

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

SENATE BILL 461

By: Hamilton

AS INTRODUCED

An Act relating to crimes and punishments; amending Sections 8 and 9, Chapter 366, O.S.L. 2024 (21 O.S. Supp. 2024, Sections 20H and 20I), which relate to the Oklahoma Sentencing Modernization Act of 2024; removing certain offenses; amending 22 O.S. 2021, Section 1402, as amended by Section 2, Chapter 310, O.S.L. 2024 (22 O.S. Supp. 2024, Section 1402), which relates to the Oklahoma Racketeer-Influenced and Corrupt Organizations Act; removing certain statutory references; repealing 21 O.S. 2021, Sections 1289.19, 1289.20, 1289.21, 1289.22, 1289.26, and 1290.6, which relate to restricted bullets and body armor; and providing an effective date.

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

SECTION 1. AMENDATORY Section 8, Chapter 366, O.S.L. 2024 (21 O.S. Supp. 2024, Section 20H), is amended to read as follows:

Section 20H. A. Upon the effective date of this act, Class B3 shall include the following criminal offenses:

1. Embezzlement of state property by a public officer of the state or any county, city, town, or member or officer of the

1 Legislature, deputy, or clerk, as provided for in Section 341 of
2 Title 21 of the Oklahoma Statutes;

3 2. Burning, destroying, or injuring any public building, as
4 provided for in Section 349 of Title 21 of the Oklahoma Statutes;

5 3. Resisting or aiding in resisting the execution of process,
6 as provided for in Section 539 of Title 21 of the Oklahoma Statutes;

7 4. Domestic abuse with a prior pattern of physical abuse, as
8 provided for in Section 644.1 of Title 21 of the Oklahoma Statutes;

9 5. Assault, battery, or assault and battery upon an intimate
10 partner or a family or household member with any sharp or dangerous
11 weapon, as provided for in paragraph 1 of subsection D of Section
12 644 of Title 21 of the Oklahoma Statutes;

13 6. Assault and battery against a current or former intimate
14 partner or a family or household member that results in great bodily
15 injury to the victim, as provided for in subsection F of Section 644
16 of Title 21 of the Oklahoma Statutes;

17 7. Second or subsequent conviction for assault and battery by
18 strangulation or attempted strangulation against an intimate partner
19 or a family or household member, as provided for in subsection J of
20 Section 644 of Title 21 of the Oklahoma Statutes;

21 ~~8. Second or subsequent conviction for committing or attempting~~
22 ~~to commit a felony while wearing body armor, as provided for in~~
23 ~~Section 1289.26 of Title 21 of the Oklahoma Statutes;~~

1 ~~9.~~ Riotous assembly for the purpose of resisting the execution
2 of any statute or obstructing any public officer, as provided for in
3 paragraph 2 of Section 1312 of Title 21 of the Oklahoma Statutes;

4 ~~10.~~ 9. Carrying at the time of a riot any firearm or other
5 deadly weapon or being disguised while participating in a riot, as
6 provided for in paragraph 3 of Section 1312 of Title 21 of the
7 Oklahoma Statutes;

8 ~~11.~~ 10. Directing, advising, encouraging, or soliciting other
9 persons to use force or violence while participating in a riot, as
10 provided for in paragraph 4 of Section 1312 of Title 21 of the
11 Oklahoma Statutes;

12 ~~12.~~ 11. Arson with the intent to injure or defraud the insurer,
13 as provided for in subsection B of Section 1403 of Title 21 of the
14 Oklahoma Statutes;

15 ~~13.~~ 12. Forgery in the first degree, as provided for in Section
16 1561 of Title 21 of the Oklahoma Statutes;

17 ~~14.~~ 13. Forgery of stock certificates or securities, as
18 provided for in Section 1562 of Title 21 of the Oklahoma Statutes;

19 ~~15.~~ 14. Fraudulently uttering one's signature on any instrument
20 as that of another with the same name, as provided for in Section
21 1622 of Title 21 of the Oklahoma Statutes;

22 ~~16.~~ 15. Fraudulently uttering one's endorsement on any
23 negotiable instrument as that of another with the same name, as
24 provided for in Section 1623 of Title 21 of the Oklahoma Statutes;

1 ~~17.~~ 16. Total or partial erasure or obliteration of any
2 instrument or writing with intent to defraud, as provided for in
3 Section 1624 of Title 21 of the Oklahoma Statutes;

4 ~~18.~~ 17. Signing fictitious name as an officer or agent of a
5 corporation, as provided for in Section 1626 of Title 21 of the
6 Oklahoma Statutes;

7 ~~19.~~ 18. Procuring, soliciting, selling, or receiving more than
8 ten (10) telephone records by fraudulent, deceptive, or false means,
9 as provided for in paragraph 3 of subsection B of Section 1742.2 of
10 Title 21 of the Oklahoma Statutes;

11 ~~20.~~ 19. Violating the Viatical Settlements Act of 2008, as
12 provided for in paragraph 1 of subsection F of Section 4055.14 of
13 Title 36 of the Oklahoma Statutes;

14 ~~21.~~ 20. Third or subsequent conviction of driving under the
15 influence of alcohol or other intoxicating substance, as provided
16 for in paragraph 4 of subsection C of Section 11-902 of Title 47 of
17 the Oklahoma Statutes;

18 ~~22.~~ 21. Driving under the influence with a blood or breath
19 alcohol concentration of fifteen-hundredths (0.15) or more, as
20 provided for in subsection D of Section 11-902 of Title 47 of the
21 Oklahoma Statutes;

22 ~~23.~~ 22. Injuring, destroying, or attempting to injure or
23 destroy any hazardous liquid transportation system, as provided for
24 in Section 47.6 of Title 52 of the Oklahoma Statutes;

1 ~~24.~~ 23. Bringing into or having in his or her possession in any
2 jail, state penal institution, or other place where prisoners are
3 located, any gun, knife, bomb, other dangerous instrument,
4 controlled dangerous substance, alcoholic beverage, money, or
5 financial documents, as provided for in subsection A of Section 21
6 of Title 57 of the Oklahoma Statutes;

7 ~~25.~~ 24. Purchasing or attempting to purchase, receive, or
8 otherwise acquire any product, mixture, or preparation containing
9 any detectable quantity of base pseudoephedrine or ephedrine after a
10 conviction of manufacturing or attempting to manufacture
11 methamphetamine, as provided for in paragraph 5 of subsection G of
12 Section 2-401 of Title 63 of the Oklahoma Statutes;

13 ~~26.~~ 25. Distributing, other than by dispensing, a Schedule I or
14 Schedule II controlled dangerous substance, in the course of
15 legitimate business, as provided for in paragraph 1 of subsection A
16 of Section 2-406 of Title 63 of the Oklahoma Statutes;

17 ~~27.~~ 26. Using a fictitious, revoked, suspended, or fraudulent
18 registration number in the course of manufacturing or distributing a
19 controlled dangerous substance, as provided for in paragraph 2 of
20 subsection A of Section 2-406 of Title 63 of the Oklahoma Statutes;

21 ~~28.~~ 27. Furnishing false or fraudulent material information in,
22 or omitting any material information from, any application, report,
23 or document required by the Uniform Controlled Dangerous Substances
24

1 Act, as provided for in paragraph 4 of subsection A of Section 2-406
2 of Title 63 of the Oklahoma Statutes;

3 ~~29.~~ 28. Making, distributing, or possessing any punch, die,
4 plate, stone, or other thing designed to print, imprint, or
5 reproduce the trademark, trade name, or other identifying mark, upon
6 any drug, container, or labeling, as provided for in paragraph 5 of
7 subsection A of Section 2-406 of Title 63 of the Oklahoma Statutes;

8 ~~30.~~ 29. Trafficking twenty-five (25) pounds or more of
9 marijuana, as provided for in subparagraph a of paragraph 1 of
10 subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;

11 ~~31.~~ 30. Trafficking twenty-eight (28) grams or more of cocaine,
12 coca leaves, or cocaine base, as provided for in subparagraph a of
13 paragraph 2 of subsection C of Section 2-415 of Title 63 of the
14 Oklahoma Statutes;

15 ~~32.~~ 31. Trafficking three hundred (300) grams or more of
16 cocaine, coca leaves, or cocaine base, as provided for in
17 subparagraph b of paragraph 2 of subsection C of Section 2-415 of
18 Title 63 of the Oklahoma Statutes;

19 ~~33.~~ 32. Trafficking ten (10) grams or more of heroin, as
20 provided for in subparagraph a of paragraph 3 of subsection C of
21 Section 2-415 of Title 63 of the Oklahoma Statutes;

22 ~~34.~~ 33. Trafficking twenty (20) grams or more of amphetamine or
23 methamphetamine, as provided for in subparagraph a of paragraph 4 of
24 subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;

1 ~~35.~~ 34. Trafficking two hundred (200) grams or more of
2 amphetamine or methamphetamine, as provided for in subparagraph b of
3 paragraph 4 of subsection C of Section 2-415 of Title 63 of the
4 Oklahoma Statutes;

5 ~~36.~~ 35. Trafficking one (1) gram or more of lysergic acid
6 diethylamide (LSD), as provided for in subparagraph a of paragraph 5
7 of subsection C of Section 2-415 of Title 63 of the Oklahoma
8 Statutes;

9 ~~37.~~ 36. Trafficking twenty (20) grams or more of phencyclidine
10 (PCP), as provided for in subparagraph a of paragraph 6 of
11 subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;

12 ~~38.~~ 37. Trafficking thirty (30) tablets or ten (10) grams of
13 3,4-Methylenedioxy methamphetamine, as provided for in subparagraph
14 a of paragraph 7 of subsection C of Section 2-415 of Title 63 of the
15 Oklahoma Statutes;

16 ~~39.~~ 38. Aggravated trafficking one hundred (100) tablets or
17 thirty (30) grams of 3,4-Methylenedioxy methamphetamine, as provided
18 for in subparagraph b of paragraph 7 of subsection C of Section 2-
19 415 of Title 63 of the Oklahoma Statutes;

20 ~~40.~~ 39. Trafficking one thousand (1,000) grams or more of
21 morphine, as provided for in paragraph 8 of subsection C of Section
22 2-415 of Title 63 of the Oklahoma Statutes;

1 ~~41.~~ 40. Trafficking four hundred (400) grams or more of
2 oxycodone, as provided for in paragraph 9 of subsection C of Section
3 2-415 of Title 63 of the Oklahoma Statutes;

4 ~~42.~~ 41. Trafficking three thousand seven hundred fifty (3,750)
5 grams or more of hydrocodone, as provided for in paragraph 10 of
6 subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;

7 ~~43.~~ 42. Trafficking five hundred (500) grams or more of
8 benzodiazepine, as provided for in paragraph 11 of subsection C of
9 Section 2-415 of Title 63 of the Oklahoma Statutes;

10 ~~44.~~ 43. Trafficking one (1) gram or more of fentanyl or
11 carfentanyl, as provided for in subparagraph a of paragraph 12 of
12 subsection C of Section 2-415 of Title 63 of the Oklahoma Statutes;

13 ~~45.~~ 44. Employing, hiring, or using an individual under fifteen
14 (15) years of age to unlawfully transport, carry, sell, give away,
15 prepare for sale, or peddle any controlled dangerous substance, as
16 provided for in subsection D of Section 2-419.1 of Title 63 of the
17 Oklahoma Statutes;

18 ~~46.~~ 45. Second or subsequent conviction for violating the
19 Vessel and Motor Chop Shop, Stolen and Altered Property Act, as
20 provided for in subsection J of Section 4253 of Title 63 of the
21 Oklahoma Statutes; and

22 ~~47.~~ 46. Third or subsequent conviction for violating the Vessel
23 and Motor Chop Shop, Stolen and Altered Property Act, as provided
24

1 for in subsection J of Section 4253 of Title 63 of the Oklahoma
2 Statutes.

3 B. Any person convicted of a Class B3 criminal offense set
4 forth in this section shall be punished in accordance with the
5 corresponding penalties provided for in the Oklahoma Statutes.

6 SECTION 2. AMENDATORY Section 9, Chapter 366, O.S.L.
7 2024 (21 O.S. Supp. 2024, Section 20I), is amended to read as
8 follows:

9 Section 20I. A. Upon the effective date of this act, Class B4
10 shall include the following criminal offenses:

11 1. Concealing the birth or death of a child, as provided for in
12 Section 53 of Title 21 of the Oklahoma Statutes;

13 2. Assault, battery, or assault and battery with a sharp or
14 dangerous weapon, as provided for in Section 645 of Title 21 of the
15 Oklahoma Statutes;

16 3. Robbery in the second degree, as provided for in Section 799
17 of Title 21 of the Oklahoma Statutes;

18 4. Neglecting a vulnerable adult, as provided for in subsection
19 B of Section 843.3 of Title 21 of the Oklahoma Statutes;

20 5. Malicious harassment of another person based on that
21 person's race, color, religion, ancestry, national origin, or
22 disability, as provided for in Section 850 of Title 21 of the
23 Oklahoma Statutes;

1 6. Abandonment of a child under ten (10) years of age, as
2 provided for in Section 851 of Title 21 of the Oklahoma Statutes;

3 7. Abandonment of a wife or child under fifteen (15) years of
4 age, as provided for in Section 853 of Title 21 of the Oklahoma
5 Statutes;

6 8. Second or subsequent conviction for causing, aiding,
7 abetting, encouraging, soliciting, or recruiting a minor to
8 participate, join, or associate with a criminal street gang, as
9 provided for in subsection E of Section 856 of Title 21 of the
10 Oklahoma Statutes;

11 9. Incest, as provided for in Section 885 of Title 21 of the
12 Oklahoma Statutes;

13 10. Crime against nature, as provided for in Section 886 of
14 Title 21 of the Oklahoma Statutes;

15 11. Taking or enticing away any child under sixteen (16) years
16 of age with the intent to detain or conceal such child, as provided
17 for in Section 891 of Title 21 of the Oklahoma Statutes;

18 12. Indecent exposure, as provided for in paragraph 1 of
19 subsection A of Section 1021 of Title 21 of the Oklahoma Statutes;

20 13. Procuring, counseling, or assisting another to commit an
21 act of indecent exposure, as provided for in paragraph 2 of
22 subsection A of Section 1021 of Title 21 of the Oklahoma Statutes;

23 14. Preparing, publishing, selling, distributing, downloading
24 on a computer, or exhibiting obscene material or child pornography,

1 as provided for in paragraph 3 of subsection A of Section 1021 of
2 Title 21 of the Oklahoma Statutes;

3 15. Preparing, selling, giving, loaning, distributing, or
4 exhibiting any type of obscene material or child pornography, as
5 provided for in paragraph 4 of subsection A of Section 1021 of Title
6 21 of the Oklahoma Statutes;

7 16. Operating, owning, or maintaining a house of prostitution,
8 soliciting, enticing, or procuring another for prostitution, or
9 transporting or assisting in the transport of another for
10 prostitution purposes, as provided for in Section 1028 of Title 21
11 of the Oklahoma Statutes;

12 17. Engaging in prostitution or soliciting, inducing, enticing,
13 or procuring another to commit an act of prostitution, as provided
14 for in subsection A of Section 1029 of Title 21 of the Oklahoma
15 Statutes;

16 18. Purchasing, selling, or distributing obscene material or
17 child pornography, as provided for in Section 1040.13 of Title 21 of
18 the Oklahoma Statutes;

19 19. Encouraging, offering, or soliciting sexual conduct with a
20 minor by use of technology, as provided for in Section 1040.13a of
21 Title 21 of the Oklahoma Statutes;

22 20. Promoting a pyramid promotional scheme, as provided for in
23 Section 1073 of Title 21 of the Oklahoma Statutes;

1 21. Second or subsequent offense of permitting prostitution in
2 any house, building, room, or premises under the control of such
3 person, as provided for in Section 1086 of Title 21 of the Oklahoma
4 Statutes;

5 22. Offering or offering to secure a child under eighteen (18)
6 years of age for the purpose of prostitution or transporting or
7 assisting in the transport of a child under eighteen (18) years of
8 age to a house, place, building, vehicle, or other conveyance for
9 the purpose of prostitution, as provided for in subsection A of
10 Section 1087 of Title 21 of the Oklahoma Statutes;

11 23. Knowingly permitting the prostitution of a child under
12 eighteen (18) years of age by an owner, proprietor, manager,
13 conductor, or other person in any house, place, building, room, or
14 other premises under the control of such person, as provided for in
15 paragraph 2 of subsection B of Section 1087 of Title 21 of the
16 Oklahoma Statutes;

17 24. Taking a woman against her will to compel her by force or
18 duress to marry another, as provided for in Section 1118 of Title 21
19 of the Oklahoma Statutes;

20 25. Abduction of a child under fifteen (15) years of age for
21 the purpose of marriage, concubinage, or any crime involving moral
22 turpitude, as provided for in Section 1119 of Title 21 of the
23 Oklahoma Statutes;

1 26. Sexual battery, as provided for in subsection B of Section
2 1123 of Title 21 of the Oklahoma Statutes;

3 27. Indecent acts with a human corpse, as provided for in
4 subsection C of Section 1123 of Title 21 of the Oklahoma Statutes;

5 28. Desecration of a human corpse, as provided for in Section
6 1161.1 of Title 21 of the Oklahoma Statutes;

7 29. Stalking within ten (10) years of a prior conviction for
8 stalking, as provided for in subsection D of Section 1173 of Title
9 21 of the Oklahoma Statutes;

10 30. Interfering with, molesting, or assaulting firefighters in
11 the performance of their duties, as provided for in Section 1217 of
12 Title 21 of the Oklahoma Statutes;

13 31. Concealment of hazardous waste, as provided for in Section
14 1230.7 of Title 21 of the Oklahoma Statutes;

15 32. Criminal syndicalism, as provided for in Section 1261 of
16 Title 21 of the Oklahoma Statutes;

17 33. Sabotage, as provided for in Section 1262 of Title 21 of
18 the Oklahoma Statutes;

19 34. Advocating or teaching criminal syndicalism or sabotage, as
20 provided for in Section 1263 of Title 21 of the Oklahoma Statutes;

21 35. Destroying, interfering, hindering, or tampering with real
22 or personal property with intent to hinder, delay, or interfere with
23 preparations for defense or for war, as provided for in Section
24 1265.2 of Title 21 of the Oklahoma Statutes;

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1 36. Make or cause defects with any article or thing with
2 reasonable grounds to believe such article or thing will be used for
3 defense or for war, as provided for in Section 1265.3 of Title 21 of
4 the Oklahoma Statutes;

5 37. Conspiracy to commit crimes provided in the Sabotage
6 Prevention Act, as provided for in Section 1265.5 of Title 21 of the
7 Oklahoma Statutes;

8 38. Terrorism hoax, as provided for in Section 1268.4 of Title
9 21 of the Oklahoma Statutes;

10 39. Engaging in terrorist activity by manufacturing, sending,
11 delivering, or possessing any toxic, noxious, or lethal substances,
12 chemical, biological, or nuclear materials, as provided for in
13 Section 1268.6 of Title 21 of the Oklahoma Statutes;

14 40. Conducting or attempting to conduct financial transactions
15 involving property related to terrorism, as provided for in Section
16 1268.7 of Title 21 of the Oklahoma Statutes;

17 41. Using a money services business or an electronic funds
18 transfer in violation of the Oklahoma Antiterrorism Act, as provided
19 for in Section 1268.8 of Title 21 of the Oklahoma Statutes;

20 42. Possession of a firearm by a convicted felon, as provided
21 for in subsection A of Section 1283 of Title 21 of the Oklahoma
22 Statutes;

23 43. Possession of a firearm by a person serving a term of
24 probation for a felony or who is subject to supervision, probation,

1 parole, or inmate status, as provided for in subsection C of Section
2 1283 of Title 21 of the Oklahoma Statutes;

3 44. Possession of a firearm by a person previously adjudicated
4 as a delinquent child or youthful offender, as provided for in
5 subsection D of Section 1283 of Title 21 of the Oklahoma Statutes;

6 45. Possession of a firearm by a person who is an alien
7 illegally or unlawfully in the United States, as provided for in
8 subsection E of Section 1283 of Title 21 of the Oklahoma Statutes;

9 46. Allowing a convicted felon, adjudicated delinquent, or
10 youthful offender to possess a pistol authorized for use under the
11 Oklahoma Self-Defense Act by a person who has a handgun license, as
12 provided for in subsection F of Section 1283 of Title 21 of the
13 Oklahoma Statutes;

14 47. Use of a firearm or other offensive weapon while committing
15 a felony, as provided for in Section 1287 of Title 21 of the
16 Oklahoma Statutes;

17 48. Pointing a firearm, as provided for in Section 1289.16 of
18 Title 21 of the Oklahoma Statutes;

19 ~~49. Manufacturing, importing, or selling restricted bullets, as~~
20 ~~provided for in Section 1289.20 of Title 21 of the Oklahoma~~
21 ~~Statutes;~~

22 ~~50. Possessing, carrying, or using or attempting to use against~~
23 ~~another person any restricted bullets, as provided for in Section~~
24 ~~1289.21 of Title 21 of the Oklahoma Statutes;~~

1 ~~51. Committing a felony while wearing body armor, as provided~~
2 ~~for in Section 1289.26 of Title 21 of the Oklahoma Statutes;~~

3 ~~52.~~ Carrying a stolen handgun, as provided for in subsection B
4 of Section 1290.21 of Title 21 of the Oklahoma Statutes;

5 ~~53.~~ 50. Incitement to riot, as provided for in Section 1320.2
6 of Title 21 of the Oklahoma Statutes;

7 ~~54.~~ 51. Malicious destruction or damage to real or personal
8 property or malicious injury to another during a state of emergency,
9 as provided for in Section 1321.7 of Title 21 of the Oklahoma
10 Statutes;

11 ~~55.~~ 52. Participating in a riot during a state of emergency, as
12 provided for in subsection A of Section 1321.8 of Title 21 of the
13 Oklahoma Statutes;

14 ~~56.~~ 53. Causing an innocent or irresponsible person to engage
15 in a riot, as provided for in subsection E of Section 1321.8 of
16 Title 21 of the Oklahoma Statutes;

17 ~~57.~~ 54. Possession of explosives by a convicted felon, as
18 provided for in Section 1368 of Title 21 of the Oklahoma Statutes;

19 ~~58.~~ 55. Attempting, conspiring, or endeavoring to perform an
20 act of violence, as provided for in subsection A of Section 1378 of
21 Title 21 of the Oklahoma Statutes;

22 ~~59.~~ 56. Devising a plan, scheme, or program of action to cause
23 serious bodily harm or death of another person, as provided for in
24 subsection C of Section 1378 of Title 21 of the Oklahoma Statutes;

1 ~~60.~~ 57. Endangering any human life including emergency service
2 personnel while committing an act of arson, as provided for in
3 Section 1405 of Title 21 of the Oklahoma Statutes;

4 ~~61.~~ 58. Intimidating, threatening, assaulting, or battering any
5 driver, attendant, guard, or passenger of a bus with intent to seize
6 the bus, as provided for in subsection B of Section 1903 of Title 21
7 of the Oklahoma Statutes;

8 ~~62.~~ 59. Discharging any firearm into or within any bus,
9 terminal, or other transportation facility, as provided for in
10 subsection D of Section 1903 of Title 21 of the Oklahoma Statutes;

11 ~~63.~~ 60. Leaving the scene of a vehicle accident that resulted
12 in the death of a person, as provided for in Section 10-102.1 of
13 Title 47 of the Oklahoma Statutes;

14 ~~64.~~ 61. Second felony conviction of driving under the influence
15 of alcohol or other intoxicating substance, as provided for in
16 paragraph 3 of subsection C of Section 11-902 of Title 47 of the
17 Oklahoma Statutes;

18 ~~65.~~ 62. Causing an accident resulting in the death of another
19 person while operating a vehicle without a valid driver license, as
20 provided for in subsection C of Section 11-905 of Title 47 of the
21 Oklahoma Statutes;

22 ~~66.~~ 63. Throwing or dropping any substance at a moving vehicle,
23 as provided for in subsection A of Section 11-1111 of Title 47 of
24 the Oklahoma Statutes;

1 ~~67.~~ 64. Throwing or dropping any object from a bridge or
2 overpass with intent to damage property or injure a person, as
3 provided for in subsection B of Section 11-1111 of Title 47 of the
4 Oklahoma Statutes;

5 ~~68.~~ 65. Manufacturing, selling, transferring, or furnishing a
6 precursor substance to another with knowledge the recipient will use
7 such substance to unlawfully manufacture a controlled substance, as
8 provided for in subsection C of Section 2-328 of Title 63 of the
9 Oklahoma Statutes;

10 ~~69.~~ 66. Second or subsequent conviction for manufacturing,
11 selling, transferring, furnishing, or receiving a precursor
12 substance, as provided for in subsection D of Section 2-328 of Title
13 63 of the Oklahoma Statutes;

14 ~~70.~~ 67. Purchasing, obtaining, possessing, manufacturing,
15 selling, or transferring a precursor substance without a permit or
16 making a false statement in an application or report, as provided
17 for in subsection E of Section 2-328 of Title 63 of the Oklahoma
18 Statutes;

19 ~~71.~~ 68. Selling, transferring, distributing, or dispensing any
20 product containing ephedrine, pseudoephedrine, or
21 phenylpropanolamine to another with knowledge the purchaser will use
22 such product as a precursor to manufacture methamphetamine or
23 another controlled illegal substance, as provided for in Section 2-
24 333 of Title 63 of the Oklahoma Statutes;

1 ~~72.~~ 69. Cultivating, producing, or knowingly permitting the
2 cultivation or production of any species of plants from which
3 controlled dangerous substances may be derived, as provided for in
4 subsection B of Section 2-509 of Title 63 of the Oklahoma Statutes;

5 ~~73.~~ 70. Manufacturing or attempting to manufacture any
6 controlled dangerous substance by cooking, burning, or extracting
7 and converting marijuana or marijuana oil into hashish, hashish oil,
8 or hashish powder, as provided for in subsection H of Section 2-509
9 of Title 63 of the Oklahoma Statutes;

10 ~~74.~~ 71. Purchasing or possessing any quantity of
11 pseudoephedrine by a person who is subject to the Oklahoma
12 Methamphetamine Offender Registry Act, as provided for in subsection
13 B of Section 2-701 of Title 63 of the Oklahoma Statutes; and

14 ~~75.~~ 72. Using an explosive or blasting agent with the intent to
15 kill, injure, or intimidate a person or unlawfully damage real or
16 personal property, as provided for in subsection B of Section 124.8
17 of Title 63 of the Oklahoma Statutes.

18 B. Any person convicted of a Class B4 criminal offense set
19 forth in this section shall be punished in accordance with the
20 corresponding penalties provided for in the Oklahoma Statutes.

21 SECTION 3. AMENDATORY 22 O.S. 2021, Section 1402, as
22 amended by Section 2, Chapter 310, O.S.L. 2024 (22 O.S. Supp. 2024,
23 Section 1402), is amended to read as follows:

1 Section 1402. As used in the Oklahoma Racketeer-Influenced and
2 Corrupt Organizations Act:

3 1. "Beneficial interest" includes:

4 a. the interest of a person as a beneficiary pursuant to
5 a trust, in which the trustee holds legal title to
6 personal or real property, or

7 b. the interest of a person as a beneficiary pursuant to
8 any other arrangement under which any other person
9 holds legal title to personal or real property for the
10 benefit of such person.

11 The term beneficial interest does not include the interest of a
12 stockholder in a corporation or the interest of a partner in either
13 a general or limited partnership;

14 2. "Enterprise" includes any individual, sole proprietorship,
15 partnership, corporation, trust, governmental entity, or other legal
16 entity, or any union, association, unincorporated association, or
17 group of persons, associated in fact although not a legal entity,
18 involved in any lawful or unlawful project or undertaking or any
19 foreign organization that the United States Secretary of State has
20 designated a foreign terrorist organization pursuant to Title 8
21 U.S.C.A., Section 1189;

22 3. "Innocent party" includes bona fide purchasers and victims;

23 4. "Lien notice" means the notice pursuant to the provisions of
24 Section 1412 of this title;

1 5. "Pattern of racketeering activity" means two or more
2 occasions of conduct:

3 a. that include each of the following:

- 4 (1) constitute racketeering activity,
5 (2) are related to the affairs of the enterprise,
6 (3) are not isolated, and
7 (4) are not so closely related to each other and
8 connected in point of time and place that they
9 constitute a single event, and

10 b. where each of the following is present:

- 11 (1) at least one of the occasions of conduct occurred
12 after November 1, 1988,
13 (2) the last of the occasions of conduct occurred
14 within three (3) years, excluding any period of
15 imprisonment served by any person engaging in the
16 conduct, of a prior occasion of conduct, and
17 (3) for the purposes of Section 1403 of this title
18 each of the occasions of conduct constituted a
19 felony pursuant to the laws of this state;

20 6. "Pecuniary value" means:

21 a. anything of value in the form of money, a negotiable
22 instrument, or a commercial interest, or anything
23 else, the primary significance of which is economic
24 advantage, or

1 b. any other property or service that has a value in
2 excess of One Hundred Dollars (\$100.00);

3 7. "Person" means any individual or entity holding or capable
4 of holding a legal or beneficial interest in property;

5 8. "Personal property" includes any personal property, or any
6 interest in such personal property, or any right, including bank
7 accounts, debts, corporate stocks, patents, or copyrights. Personal
8 property and beneficial interest in personal property shall be
9 deemed to be located where the trustee, the personal property, or
10 the instrument evidencing the right is located;

11 9. "Principal" means a person who engages in conduct
12 constituting a violation of the Oklahoma Racketeer-Influenced and
13 Corrupt Organizations Act or who is legally accountable for the
14 conduct of another who engages in a violation of the Oklahoma
15 Racketeer-Influenced and Corrupt Organizations Act;

16 10. "Racketeering activity" means engaging in, attempting to
17 engage in, conspiring to engage in, or soliciting, coercing, or
18 intimidating another person to engage in any conduct which is
19 chargeable or indictable as constituting a felony violation of one
20 or more of the following provisions of the Oklahoma Statutes,
21 regardless of whether such act is in fact charged or indicted:

22 a. relating to homicide pursuant to the provisions of
23 Section 651, 652, 653, 701.7, 701.8, 701.16, 711, or
24 716 of Title 21 of the Oklahoma Statutes or relating

1 to concealment of homicidal death pursuant to the
2 provisions of Section 543 of Title 21 of the Oklahoma
3 Statutes,

4 b. relating to kidnapping pursuant to the provisions of
5 Section 741, 745, 891, or 1119 of Title 21 of the
6 Oklahoma Statutes,

7 c. relating to sex offenses pursuant to the provisions of
8 Section 886, 888, 1021, 1021.2, 1021.4, 1024.2, 1111,
9 1111.1, 1114, or 1123 of Title 21 of the Oklahoma
10 Statutes,

11 d. relating to bodily harm pursuant to the provisions of
12 Section 645, 650, 650.2, 1289.16, 1302, 1303, or
13 1767.1 of Title 21 of the Oklahoma Statutes,

14 e. relating to theft, where the offense constitutes a
15 felony, pursuant to the provisions of Section 1704,
16 1707, 1708, 1709, 1710, 1711, 1713, 1716, 1719, 1720,
17 1721, 1722, 1723, or 1731 of Title 21 of the Oklahoma
18 Statutes,

19 f. relating to forgery pursuant to the provisions of
20 Section 1561, 1562, 1571, 1572, 1574, 1575, 1577,
21 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586,
22 1587, 1588, 1589, 1590, 1591, or 1593 of Title 21 of
23 the Oklahoma Statutes,

- 1 g. relating to robbery pursuant to the provisions of
2 Section 797, 800, or 801 of Title 21 of the Oklahoma
3 Statutes,
- 4 h. relating to burglary pursuant to the provisions of
5 Section 1431, 1435, or 1437 of Title 21 of the
6 Oklahoma Statutes,
- 7 i. relating to arson pursuant to the provisions of
8 Section 1368, 1401, 1402, 1403, or 1404 of Title 21 of
9 the Oklahoma Statutes,
- 10 j. relating to use or possession of a firearm or other
11 offensive weapon while committing or attempting to
12 commit a felony pursuant to the provisions of Section
13 1287, ~~1289.20~~ or ~~1289.21~~ of Title 21 of the Oklahoma
14 Statutes,
- 15 k. relating to gambling pursuant to the provisions of
16 Section 941, 942, 944, 945, 946, 948, 954, 956, 957,
17 969, 970, 971, 981, 982, 983, 984, 985, 986, 987, or
18 991 of Title 21 of the Oklahoma Statutes,
- 19 l. relating to bribery in contests pursuant to the
20 provisions of Section 399 or 400 of Title 21 of the
21 Oklahoma Statutes,
- 22 m. relating to interference with public officers pursuant
23 to the provisions of Section 434, 436, 437, 438, 439,
24

1 440, 441, 443, 444, 521, 522, 532, 540, 543, 545, or
2 546 of Title 21 of the Oklahoma Statutes,

3 n. relating to interference with judicial procedure
4 pursuant to the provisions of Section 388, 453, 455,
5 456, 491, 496, or 504 of Title 21 of the Oklahoma
6 Statutes,

7 o. relating to official misconduct pursuant to the
8 provisions of Section 380, 381, 382, 383, 384, 385,
9 386, 389, 390, 950, or 976 of Title 21 of the Oklahoma
10 Statutes, or Section 3404 of Title 74 of the Oklahoma
11 Statutes,

12 p. relating to the Uniform Controlled Dangerous
13 Substances Act, where the offense constitutes a
14 felony, pursuant to the provisions of Section 2-101 et
15 seq. of Title 63 of the Oklahoma Statutes,

16 q. relating to automobile theft pursuant to the
17 provisions of Section 4-102, 4-103, 4-107, 4-108, 4-
18 109, or 4-110 of Title 47 of the Oklahoma Statutes,

19 r. relating to embezzlement pursuant to the provisions of
20 Section 1412 of Title 6 of the Oklahoma Statutes,
21 Section 641 of Title 19 of the Oklahoma Statutes,
22 Section 341, 531, or 1451 of Title 21 of the Oklahoma
23 Statutes, Section 5-135 of Title 37A of the Oklahoma
24 Statutes, Section 1025 of Title 64 of the Oklahoma
25

1 Statutes, or Section 1361 of Title 68 of the Oklahoma
2 Statutes,

3 s. relating to extortion, where the offense constitutes a
4 felony, pursuant to the provisions of Section 1304,
5 1481, 1482, 1485, 1486, or 1488 of Title 21 of the
6 Oklahoma Statutes,

7 t. relating to fraud, where the offense constitutes a
8 felony, pursuant to the provisions of Section 208.6,
9 208.7, or 208.8 of Title 3A of the Oklahoma Statutes,
10 Section 753 of Title 15 of the Oklahoma Statutes,
11 Section 552.14a of Title 18 of the Oklahoma Statutes,
12 Section 358, 1411, 1412, 1413, 1414, 1415, 1416, 1503,
13 1521, 1541.1, 1541.2, 1541.3, 1542, 1543, 1544,
14 1550.2, 1550.22, 1550.23, 1550.24, 1550.25, 1550.26,
15 1550.27, 1550.28, 1550.29, 1550.30, 1550.31, 1550.32,
16 1632, 1635, or 1662 of Title 21 of the Oklahoma
17 Statutes, Section 243 of Title 56 of the Oklahoma
18 Statutes, or Section 604 of Title 62 of the Oklahoma
19 Statutes,

20 u. relating to conspiracy, where the offense constitutes
21 a felony, pursuant to the provisions of Section 421,
22 422, or 424 of Title 21 of the Oklahoma Statutes,

23 v. relating to prostitution, pornography, or obscenity
24 pursuant to the provisions of Section 1021, 1040.52,

1 1081, 1085, 1086, 1087, or 1088 of Title 21 of the
2 Oklahoma Statutes,

3 w. relating to the Oklahoma Alcoholic Beverage Control
4 Act, where the offense constitutes a felony, pursuant
5 to the provisions of Section 1-101 et seq. of Title
6 37A of the Oklahoma Statutes,

7 x. relating to the Oklahoma Uniform Securities Act of
8 2004, where the offense constitutes a felony, pursuant
9 to the provisions of Sections 1-101 through 1-701 of
10 Title 71 of the Oklahoma Statutes,

11 y. relating to human trafficking or trafficking in
12 children pursuant to the provisions of Section 748,
13 866, or 867 of Title 21 of the Oklahoma Statutes,

14 z. relating to illegal aliens pursuant to the provisions
15 of Section 446 of Title 21 of the Oklahoma Statutes,

16 aa. relating to organized voter fraud pursuant to the
17 provisions of Section 16-102, 16-102.1, 16-102.2, 16-
18 103, 16-103.1, 16-104, 16-105, 16-106, 16-113, 16-120,
19 or 16-123.1 of Title 26 of the Oklahoma Statutes,

20 bb. relating to terrorism and terrorist activities
21 pursuant to the provisions of the Sabotage Prevention
22 Act or the Oklahoma Antiterrorism Act,

23 cc. relating to the neglect, abuse, or exploitation of
24 elderly persons or disabled adults pursuant to the
25

1 provisions of Sections 843.1 and 843.4 of Title 21 of
2 the Oklahoma Statutes,

3 dd. relating to computer crimes pursuant to the provisions
4 of Sections 1953 and 1958 of Title 21 of the Oklahoma
5 Statutes,

6 ee. relating to unlawful proceeds pursuant to the
7 provisions of Section 2001 of Title 21 of the Oklahoma
8 Statutes,

9 ff. relating to insurance fraud pursuant to the provisions
10 of Section 311.1 of Title 36 of the Oklahoma Statutes,

11 gg. relating to workers' compensation fraud pursuant to
12 the provisions of Section 1663 of Title 21 of the
13 Oklahoma Statutes,

14 hh. relating to unlawful assemblies pursuant to the
15 provisions of Section 1320.3 of Title 21 of the
16 Oklahoma Statutes, or

17 ii. relating to Medicaid fraud pursuant to the provisions
18 of Sections 1005 and 1005.1 of Title 56 of the
19 Oklahoma Statutes.

20 In addition, "racketeering activity" may be proven by proof of
21 engaging in, attempting to engage in, conspiring to engage in, or
22 soliciting, coercing, or intimidating another person to engage in
23 any of the above described conduct within another state, regardless
24 of whether said conduct is chargeable or indictable in that state;

1 11. "Real property" means any real property or any interest in
2 real property, including any lease of, or mortgage upon real
3 property. Real property and beneficial interest in real property
4 shall be deemed to be located where the real property is located;

5 12. "Trustee" includes trustees, a corporate as well as a
6 natural person and a successor or substitute trustee in accordance
7 with the Oklahoma Trust Act; and

8 13. "Unlawful debt" means any money or other thing of value
9 constituting principal or interest of a debt that is unenforceable
10 in the courts of Oklahoma, because the debt was incurred or
11 contracted in violation of a law relating to the business of
12 gambling activity or in violation of federal or state law but does
13 not include any debt owed to a bank, savings and loan association,
14 credit union, or supervised lender licensed by the Oklahoma
15 Administrator of Consumer Credit or to any debt referred or assigned
16 to a debt collection agency, which referral or assignment is
17 accepted in good faith by the debt collection agency as a debt
18 collectible under the Uniform Commercial Code or other laws of this
19 state and enforceable in the courts of this state.

20 SECTION 4. REPEALER 21 O.S. 2021, Sections 1289.19,
21 1289.20, 1289.21, 1289.22, 1289.26, and 1290.6, are hereby repealed.

22 SECTION 5. This act shall become effective January 1, 2026.
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