

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3133

By: Humphrey

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8 COMMITTEE SUBSTITUTE

9 An Act relating to crimes and punishments; amending
10 21 O.S. 2021, Section 1268.1, which relates to the
11 Oklahoma Antiterrorism Act; modifying scope of
12 certain definition; and providing an effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1268.1, is
15 amended to read as follows:

16 Section 1268.1 As used in this act:

17 1. "Biochemical assault" means the intentional delivery of any
18 substance or material to another person without lawful cause,
19 whether or not such substance or material is toxic, noxious or
20 lethal to humans, to:

- 21 a. cause intimidation, fear or anxiety and a reasonable
22 belief by the victim that death, disease, injury or
23 illness will occur as a result of contamination by
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1 such substance or material and, based upon that
2 belief, an emergency response is necessary, or
3 b. poison, injure, harm or cause disease or illness to
4 any person;

5 2. "Biochemical terrorism" means an act of terrorism involving
6 any biological organism, pathogen, bacterium, virus, chemical or its
7 toxins, isomers, salts or compounds, or any combination of
8 organisms, viruses or chemicals that is capable of and intended to
9 cause death, disease, injury, illness or harm to any human or animal
10 upon contact or ingestion, or harm to any food supply, plant, water
11 supply, drink, medicine or other product used for or consumed by
12 humans or animals;

13 3. "Conduct" includes initiating, concluding, or participating
14 in initiating or concluding a transaction;

15 4. "Financial institution" includes:

16 a. any financial institution, as defined in Section
17 5312(a)(2) of Title 31 of the United States Code, or
18 the regulations promulgated thereunder, and

19 b. any foreign bank, as defined in Section 3101 of Title
20 12 of the United States Code;

21 5. "Financial transaction" means:

22 a. a transaction which in any way or degree affects
23 state, interstate or foreign commerce:

1 (1) involving the movement of funds by wire or other
2 means,

3 (2) involving one or more monetary instruments, or

4 (3) involving the transfer of title to any real
5 property, vehicle, vessel, or aircraft, or

6 b. a transaction involving the use of a financial
7 institution which is engaged in, or the activities of
8 which affect, state, interstate or foreign commerce in
9 any way or degree;

10 6. "Monetary instrument" means:

11 a. coin or currency of the United States or of any other
12 country, travelers' checks, personal checks, bank
13 checks, and money orders, or

14 b. investment securities or negotiable instruments, in
15 bearer form or otherwise in such form that title
16 thereto passes upon delivery;

17 7. "Proceeds" means all monies, negotiable instruments, and
18 securities received, used, or intended to be used to facilitate any
19 violation of the Oklahoma Antiterrorism Act;

20 8. "Terrorism" means international or domestic drug trafficking
21 activity, one or more kidnappings or other act of violence, or a
22 series of acts of violence, resulting in damage to property,
23 personal injury or death, or the threat of such act or acts that
24 appears to be intended:

- 1 a. to intimidate or coerce a civilian population,
2 b. to influence the policy or conduct of a government by
3 intimidation or coercion, or
4 c. in retaliation for the policy or conduct of a
5 government by intimidation or coercion.

6 Peaceful picketing or boycotts and other nonviolent action shall
7 not be considered terrorism;

8 9. "Terrorism hoax" means the willful conduct to simulate an
9 act of terrorism as a joke, hoax, prank or trick against a place,
10 population, business, agency or government by:

- 11 a. the intentional use of any substance to cause fear,
12 intimidation or anxiety and a reasonable belief by any
13 victim that such substance is used, placed, sent,
14 delivered or otherwise employed as an act of
15 biochemical terrorism requiring an emergency response
16 or the evacuation or quarantine of any person, place
17 or article, or
18 b. any act or threat of violence, sabotage, damage or
19 harm against a population, place or infrastructure
20 that causes fear, intimidation or anxiety and a
21 reasonable belief by any victim that such act or
22 threat is an act of terrorism to disrupt any place,
23 population, business, agency or government;

1 10. "Terrorist activity" means to plan, aid or abet an act of
2 terrorism or aid or abet any person who plans or commits an act of
3 terrorism; and

4 11. "Transaction" includes a purchase, sale, loan, pledge,
5 gift, transfer, delivery, or other disposition, and with respect to
6 a financial institution includes a deposit, withdrawal, transfer
7 between accounts, exchange of currency, loan, extension of credit,
8 purchase or sale of any stock, bond, certificate of deposit, or
9 other monetary instrument, use of a safe deposit box, or any other
10 payment, transfer, or delivery by, through, or to a financial
11 institution, by whatever means effected.

12 SECTION 2. This act shall become effective November 1, 2024.

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14 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
15 dated 02/29/2024 - DO PASS, As Amended.

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