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February 28, 2018

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 1098

By: Treat

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[ crimes and punishments - grand larceny and
receiving stolen property - stolen firearms -
effective date ]
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1704, as amended by Section 4, State Question No. 780, Petition No. 404, is amended to read as follows:

Section 1704. Grand larceny is larceny committed in ~~either~~ any  
of the following cases:

1. When the property taken is of value exceeding One Thousand Dollars (\$1,000.00)÷;

2. When the property taken is a firearm, without regard to the  
value of the firearm; or

3. When such property, although not of value exceeding One Thousand Dollars (\$1,000.00), is taken from the person of another.

Larceny in other cases is petit larceny.

1       SECTION 2.       AMENDATORY       21 O.S. 2011, Section 1713, as  
2 amended by Section 6, State Question No. 780, Petition No. 404, is  
3 amended to read as follows:

4       Section 1713. A. Every person who buys or receives, in any  
5 manner, upon any consideration, any personal property of any value  
6 whatsoever that has been stolen, embezzled, obtained by false  
7 pretense or robbery, knowing or having reasonable cause to believe  
8 the same to have been stolen, embezzled, obtained by false pretense,  
9 or robbery, or who conceals, withholds, or aids in concealing or  
10 withholding such property from the owner, shall, if the value of the  
11 property is One Thousand Dollars (\$1,000.00) or more be guilty of a  
12 felony punishable by imprisonment in the ~~State Penitentiary~~ custody  
13 of the Department of Corrections not to exceed five (5) years, or in  
14 the county jail not to exceed one (1) year, or by a fine not to  
15 exceed Five Hundred Dollars (\$500.00) or by both such fine and  
16 imprisonment. If the value of the property received is less than  
17 One Thousand Dollars (\$1,000.00), the person shall be guilty of a  
18 misdemeanor and shall be punished by a fine of not more than Five  
19 Hundred Dollars (\$500.00) or by imprisonment in the county jail for  
20 a term not to exceed six (6) months, or by both such fine and  
21 imprisonment; provided, if the property, regardless of value, is one  
22 or more firearms, the person shall be guilty of a felony.

23       B. Every person who, without making reasonable inquiry, buys,  
24 receives, conceals, withholds, or aids in concealing or withholding

1 any property which has been stolen, embezzled, obtained by false  
2 pretense or robbery, or otherwise feloniously obtained, under such  
3 circumstances as should cause such person to make reasonable inquiry  
4 to ascertain that the person from whom such property was bought or  
5 received had the legal right to sell or deliver it shall be presumed  
6 to have bought or received such property knowing it to have been so  
7 stolen or wrongfully obtained. This presumption may, however, be  
8 rebutted by proof.

9 SECTION 3. This act shall become effective November 1, 2018.

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
11 February 28, 2018 - DO PASS AS AMENDED  
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