

STATE OF OKLAHOMA

HOUSE BILL NO. _____

(Number to be assigned upon filing)

By: Billy Wagner

As Introduced

THE OKLAHOMA 3-STRIKE PREDATOR LAW

(The Oklahoma Child Predator Accountability Act)

SECTION 1. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 1129.1 of Title 21, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 1129.1 – Definitions.

As used in Sections 1129.1 through 1129.5 of Title 21 of the Oklahoma Statutes:

“Child” means any person under eighteen (18) years of age.

“Sexual offense against a minor” means any crime listed in the Oklahoma Sex Offenders Registration Act involving a minor, including violations of Sections 1111 through 1123 of Title 21, exploitation offenses under Section 843.5 of Title 21, and any offense involving sexual contact, solicitation, exploitation, pornography, trafficking, or abuse of a minor.

“Strike” means any conviction for a sexual offense against a minor occurring after the effective date of this act.

“Predator” means any individual convicted of a sexual offense against a minor.

“Mandatory minimum sentence” means a sentence that cannot be reduced, suspended, deferred, or modified in any manner.

“Chemical castration” means state-mandated medical treatment pursuant to Section 587 of Title 57 intended to inhibit sexual drive and predator behavior.

“Consecutive sentence” means a sentence served only after completion of a prior term and not concurrently.

SECTION 2. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 1129.2 of Title 21, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 1129.2 – Three-Strike Sexual Predator Sentencing System.

A. Strike One — Mandatory Ten (10) Years.

Any person convicted of a sexual offense against a minor shall be sentenced to a mandatory minimum of ten (10) years imprisonment, served at one hundred percent (100%), without suspension, deferral, modification, or reduction.

B. Strike Two — Mandatory Additional Ten (10) Years.

Upon a second conviction for a sexual offense against a minor, the offender shall receive an additional mandatory ten (10) years imprisonment, to be served consecutively to all previous sentences.

C. Strike Three — Mandatory Ten (10) Years Plus Chemical Castration.

Upon a third conviction:

The offender shall be sentenced to an additional mandatory ten (10) years imprisonment, consecutive to all prior terms; and

The court shall order mandatory chemical castration, to be administered prior to release and continued for the duration of any supervision.

D. Post-Strike-Three Offenses.

Any offender convicted of a qualifying sexual offense after receiving three strikes shall be sentenced to life imprisonment without the possibility of parole.

SECTION 3. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 1129.3 of Title 21, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 1129.3 – Presumptive Capital Filing for Fatal Child Abuse.

A. In any case where child abuse, sexual abuse, or exploitation results in the death of a child, the district attorney shall presumptively file charges of Murder in the First Degree pursuant to Section 701.7 of Title 21, making the defendant eligible for capital punishment.

B. Reduction of charges is permitted only when:

Clearly documented circumstances demonstrate that such reduction is required in the interest of justice; and

A written justification is filed with the court and made available to the public.

C. Plea bargaining to non-capital offenses in cases covered by this section is prohibited except as allowed by subsection B.

SECTION 4. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 1129.4 of Title 21, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 1129.4 – Mandatory Consecutive Sentences.

All sentences imposed under Sections 1129.1 through 1129.5 of Title 21 shall be served consecutively.

No court shall order concurrent sentencing for offenses defined herein.

SECTION 5. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 1129.5 of Title 21, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 1129.5 – Legislative Intent.

The Legislature finds that repeat sexual predators pose an extreme threat to the safety of Oklahoma's children and declares its intent to create the strongest child-protection sentencing structure in the nation by removing plea bargaining, reducing judicial discretion, eliminating early release, and mandating permanent incapacitation of repeat offenders.

SECTION 6. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 965 of Title 22, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 965 – Prohibition of Plea Bargains and Suspended Sentences.

A. No plea agreement, charge reduction, dismissal, deferred sentence, suspended sentence, or negotiated resolution shall be permitted for any offense defined in Sections 1129.1 through 1129.5 of Title 21.

B. All qualifying cases shall proceed to trial or full sentencing as provided by law.

SECTION 7. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 601.1 of Title 57, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 601.1 – Prohibition of Early Release and Earned Credits.

A. Offenders sentenced under Sections 1129.1 through 1129.5 of Title 21 shall serve one hundred percent (100%) of their sentence.

B. No earned credits, good-time credits, administrative credits, program credits, or sentence reductions under Title 57 shall apply.

C. Parole for offenders sentenced under these sections is expressly prohibited.

SECTION 8. NEW LAW.

A new section of law to be codified in the Oklahoma Statutes as Section 601.2 of Title 57, unless there is created a duplication in numbering, is hereby enacted to read as follows:

Section 601.2 – Lifetime Monitoring of Sexual Predators.

A. All offenders convicted under Sections 1129.1 through 1129.5 of Title 21 shall be subject to lifetime registration and monitoring under the Sex Offenders Registration Act.

B. Offenders with two or more strikes shall be subject to:

Quarterly in-person reporting;

Mandatory electronic monitoring; and

Automatic felony charges for failure to comply.

C. Monitoring shall be enforced jointly by the Department of Corrections (DOC), the Oklahoma State Bureau of Investigation (OSBI), and local law enforcement agencies.

SECTION 9. REPEALER.

All laws or parts of laws in conflict with this act are hereby repealed to the extent of the conflict.

SECTION 10. SEVERABILITY.

If any section, subsection, paragraph, sentence, or clause of this act is held invalid, the invalidity shall not affect other provisions which can be given effect without the invalid portion.

SECTION 11. EFFECTIVE DATE.

This act shall take effect on November 1, 2026, following its passage and approval.