

An Act

ENROLLED HOUSE
BILL NO. 1003

By: Olsen, Turner, and McCane
of the House

and

Hamilton and Jett of the
Senate

An Act relating to age of consent; amending 21 O.S. 2021, Sections 1111, as last amended by Section 8, Chapter 452, O.S.L. 2024, and 1112 (21 O.S. Supp. 2024, Section 1111), which relate to rape; increasing age of consent for sexual intercourse; modifying criteria for certain offense; updating statutory language; and modifying elements of certain offense.

SUBJECT: Age of consent

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1111, as last amended by Section 8, Chapter 452, O.S.L. 2024 (21 O.S. Supp. 2024, Section 1111), is amended to read as follows:

Section 1111. A. Rape is an act of sexual intercourse involving vaginal or anal penetration accomplished with a male or female within or without the bonds of matrimony who may be of the same or the opposite sex as the perpetrator under any of the following circumstances:

1. Where the victim is under ~~sixteen (16)~~ eighteen (18) years of age;

2. Where the victim is incapable through mental illness or any other unsoundness of mind, whether temporary or permanent, of giving legal consent;

3. Where force or violence is used or threatened, accompanied by apparent power of execution to the victim or to another person;

4. Where the victim is intoxicated by a narcotic or anesthetic agent, administered by or with the privity of the accused as a means of forcing the victim to submit;

5. Where the victim is at the time unconscious of the nature of the act and this fact is known to the accused;

6. Where the victim submits to sexual intercourse under the belief that the person committing the act is a spouse, and this belief is induced by artifice, pretense, or concealment practiced by the accused or by the accused in collusion with the spouse with intent to induce that belief. In all cases of collusion between the accused and the spouse to accomplish such act, both the spouse and the accused, upon conviction, shall be deemed guilty of rape;

7. Where the victim is under the legal custody or supervision of a state agency, a federal agency, a county, a municipality, or a political subdivision and engages in sexual intercourse with a state, federal, county, municipal, or political subdivision employee or an employee of a contractor of the state, the federal government, a county, a municipality, or a political subdivision that exercises authority over the victim, or the subcontractor or employee of a subcontractor of the contractor of the state or federal government, a county, a municipality, or a political subdivision that exercises authority over the victim;

8. Where the victim is ~~at least sixteen (16) years of age and is~~ less than twenty (20) years of age and is a student, or under the legal custody or supervision of any public or private elementary or secondary school, junior high or high school, or public vocational school, and engages in sexual intercourse with a person who is eighteen (18) years of age or older and is an employee of a school system;

9. Where the victim is nineteen (19) years of age or younger and is in the legal custody of a state agency, federal agency, or tribal court and engages in sexual intercourse with a foster parent or foster parent applicant; or

10. Where the victim is a student at a secondary school, is concurrently enrolled at an institution of higher education, and engages in acts pursuant to this subsection with a perpetrator who is an employee of the institution of higher education ~~of~~ at which the victim is enrolled.

B. "Employee of an institution of higher education", for purposes of this section, means faculty, adjunct faculty, instructors, volunteers, or an employee of a business contracting with an institution of higher education who may exercise, at any time, institutional authority over the victim. Employee of an institution of higher education shall not include an enrolled student who is not more than three (3) years of age or older than the concurrently enrolled student and who is employed or volunteering, in any capacity, for the institution of higher education.

SECTION 2. AMENDATORY 21 O.S. 2021, Section 1112, is amended to read as follows:

Section 1112. No person can be convicted of rape or rape by instrumentation on account of an act of sexual intercourse with anyone ~~over the age of fourteen (14)~~ sixteen (16) years of age or older, with his or her consent, unless such person was ~~over the age of eighteen (18) years~~ more than four (4) years older than the other person at the time of such act.

Passed the House of Representatives the 15th day of May, 2025.

Presiding Officer of the House
of Representatives

Passed the Senate the 6th day of May, 2025.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____