

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3890

By: Cantrell

6 AS INTRODUCED

7 An Act relating to crimes and punishments; amending
8 21 O.S. 2021, Section 152, which relates to persons
9 liable to punishment; modifying list of exceptions;
10 and providing an effective date.

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

12 SECTION 1. AMENDATORY 21 O.S. 2021, Section 152, is
13 amended to read as follows:

14 Section 152. All persons are capable of committing crimes,
15 except those belonging to the following classes:

16 1. Children under the age of seven (7) years;

17 2. Children over the age of seven (7) years, but under the age
18 of fourteen (14) years, in the absence of proof that at the time of
19 committing the act or neglect charged against them, they knew its
20 wrongfulness;

21 3. Persons who are impaired by reason of an intellectual
22 disability upon proof that at the time of committing the act charged
23 against them they were incapable of knowing its wrongfulness;

1 4. Mentally ill persons, and all persons of unsound mind,
2 ~~including persons temporarily or partially deprived of reason,~~ upon
3 proof that at the time of committing the act charged against them
4 they were incapable of knowing its wrongfulness;

5 5. Persons who committed the act, or made the omission charged,
6 under an ignorance or mistake of fact which disproves any criminal
7 intent. But ignorance of the law does not excuse from punishment
8 for its violation;

9 6. Persons who committed the act charged without being
10 conscious thereof; and

11 7. Persons who committed the act, or make the omission charged,
12 while under involuntary subjection to the power of superiors.

13 SECTION 2. This act shall become effective November 1, 2026.

15 60-2-14209 GRS 01/11/26