

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

HOUSE BILL 4142

By: Manger

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2021, Sections 1767.1, as amended by Section 459, Chapter 486, O.S.L. 2025 and 1767.3 (21 O.S. Supp. 2024, Section 1767.1), which relate to the unlawful use of bombs or explosive devices and related definitions; modifying elements of certain crimes; updating certain defined term; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1767.1, as amended by Section 459, Chapter 486, O.S.L. 2025 (21 O.S. Supp. 2024, Section 1767.1), is amended to read as follows:

Section 1767.1. A. Any person who shall willfully or maliciously commit any of the following acts shall be deemed guilty of a Class D1 felony offense:

1. Place or conspire to place in, upon, under, against or near to any building, car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure, any explosive or incendiary device ~~with unlawful intent~~ to destroy,

1 throw down, or injure, in whole or in part, such property, or  
2 conspire, aid, counsel or procure the destruction of any building,  
3 public or private, or any car, truck, aircraft, motor or other  
4 vehicle, vessel, railroad, railway car, or locomotive or structure;  
5 or

6 2. Place or conspire to place in, upon, under, against or near  
7 to any building, car, truck, aircraft, motor or other vehicle,  
8 vessel, railroad, railway car, or locomotive or structure, any  
9 explosive or incendiary device ~~with intent~~ to destroy, throw down,  
10 or injure in whole or in part, under circumstances that, ~~if such~~  
11 ~~intent were accomplished,~~ human life or safety would be endangered  
12 thereby; or

13 3. By the explosion of any explosive or the igniting of any  
14 incendiary device destroy, throw down, or injure any property of  
15 another person, or cause injury to another person; or

16 4. Manufacture, sell, transport, or possess any explosive, the  
17 component parts of an explosive, an incendiary device, or simulated  
18 bomb with knowledge ~~or intent~~ that it or they will be used to  
19 unlawfully kill, injure or intimidate any person, or unlawfully  
20 damage any real or personal property; or

21 5. Place or conspire to place in, upon, under, against or near  
22 to any building, car, truck, aircraft, motor or other vehicle,  
23 vessel, railroad, railway car, or locomotive or structure, any foul,  
24 poisonous, offensive or injurious substance or compound, explosive,

1 incendiary device, or simulated bomb ~~with intent~~ to wrongfully  
2 injure, molest or coerce another person or to injure or damage the  
3 property of another person; or

4 6. Injure, damage or attempt to damage by an explosive or  
5 incendiary device any person, persons, or property, whether real or  
6 personal; or

7 7. Make any threat or convey information known to be false,  
8 concerning an attempt or alleged attempt to kill, injure or  
9 intimidate any person or unlawfully damage any real or personal  
10 property by means of an explosive, incendiary device, or simulated  
11 bomb; or

12 8. Manufacture, sell, deliver, mail or send an explosive,  
13 incendiary device, or simulated bomb to another person; or

14 9. While committing or attempting to commit any felony,  
15 possess, display, or threaten to use any explosive, incendiary  
16 device, or simulated bomb.

17 B. Nothing contained herein shall be construed to apply to, or  
18 repeal any laws pertaining to, the acts of mischief of juveniles  
19 involving no injurious firecrackers or devices commonly called  
20 "stink bombs".

21 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1767.3, is  
22 amended to read as follows:

23 Section 1767.3. As used in Section 1767.1 of this title:  
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1        1. "Explosive" or "explosives" means any chemical compound,  
2 mixture or device, the primary or common purpose of which is to  
3 function by explosion or which, although not its primary or common  
4 purpose, has been modified, manipulated, altered, enhanced, or  
5 otherwise caused to function by explosion (that is, with substantial  
6 instantaneous release of gas, heat, debris, or concussive pressure  
7 or force, or any combination of such actions), unless such compound,  
8 mixture or device is otherwise specifically classified by the United  
9 States Department of Transportation. The term "explosive" or  
10 "explosives" shall include, but not be limited to, gunpowder,  
11 dynamite, any bomb, all materials as defined in paragraphs 1 and 2  
12 of Section 121.1 of Title 63 of the Oklahoma Statutes, and all  
13 material which is classified as explosives by the United States  
14 Department of Transportation;

15        2. "Person" means any individual or individuals, firm,  
16 copartnership, corporation, company, association, joint stock  
17 association, and includes any trustee, receiver, assignee or  
18 personal representative thereof;

19        3. "Incendiary device" means any chemical compound, mixture or  
20 device, the primary purpose of which is to ignite on impact or as a  
21 result of chemical reaction such as a "Molotov cocktail" or  
22 "firebomb" which is ignited on impact, causing a mechanical reaction  
23 of the ~~container's~~ breaking of the container and permitting the  
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1 inflammable matter to spread or splatter, and is ignited from the  
2 burning wick or hypergolic reaction of chemicals;

3 4. "Component parts" means separate parts which if assembled  
4 would form an explosive device. Component parts of an "incendiary  
5 device" shall consist of an inflammable material, a breakable  
6 container and a source of ignition; and

7 5. "Simulated bomb" means any device or object that by its  
8 design, construction, content, or characteristics appears to be, or  
9 to contain, an incendiary device, explosive, or explosives, as  
10 defined in this section, but is, in fact, an inoperative facsimile  
11 or imitation of such a device or explosive.

12 SECTION 3. This act shall become effective November 1, 2026.

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14 60-2-14700 GRS 12/16/25  
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