

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4109

By: Ford

AS INTRODUCED

An Act relating to crimes and punishments; directing certain persons to report wound, injuries, illnesses, and burns to law enforcement; providing guidelines for making reports; stating time limits for making reports; providing for the submission of videos with reports; directing persons who rendered treatment to certain crime victims to submit reports to law enforcement; providing procedures for preserving potential evidence; prohibiting relief from reporting requirements; providing immunity from civil liability; providing for the confidentiality of reports; authorizing two or more persons to jointly submit reports; providing guidelines for joint reporting; prohibiting the interference with submitting reports; providing for damages, costs, and attorney fees for discriminatory or retaliatory actions against employees; making certain acts unlawful; providing penalties; providing exceptions to reporting requirements; directing keepers of certain property to report damaged motor vehicles to law enforcement; making certain acts unlawful; providing penalties; providing for codification; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 540E of Title 21, unless there is created a duplication in numbering, reads as follows:

1 A. Any pharmacist, physician, nurse, medical provider, midwife,
2 dentist, veterinarian, paramedical personnel, or provider of first
3 aid or emergency medical services, or any employee of a hospital,
4 clinic, nursing home, psychiatric hospital, or person associated
5 with any other medical institution or office where patients
6 regularly receive care, who tends or treats, or any person who is
7 requested to examine, tend or treat, at any location, any individual
8 suffering from a wound, injury, or illness and who has reason to
9 believe or ought to know that said wound, injury, or illness:

10 1. Was caused by or appears to arise from a bullet wound, a
11 gunshot wound, a powder burn, or any other injury arising from the
12 discharge of a firearm; or

13 2. Was caused by or appears to arise from a knife, an ice pick,
14 or any other sharp or pointed instrument or deadly weapon believed
15 to have been intentionally inflicted upon a person; or

16 3. Was caused by or appears to arise from poisoning; or

17 4. Was caused by or appears to arise from an incendiary or
18 explosive device or is a burn injury or wound if the victim has
19 sustained:

20 a. second-degree or third-degree burns to five percent
21 (5%) or more of the body,

22 b. burns to the upper respiratory tract,

23 c. laryngeal edema from inhaling superheated air, or
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1 d. a burn injury or wound that may result in the death of
2 the victim.

3 Subsequent to receiving a report under the provisions of this
4 paragraph, the law enforcement agency shall notify the relevant fire
5 marshal for the jurisdiction; or

6 5. Is a wound, injury or illness that would seriously maim,
7 produce death, or render the injured person unconscious, and was
8 caused by the use of violence or was sustained in a suspicious or
9 unusual manner or in the commission of a crime, shall report the
10 same immediately to the municipal police department of the
11 municipality in which such treatment is administered or the request
12 for such treatment is received, or if the facility is located
13 outside the limits of the municipality, then the report shall be
14 made to the county sheriff. The report shall contain the name,
15 address, race, sex, current whereabouts, and age of the patient, and
16 shall state the nature and extent of the injury, wound, illness, or
17 burn, any other information which might be helpful in establishing
18 the cause of the injury, wound, illness, or burn and the identity of
19 the person who caused the injury, wound, illness, or burn, if known,
20 and any facts that might assist in the investigation of the alleged
21 crime including, but not limited to, providing any video maintained
22 by the reporting facility where the patient is depicted even if such
23 video includes depictions of other patients. Such reports shall be
24 made immediately by telephone. Video and any other physical record

1 shall be provided within seventy-two (72) hours of a request by law
2 enforcement investigating the report. A facility providing video
3 under the provisions of this section may blur the images of any
4 individuals who are not the patient about whom a report is made and
5 who are not individuals associated with or assisting the patient
6 about whom a report is made.

7 B. 1. A person who has rendered treatment or assistance to a
8 victim for a crime pursuant to the provisions of Section 58 of Title
9 22 of the Oklahoma Statutes shall report injuries, wounds, or
10 illnesses which fall within paragraphs 1 through 4 of this
11 subsection even if the criminal offenses listed within Section 58 of
12 Title 22 of the Oklahoma Statutes are not reported to law
13 enforcement.

14 2. A person who has rendered treatment or assistance for a
15 crime, the reporting of which is addressed in Section 40.3A of Title
16 22 of the Oklahoma Statutes, shall report injuries, wounds, or
17 illnesses which fall within subsection A of this section even if the
18 criminal offenses listed in Section 40.3A of Title 22 of the
19 Oklahoma statutes are not reported to law enforcement.

20 C. A person who renders treatment for any reportable injury,
21 wound, illness, or burn shall ensure that any bullet, foreign
22 object, clothing showing damage potentially related to the
23 reportable injury, wound, illness, or burn, or any other item which
24 may be potential evidence related to the report which is removed

1 from any such patient, shall be identified as coming from such
2 patient and kept in a manner that preserves the integrity of the
3 item, until an employee of such entity surrenders the item to the
4 law enforcement agency to whom the report is made.

5 D. No privilege or contract shall relieve any person from the
6 requirement of reporting pursuant to the provisions of this section
7 or prevent any person from testifying regarding information acquired
8 from a patient treated for a reportable injury, wound, illness, or
9 burn if such testimony is otherwise admissible. Any provision of
10 law or rule of evidence relating to confidentiality of such
11 treatment is abrogated for and does not apply to communications and
12 testimony under the provisions of this section.

13 E. Any person making a report as required by the provisions of
14 this section shall be immune from civil liability for the making of
15 said report and shall have immunity with respect to any good-faith
16 participation in any judicial proceeding or any other proceeding
17 resulting from the report of the injury, wound, illness, or burn.

18 F. Any report of an injury, wound, illness, or burn required to
19 be reported by the provisions of this section shall not become a
20 public record. In reports required by the provisions of this
21 section, law enforcement shall keep confidential and redact any
22 information identifying the reporter unless otherwise ordered by a
23 court. Other employees of a facility with knowledge of a report
24 required by the provisions of this section shall not disclose

1 information identifying the reporter unless otherwise ordered by the
2 court or as part of an investigation by law enforcement.

3 G. The reporting obligations under the provisions of this
4 section are individual except that when two (2) or more persons who
5 are required to report are present and jointly have knowledge of a
6 known or suspected injury, wound, illness, or burn that is required
7 to be reported pursuant to the provisions of this section, and when
8 there is an agreement among these persons to report as a team, the
9 team may select by mutual agreement a member of the team to make a
10 report by telephone and a single written report, as required by the
11 provisions of subsection A of this section. The written report
12 shall be signed by the selected member of the reporting team. Any
13 member who has knowledge that the member designated to report has
14 failed to do so shall thereafter make the report.

15 H. No employer, supervisor, administrator, governing body, or
16 entity shall interfere with the reporting obligations of any
17 employee or other person or in any manner discriminate or retaliate
18 against an employee or other person who in good faith files a report
19 under the provisions of this section. Any employer, supervisor,
20 administrator, governing body, or entity who discharges,
21 discriminates, or retaliates against an employee or other person for
22 making a report or providing information or testimony for
23 proceedings related to a reportable injury, wound, illness, or burn
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1 under the provisions of this section shall be liable for damages,
2 costs and attorney fees.

3 I. 1. Any person who knowingly and willfully fails to file a
4 report under the provisions of this section or who interferes with
5 prompt reporting required by the provisions of this section shall,
6 upon conviction, be guilty of a misdemeanor punishable by a fine of
7 not more than Five Hundred Dollars (\$500.00), or by imprisonment in
8 the county jail for a term not exceeding six (6) months, or by both
9 such fine and imprisonment.

10 2. Any person who knowingly and willfully makes a report under
11 the provisions of this section when the person knows the report
12 lacks factual foundation shall, upon conviction, be guilty of a
13 misdemeanor punishable by a fine of not more than Five Hundred
14 Dollars (\$500.00), or by imprisonment in the county jail for a term
15 not to exceed six (6) months, or by both such fine and imprisonment.

16 J. The provisions of this section shall not apply to such
17 wounds, injuries, burns, or illnesses received by any member of the
18 Armed Forces of the United States or of the State of Oklahoma while
19 engaged in the actual performance of duty.

20 K. The provisions of this section do not affect any requirement
21 that a person shall report child abuse or neglect pursuant to the
22 provisions of Section 1-2-101 of Title 10A of the Oklahoma Statutes
23 except that when making a report of child abuse or child neglect
24 pursuant to Section 1-2-101 of Title 10A of the Oklahoma Statute,

1 the reporting facility is required to provide any video maintained
2 by the reporting facility where the child is depicted even if such
3 video includes depictions of other persons. Such video and any other
4 physical record is to be provided within seventy-two (72) hours of a
5 request by law enforcement investigating the report.

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 540F of Title 21, unless there
8 is created a duplication in numbering, reads as follows:

9 A. The keeper of a garage, parking lot, or other place where
10 motor vehicles of any kind are stored, left for repair, or for any
11 other purpose, or any employee of any such person, who knows or
12 becomes aware of the fact that any motor vehicle so stored or left
13 has upon it, or in it, bullet marks, gunshot marks, blood stains, or
14 marks or evidence of any crime, shall immediately report said
15 information to the municipal law enforcement agency, the sheriff of
16 the county, or a state trooper of the Oklahoma Highway Patrol.

17 B. Whoever fails to report said information as required by
18 subsection A of this section shall, upon conviction, be guilty of a
19 misdemeanor punishable by a fine of not more than Five Hundred
20 Dollars (\$500.00), or by imprisonment in the county jail for a term
21 not to exceed six (6) months, or by both such fine and imprisonment.

22 SECTION 3. This act shall become effective November 1, 2026.
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24 60-2-15470 GRS 01/06/26