

1 ENGROSSED HOUSE
2 BILL NO. 3694

By: George, West (Kevin),
Maynard, Lepak, Ford, Hays,
Bashore, and Sims of the
House

4 and

5 Daniels of the Senate

6
7
8 An Act relating to crimes and punishments; amending
9 21 O.S. 2021, Section 1731, which relates to larceny
10 of merchandise from a retailer; modifying threshold
11 amounts for certain penalties; and providing an
12 effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1731, is
15 amended to read as follows:

16 Section 1731. A. Larceny of merchandise held for sale in
17 retail or wholesale establishments shall be punishable as follows:

18 1. For the first or second conviction, in the event the value
19 of the goods, edible meat or other corporeal property which has been
20 taken is less than ~~One Thousand Dollars (\$1,000.00)~~ Five Hundred
21 Dollars (\$500.00), the person shall be guilty of a misdemeanor
22 punishable by imprisonment in the county jail for a term not
23 exceeding thirty (30) days, and by a fine not less than Ten Dollars
24 (\$10.00) nor more than Five Hundred Dollars (\$500.00); provided, for

1 the first or second conviction, in the event more than one item of
2 goods, edible meat or other corporeal property has been taken,
3 punishment shall be by imprisonment in the county jail for a term
4 not to exceed thirty (30) days, and by a fine not less than Fifty
5 Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00);

6 2. For a third or subsequent conviction, in the event the value
7 of the goods, edible meat or other corporeal property which has been
8 taken is less than ~~One Thousand Dollars (\$1,000.00)~~ Five Hundred
9 Dollars (\$500.00), the person shall be guilty of a misdemeanor and
10 shall be punished by imprisonment in the county jail for a term not
11 to exceed one (1) year, and by a fine not exceeding One Thousand
12 Dollars (\$1,000.00);

13 3. In the event the value of the goods, edible meat or other
14 corporeal property is ~~One Thousand Dollars (\$1,000.00)~~ Five Hundred
15 Dollars (\$500.00) or more but less than Two Thousand Five Hundred
16 Dollars (\$2,500.00), the person shall be guilty of a felony and
17 shall be punished by imprisonment in the custody of the Department
18 of Corrections for a term not to exceed two (2) years, and by a fine
19 not to exceed One Thousand Dollars (\$1,000.00);

20 4. In the event the value of the goods, edible meat or other
21 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)
22 or more but less than Fifteen Thousand Dollars (\$15,000.00), the
23 person shall be guilty of a felony and shall be punished by
24 imprisonment in the custody of the Department of Corrections for a

1 term not to exceed five (5) years, and by a fine not to exceed One
2 Thousand Dollars (\$1,000.00); or

3 5. In the event the value of the goods, edible meat or other
4 corporeal property is Fifteen Thousand Dollars (\$15,000.00) or more,
5 the person shall be guilty of a felony and shall be punished by
6 imprisonment in the custody of the Department of Corrections for a
7 term not to exceed eight (8) years, and by a fine not to exceed One
8 Thousand Dollars (\$1,000.00).

9 B. When three or more separate offenses under this section are
10 committed within a ninety-day period, the value of the goods, edible
11 meat or other corporeal property involved in each larceny offense
12 may be aggregated to determine the total value for purposes of
13 determining the appropriate punishment under this section.

14 C. In the event any person engages in conduct that is a
15 violation of this section in concert with at least one other
16 individual, such person shall be liable for the aggregate value of
17 all items taken by all individuals. Such person may also be subject
18 to the penalties set forth in Section 421 of this title, which shall
19 be in addition to any other penalties provided for by law.

20 D. Any person convicted pursuant to the provisions of this
21 section shall also be ordered to pay restitution to the victim as
22 provided in Section 991f of Title 22 of the Oklahoma Statutes.

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