

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 1973

By: Murdock

AS INTRODUCED

An Act relating to the Oklahoma Crime Victims Compensation Act; amending 21 O.S. 2021, Section 142.3, which relates to definitions; modifying definition of allowable expense; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 142.3, is amended to read as follows:

Section 142.3. As used in the Oklahoma Crime Victims Compensation Act, Section 142.1 et seq. of this title:

1. "Allowable expense" means:

- a. charges incurred for needed products, services and accommodations, including, but not limited to, medical care, wage loss, rehabilitation, rehabilitative occupational training and other remedial treatment and care,
- b. any reasonable expenses related to the funeral, cremation or burial,

- c. reasonable costs for counseling family members of a homicide victim,
- d. reasonable costs associated with homicide crime scene cleanup, ~~and~~
- e. reasonable cost of vehicle impound fees associated with the collection and security of crime scene evidence, and
- f. educational expenses which may include, but not be limited to, tuition and fees at a private school in this state, tuition for a career and technology program at a technology center school district in this state, tuition and fees for courses at a public or private institution of higher education in this state, and cost of academic tutoring services provided by an individual or a private academic tutoring facility in this state;

2. "Board" means the Crime Victims Compensation Board created by Section 142.4 of this title;

3. "Claimant" means any of the following persons applying for compensation under the Crime Victims Compensation Act:

- a. a victim,
- b. a dependent of a victim who has died because of criminally injurious conduct, or

1 c. a person authorized to act on behalf of any of the
2 persons enumerated in subparagraphs a and b of this
3 paragraph;

4 4. "Collateral source" means a source of benefits or advantages
5 for economic loss for which the claimant would otherwise be eligible
6 to receive compensation under this act, and which the claimant has
7 received, or which is readily available to the claimant, from any
8 one or more of the following:

- 9 a. the offender,
10 b. the government of the United States or any agency
11 thereof, in the form of benefits, such as social
12 security, Medicare and Medicaid, a state or any of its
13 political subdivisions or an instrumentality or two or
14 more states, unless the law providing for the benefits
15 or advantages makes them excessive or secondary to
16 benefits under this act,
17 c. state-required temporary nonoccupational disability
18 insurance,
19 d. workers' compensation,
20 e. wage continuation programs of any employer,
21 f. a contract providing prepaid hospital and other health
22 care services or benefits for disability,
23 g. a contract providing prepaid burial expenses or
24 benefits, or

1 h. proceeds of any contract of insurance payable to the
2 claimant for loss which the victim sustained because
3 of the criminally injurious conduct, except:

4 (1) life insurance proceeds or uninsured motorist
5 proceeds in an amount of Fifty Thousand Dollars
6 (\$50,000.00) or less shall not be considered a
7 collateral source when computing loss of support,
8 and

9 (2) life insurance proceeds and proceeds from
10 personal uninsured motorist coverage of any
11 amount shall not be considered a collateral
12 source for computing burial expenses;

13 5. a. "Criminally injurious conduct" means a misdemeanor or
14 felony which occurs or is attempted in this state, or
15 against a resident of this state in a state that does
16 not have an eligible crime victims compensation
17 program as such term is defined in the federal Victims
18 of Crime Act of 1984, Public Law 98-473, that results
19 in bodily injury, threat of bodily injury or death to
20 a victim which:

21 (1) may be punishable by fine, imprisonment or death,
22 or
23
24
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1 (2) if the act is committed by a child, could result
2 in such child being adjudicated a delinquent
3 child.

4 b. Such term shall not include acts arising out of the
5 negligent maintenance or use of a motor vehicle
6 unless:

7 (1) the vehicle was operated or driven by the
8 offender while under the influence of alcohol,
9 with a blood alcohol level in excess of the legal
10 limit, or while under the influence of any other
11 intoxicating substance,

12 (2) the vehicle was operated or driven by the
13 offender with the intent to injure or kill the
14 victim or in a manner imminently dangerous to
15 another person and evincing a depraved mind,
16 although without any premeditated design to
17 injure or effect the death of any particular
18 person,

19 (3) the offense involved willful, malicious or
20 felonious failure to stop after being involved in
21 a personal injury accident to avoid detection or
22 prosecution, provided the victim of the accident
23 was a pedestrian or was operating a vehicle moved
24

solely by human power or a mobility device at the time of contact, or

(4) the offense involving one or more vehicles results in the death of the victim due to the reckless disregard for the safety of others by the offender. As used in this division, "reckless disregard for the safety of others" is defined as the omission to do something which a reasonably careful person would do, or the lack of the usual and ordinary care and caution in the performance of an act usually and ordinarily exercised by a person under similar circumstances and conditions.

c. "Criminally injurious conduct" shall include an act of terrorism, as defined in Section 2331 of Title 18, United States Code, committed outside the United States;

6. "Dependent" means a natural person wholly or partially dependent upon the victim for care or support, and includes a child of the victim born after the death of the victim where the death occurred as a result of criminally injurious conduct;

7. "Economic loss of a dependent" means loss after death of the victim of contributions of things of economic value to the

1 dependent, not including services which would have been received
2 from the victim if he or she had not suffered the fatal injury;

3 8. "Replacement services loss of dependent" means the loss
4 reasonably incurred by dependents after death of the victim in
5 obtaining ordinary and necessary services in lieu of those the
6 deceased victim would have performed for their benefit had the
7 deceased victim not suffered the fatal injury, less expenses of the
8 dependent avoided by reason of death of the victim and not
9 subtracted in calculating the economic loss of the dependent;

10 9. "Economic loss" means monetary detriment consisting only of
11 allowable expense, work loss, replacement services loss and, if
12 injury causes death, economic loss and replacement services loss of
13 a dependent, but shall not include noneconomic loss;

14 10. "Noneconomic detriment" means pain, suffering,
15 inconvenience, physical impairment and nonpecuniary damage;

16 11. "Replacement services loss" means expenses reasonably
17 incurred in obtaining ordinary and necessary services in lieu of
18 those the victim would have performed, not for income, but for the
19 benefit of self or family, if the victim had not been injured or
20 died;

21 12. "Traffic offense" means violation of a law relating to the
22 operation of vehicles, but shall not mean negligent homicide due to
23 operation of a motor vehicle, reckless driving, tampering with or
24 damaging a motor vehicle, failure of a driver of a motor vehicle

involved in an accident resulting in death or personal injury to stop at the scene of the accident, leaving the scene of an accident resulting in death or personal injury, operating or being in actual physical control of a motor vehicle while intoxicated or impaired due to alcohol or other intoxicating substance, or combination thereof, or operating a motor vehicle with a blood alcohol content in excess of the legal limit;

13. "Work loss for victim" means loss of income from work the victim would have performed if such person had not been injured or died, reduced by any income from substitute work actually performed by the victim or by income the victim would have earned in available appropriate substitute work that the victim was capable of performing but unreasonably failed to undertake, or loss of income from work the victim's caregiver would have performed if the injuries of the victim sustained as a result of the criminally injurious conduct had not created the need for the caregiver to miss work to care for the injured victim; and

14. "Victim" means a person who suffers personal injury or death as a result of criminally injurious conduct and shall include a resident of this state who is injured or killed by an act of terrorism committed outside of the United States.

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

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