

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3974

By: Caldwell (Trey)

4
5
6 AS INTRODUCED

7 An Act relating to the Governmental Tort Claims Act;
8 amending 51 O.S. 2021, Section 153.1, which relates
9 to actions associated with the housing of inmates;
10 limiting actions to specific incarcerating entity;
11 and providing an effective date.

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

13 SECTION 1. AMENDATORY 51 O.S. 2021, Section 153.1, is
14 amended to read as follows:

15 Section 153.1. A. Nothing in the Governmental Tort Claims Act
16 shall be construed as allowing an action or recovery against this
17 state, against any city, town or county that is the sole beneficiary
18 of a public trust, or against any employee of this state or any
19 city, town or county of this state due to the housing of federal
20 inmates or inmates from another state in facilities owned or
21 operated by private prison contractors. If a public trust that has
22 as its sole beneficiary a city, town or county has a facility that
23 houses federal inmates or inmates from another state, the immunity
24

1 provided for in the Governmental Tort Claims Act shall not apply to
2 that trust.

3 B. In an instance of a shared inmate housing facility by any
4 combination of the state, cities, or counties, any otherwise
5 allowable action or recovery by or on behalf of an inmate, shall be
6 limited to the specific state, city, or county responsible for
7 placing the inmate in such shared inmate housing facility.

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

9

10 60-2-14186 JM 01/09/26

11

12

13

14

15

16

17

18

19

20

21

22

23

24