

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3764

By: Turner

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6 AS INTRODUCED

7 An Act relating to crimes and punishments; creating
8 the Foreign Terrorist Organization Felony Enhancement
9 Act; defining term; providing for enhancement of
10 felony sentences under certain circumstances; making
11 enhanced punishment applicable to mandatory minimum
12 sentences; prohibiting the suspension or deferral of
13 sentences; directing courts to make certain
determination; allowing courts to take judicial
notice of certain designations; providing burden of
proof requirements; deeming association, membership,
or knowing support of certain organizations as an
aggravating factor; providing for codification; and
declaring an emergency.

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

18 SECTION 1. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 1269 of Title 21, unless there
20 is created a duplication in numbering, reads as follows:

21 This act shall be known and may be cited as the "Foreign
22 Terrorist Organization Felony Enhancement Act".

1 SECTION 2. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 1269.1 of Title 21, unless there
3 is created a duplication in numbering, reads as follows:

4 As used in the Foreign Terrorist Organization Felony Enhancement
5 Act, the term "designated foreign terrorist organization" means any
6 organization designated by the United States Department of State,
7 pursuant to Section 219 of the Immigration and Nationality Act,
8 Section 1189 of Title 8 of the United States Code.

9 SECTION 3. NEW LAW A new section of law to be codified

10 in the Oklahoma Statutes as Section 1269.2 of Title 21, unless there
11 is created a duplication in numbering, reads as follows:

12 A. If a person is convicted of a felony offense under the laws
13 of this state, and it is proven beyond a reasonable doubt that, at
14 the time the felony offense was committed, the person was a member
15 of, acting on behalf of, or knowingly supporting a designated
16 foreign terrorist organization, the sentence shall be enhanced as
17 follows:

18 1. The term of imprisonment imposed shall be not less than
19 twice the maximum sentence that could have been imposed for a first
20 conviction for the underlying felony offense; and

21 2. Any fine imposed shall be not less than twice the maximum
22 fine that could have been imposed for a first conviction for the
23 underlying felony offense.

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1 B. The enhanced term of imprisonment and fine provided for in
2 subsection A of this section shall apply in addition to, and not in
3 place of, any mandatory minimum sentence applicable to the
4 underlying offense.

5 C. The enhanced term of imprisonment provided for in subsection
6 A of this section shall not be subject to statutory provisions for
7 suspension or deferral of the sentence.

8 SECTION 4. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 1269.3 of Title 21, unless there
10 is created a duplication in numbering, reads as follows:

11 Before a penalty enhancement may be imposed under the provisions
12 of the Foreign Terrorist Organization Felony Enhancement Act, the
13 court shall determine that:

14 1. The organization with which the defendant is alleged to be
15 affiliated was, at the time the criminal offense was committed,
16 designated as a Foreign Terrorist Organization by the United States
17 Secretary of State pursuant to Section 219 of the Immigration and
18 Nationality Act, Section 1189 of Title 8 of the United States Code;
19 and

20 2. Such designation was active and in full force and effect at
21 the time of the offense.

22 The court may take judicial notice of the designation as
23 published in the Federal Register or as maintained by the United
24 States Department of State.

1 SECTION 5. NEW LAW A new section of law to be codified

2 in the Oklahoma Statutes as Section 1269.4 of Title 21, unless there
3 is created a duplication in numbering, reads as follows:

4 A. To apply the penalty enhancement under the Foreign Terrorist
5 Organization Felony Enhancement Act, the state shall prove beyond a
6 reasonable doubt that the defendant:

7 1. Committed the underlying felony offense; and

8 2. At the time of the offense:

9 a. was a member of,

10 b. was acting at the direction of,

11 c. knowingly provided material support to, or

12 d. knowingly associated with in furtherance of the

13 objectives of,

14 a designated foreign terrorist organization.

15 B. The trier of fact shall make a specific finding on the

16 record regarding the affiliation of the defendant with a designated
17 foreign terrorist organization.

18 C. Association with, membership in, or knowing support of a

19 designated foreign terrorist organization at the time a criminal
20 offense is committed shall be deemed an aggravating factor for

21 purposes of:

22 1. Determining eligibility for bail and the appropriateness of

23 conditions of release;

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1 2. Determining the length and severity of any sentence imposed
2 within statutory limits;
3 3. Determining whether probation may be granted;
4 4. Determining eligibility for parole or early release; and
5 5. Determining eligibility for sentence modification or
6 commutation.

7 Aggravating factors shall be considered in addition to any other
8 statutory aggravating circumstance under state law.

9 SECTION 6. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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