment at any
7 time in any court of another state, the District of Columbia, Puerto
8 Rico, Guam, American Samoa, the Northern Mariana Islands and the
9 United States Virgin Islands, a federal court, an Indian tribal
10 court, a military court, or a court of a foreign country for a
11 crime, attempted crime or a conspiracy to commit a crime which, if
12 committed or attempted or conspired to be committed in this state,
13 would be a crime, an attempt to commit a crime or a conspiracy to
14 commit a crime provided for in Section 843.5 of Title 21 of the
15 Oklahoma Statutes if the offense involved sexual abuse or sexual
16 exploitation as those terms are defined in Section 1-1-105 of Title
17 10A of the Oklahoma Statutes, Section 681, if the offense involved
18 sexual assault, 741, if the offense involved sexual abuse or sexual
19 exploitation, Section 748, if the offense involved human trafficking
20 for commercial sex, Section 843.1, if the offense involved sexual
21 abuse or sexual exploitation, Section 852.1, if the offense involved
22 sexual abuse of a child, 856, if the offense involved child sex
23 trafficking or human trafficking for commercial sex, 865 et seq.,
24 885, 886, 888, 891, if the offense involved sexual abuse or sexual

1 exploitation, 1021, 1021.2, 1021.3, 1024.2, 1029, if the offense
2 involved child sex trafficking, 1040.8, if the offense involved
3 child pornography, 1040.12a, 1040.13, 1040.13a, 1087, 1088, 1111.1,
4 1114 ~~or~~, 1123, or 1171 of Title 21 of the Oklahoma Statutes. The
5 provisions of the Sex Offenders Registration Act shall not apply to
6 any such person while the person is incarcerated in a maximum or
7 medium correctional institution of the Department of Corrections.

8 D. On November 1, 2002, any person registered as a sex offender
9 pursuant to Section 741 of Title 21 of the Oklahoma Statutes shall
10 be summarily removed from the Sex Offender Registry by the
11 Department of Corrections and all law enforcement agencies of any
12 political subdivision of this state, unless the offense involved
13 sexual abuse or sexual exploitation.

14 E. The provisions of the Sex Offenders Registration Act shall
15 not apply to any such person who has received a criminal history
16 records expungement for a conviction in another state for a crime or
17 attempted crime which, if committed or attempted in this state,
18 would be a crime or an attempt to commit a crime provided for in any
19 laws listed in subsection A of this section.

20 F. The provisions of the Sex Offenders Registration Act shall
21 apply to any person residing, working or attending school within
22 this state who, after the effective date of this act, has been
23 convicted, whether upon a verdict or plea of guilty or upon a plea
24 of nolo contendere, or received a suspended sentence or any

1 probationary term, or is currently serving a sentence or any form of
2 probation or parole for a crime or an attempt to commit a crime as
3 provided for in subsection G of Section 1040.13b of Title 21 of the
4 Oklahoma Statutes.

5 G. The provisions of the Sex Offenders Registration Act shall
6 apply to any person who resides, works or attends school within this
7 state and who has received a deferred judgment at any time in any
8 court of another state, the District of Columbia, Puerto Rico, Guam,
9 American Samoa, the Northern Mariana Islands and the United States
10 Virgin Islands, a federal court, an Indian tribal court, a military
11 court, or a court of a foreign country for a crime, if committed in
12 this state, would be a crime, as provided for in subsection F of
13 Section 1040.13b of Title 21 of the Oklahoma Statutes. The
14 provisions of the Sex Offenders Registration Act shall not apply to
15 any such person while the person is incarcerated in a maximum or
16 medium correctional institution of the Department of Corrections.

17 SECTION 3. AMENDATORY 57 O.S. 2021, Section 583, is
18 amended to read as follows:

19 Section 583. A. Any person who becomes subject to the
20 provisions of the Sex Offenders Registration Act on or after
21 November 1, 1989, shall register, in person, as follows:

22 1. With the Department of Corrections within three (3) business
23 days of being convicted or receiving a suspended sentence or any
24 probationary term, including a deferred sentence imposed in

1 violation of subsection G of Section 991c of Title 22 of the
2 Oklahoma Statutes, if the person is not incarcerated, or not less
3 than three (3) business days prior to the release of the person from
4 a correctional institution, except as provided in subsection B of
5 this section;

6 2. With the local law enforcement authority having jurisdiction
7 in the area where the person resides or intends to reside for seven
8 (7) consecutive days or fourteen (14) days in a sixty-day period, or
9 longer, calculated beginning with the first day. The registration
10 is required within three (3) days after entering the jurisdiction of
11 the law enforcement authority; and

12 3. With the Department of Corrections and the local law
13 enforcement authority no less than three (3) business days prior to
14 abandoning or moving from the address of the previous registration,
15 or within three (3) business days of changing or terminating
16 employment, or changing enrollment status as a student.

17 For purposes of this section, "local law enforcement authority"
18 means:

- 19 a. the municipal police department, if the person resides
20 or intends to reside or stay within the jurisdiction
21 of any municipality of this state, or
- 22 b. the county sheriff, if the person resides or intends
23 to reside or stay at any place outside the

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1 jurisdiction of any municipality within this state,
2 and

3 c. the police or security department of any institution
4 of higher learning within this state if the person:

5 (1) enrolls as a full-time or part-time student,

6 (2) is a full-time or part-time employee at an
7 institution of higher learning, or

8 (3) resides or intends to reside or stay on any
9 property owned or controlled by the institution
10 of higher learning.

11 B. Any person who has been convicted of an offense or received
12 a deferred judgment for an offense in another jurisdiction, which
13 offense if committed or attempted in this state, would have been
14 punishable as one or more of the offenses listed in Section 582 of
15 this title and who enters this state on or after November 1, 1989,
16 shall register, in person, as follows:

17 1. With the Department of Corrections when the person enters
18 and intends to be in the state for any purpose for five (5)
19 consecutive days or longer, calculated beginning with the first day,
20 has any type of full-time or part-time employment, with or without
21 compensation for more than five (5) cumulative days in any sixty-day
22 period, or is enrolled as a full-time or part-time student within
23 this state. Such registration is required within two (2) days after
24 entering the state;

1 2. With the local law enforcement authority having jurisdiction
2 in the area where the person intends to reside or to stay for five
3 (5) consecutive days or longer, calculated beginning with the first
4 day, has any type of full-time or part-time employment, with or
5 without compensation for more than five (5) cumulative days in any
6 sixty-day period, or is enrolled as a full-time or part-time student
7 within this state. The registration is required with local law
8 enforcement within two (2) days after entering the jurisdiction of
9 the law enforcement authority; and

10 3. With the Department of Corrections and the local law
11 enforcement authority no less than three (3) business days prior to
12 abandoning or moving from the address of the previous registration,
13 or within three (3) business days of changing or terminating
14 employment, or changing enrollment status as a student.

15 Upon registering a person who has been convicted of an offense
16 or received a deferred judgment for an offense in another
17 jurisdiction, which offense, if committed or attempted in this
18 state, would have been punishable as one or more of the offenses
19 listed in Section 582 of this title, the local law enforcement
20 authority shall forward the registration information to the sex
21 offender level assignment committee of the Department of
22 Corrections.

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1 C. When a person has been convicted or received probation
2 within the State of Oklahoma, the person shall be required to
3 register with the Department of Corrections as follows:

4 1. For a total period of fifteen (15) years, if the level
5 assignment of the person is one;

6 2. For a total period of twenty-five (25) years, if the level
7 assignment of the person is two; and

8 3. For life, if the level assignment of the person is three or
9 the person is classified as a habitual or aggravated sex offender.

10 The registration period shall begin from the date of the completion
11 of the sentence, and shall not conclude until the offender has been
12 in compliance for the total amount of time required by this act.

13 For level one and level two offenders, if the offender ceases to
14 properly register during the fifteen-year or twenty-five-year
15 periods, the Department of Corrections shall retain the name of the
16 offender on the registry until the offender has fully complied with
17 the requirements of this act for the total period of time required.

18 The Department of Corrections shall maintain records necessary to
19 determine whether the offender has registered for the total period
20 of time required. The information received pursuant to the
21 registration with the Department of Corrections required by this
22 section shall be maintained by the Department of Corrections for at
23 least ten (10) years from the date that the offender completed the
24 obligations under this act.

1 D. When a person has been convicted or received probation
2 within the State of Oklahoma, the person shall be required to
3 register with the local law enforcement authority as follows:

4 1. For a total period of fifteen (15) years, if the level of
5 the person is one;

6 2. For a total period of twenty-five (25) years, if the level
7 of the person is two; and

8 3. For life, if the level of the person is three or the person
9 has been classified as a habitual or aggravated sex offender.

10 The registration period shall begin from the date of completion of
11 the sentence and shall not conclude until the offender has been in
12 compliance for the total amount of time required by this act. The
13 information received pursuant to the registration with the local law
14 enforcement authority required by this section shall be maintained
15 by such authority for at least ten (10) years from the date that the
16 offender completed the obligations under this act.

17 E. 1. Any person assigned a level of one who has been
18 registered for a period of ten (10) years and who has not been
19 arrested or convicted for any felony or misdemeanor offense since
20 being released from confinement, may petition the district court in
21 the jurisdiction where the person resides for the purpose of
22 removing the level designation and allowing the person to no longer
23 be subject to the registration requirements of the Sex Offenders
24 Registration Act.

1 2. Any person who:

2 a. has been convicted of violating the provisions of
3 Section 1171 of Title 21 of the Oklahoma Statutes,

4 b. has been assigned a level designation of one,

5 c. has been registered for a period of five (5) years,

6 and

7 d. has not been arrested or convicted for any felony or

8 misdemeanor offense and no felony or misdemeanor

9 charges are pending,

10 shall be authorized to petition the district court in the

11 jurisdiction where the person resides for the purpose of removing

12 the level designation and allowing the person to no longer be

13 subject to the registration requirements of the Sex Offenders

14 Registration Act. Any person who has been twice convicted of

15 violating the provisions of Section 1171 of Title 21 of the Oklahoma

16 Statutes shall not be authorized to petition the court for relief

17 under the provisions of this paragraph or under paragraph 1 of this

18 subsection.

19 F. When registering an offender as provided in this section the
20 Department of Corrections or the local law enforcement agency having
21 jurisdiction shall:

22 1. Inform the offender of the duty to register and obtain the
23 information required for registration as described in this section;

1 2. Inform the offender that if the offender changes address,
2 the offender shall appear in person and give notice of the move and
3 the new address to the Department of Corrections and to the local
4 law enforcement authority in the location in which the offender
5 previously resided no later than three (3) days before the offender
6 establishes residence or is temporarily domiciled at the new
7 address;

8 3. Inform the offender that if the offender changes address to
9 another state, the offender shall appear in person and give notice
10 of the move and shall register the new address with the Department
11 of Corrections and with a designated law enforcement agency in the
12 new state not later than ten (10) days before the offender
13 establishes residency or is temporarily domiciled in the new state,
14 if the new state has a registration requirement;

15 4. Inform the offender that if the offender participates in any
16 full-time employment, with or without compensation, and changes or
17 terminates such employment, the offender shall appear in person and
18 give notice of the change or termination of employment to the
19 Department of Corrections and to the local law enforcement authority
20 in the location where the offender was employed within three (3)
21 days of such change or termination of employment;

22 5. Inform the offender that if the offender participates in any
23 full-time or part-time employment, in another state, with or without
24 compensation for more than fourteen (14) cumulative days in any

1 sixty-day period or an aggregate period exceeding thirty (30) days
2 in a calendar year, then the offender has a duty to register as a
3 sex offender in that state;

4 6. Inform the offender that if the offender enrolls in any type
5 of school in another state as a full-time or part-time student then
6 the offender has a duty to register as a sex offender in that state;

7 7. Inform the offender that if the offender enrolls in any
8 school within this state as a full-time or part-time student, then
9 the offender has a duty to register as a sex offender with the
10 Department of Corrections and the local law enforcement authority;

11 8. Inform the offender that if the offender participates in any
12 full-time or part-time employment at any school, with or without
13 compensation, or participates in any vocational course or occupation
14 at any school in this state, then the offender has a duty to appear
15 in person and notify the Department of Corrections and the local law
16 enforcement authority of such employment or participation at least
17 three (3) days before commencing or upon terminating such employment
18 or participation;

19 9. Inform the offender that if the offender graduates,
20 transfers, drops, terminates or otherwise changes enrollment or
21 employment at any school in this state, then the offender shall
22 appear in person and notify the Department of Corrections and the
23 local law enforcement authority of such change in enrollment or
24 employment within three (3) days of the change; and

1 10. Require the offender to read and sign a form stating that
2 the duty of the person to register under the Sex Offenders
3 Registration Act has been explained.

4 G. For the purpose of this section, the "date of the completion
5 of the sentence" means the day an offender completes all
6 incarceration, probation and parole pertaining to the sentence.

7 H. Any person who resides in another state and who has been
8 convicted of an offense or received a deferred judgment for an
9 offense in this state, or in another jurisdiction, which offense if
10 committed or attempted in this state would have been punishable as
11 one or more of the offenses listed in Section 582 of this title, and
12 who is the spouse of a person living in this state shall be
13 registered as follows:

14 1. With the Department of Corrections when the person enters
15 and intends to be in the state for any purpose for five (5)
16 consecutive days or longer, calculated beginning with the first day
17 or an aggregate period of five (5) days or longer in a calendar
18 year. Such registration is required within two (2) days after
19 entering the state; and

20 2. With the local law enforcement authority having jurisdiction
21 in the area where the person intends to reside or to stay within
22 this state for two (2) consecutive days or longer, calculated
23 beginning with the first day. The registration is required with
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1 local law enforcement within two (2) days after entering the
2 jurisdiction of the law enforcement authority.

3 I. The duty to register as a sex offender in this state shall
4 not be prevented if, at the time of registration, it is determined
5 that the person owns or leases a residence that is located within a
6 restricted area provided for in Section 590 of this title.

7 SECTION 4. This act shall become effective November 1, 2026.

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