

BILL SUMMARY
2nd Session of the 60th Legislature

Bill No.:	HB 3581
Version:	Introduced
Request Number:	14737
Author:	Rep. Lepak
Date:	2/20/2026
Impact:	DOC: \$18,054-\$69,054 Total Cost

Research Analysis

The Policy committee substitute to HB 3581 provides that the commission of assault and battery in the course of a riot is to be a Class B3 felony punishable by a term of no less than 2 years nor more than ten years imprisonment. Aggravated assault and battery in the course of a riot is to be a Class B1 felony punishable by a term of not less than 2 years nor more than 20 years imprisonment. The willful damage or vandalization of a governmental building during the course of a riot is to be a Class B3 felony punishable by not less than 2 years nor more than 10 years in prison. The wearing of a mask, hood, covering, or disguise for the purpose of concealing identity in the course of a riot is to be a Class D3 felony punishable by up to 2 years in prison, a fine of not less than \$100 nor more than \$2,500 or both fine and imprisonment. The punishment for the obstruction of a public street or highway is to be a Class D3 felony punishable by up to 2 years in prison, a fine of not less than \$100 nor more than \$5,000 or both fine and imprisonment. The measure adds felony offenses where the person has been charged with participating in a riot as an offense for which bail may be denied. The measure modifies the list of instances in which the state or political subdivision is not liable for a loss or claim that results from a riot unless the loss or claim results from instances where the state or political subdivision was aware of the dangerous condition and failed to take action.

Prepared By: Brad Wolgamott

Fiscal Analysis

Per Department of Corrections, subject matter experts reviewed this legislation and identified 17 inmates currently incarcerated for Riot, with an average sentence length of approximately 6.46 years. The proposed legislation establishes new offense definitions and enhanced penalty ranges; however, DOC does not have data indicating whether these individuals would have met the new statutory criteria, as they were convicted prior to enactment. To illustrate potential impact, a scenario-based analysis was conducted using available marginal cost data. If all 17 inmates were subject to the enhanced penalties under the minimum additional incarceration period, the estimated fiscal impact would be approximately \$18,054. If all 17 inmates were subject to the maximum additional incarceration period, the estimated fiscal impact would be approximately \$69,054. These estimates represent potential ranges only and are not predictive of actual application.

Prepared By: Zach Lein, House Fiscal Staff

Other Considerations

None.

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