

1 **SENATE FLOOR VERSION**

2 February 8, 2024

3 SENATE BILL NO. 1877

By: Daniels of the Senate

4 and

5 O'Donnell of the House

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8 An Act relating to larceny; amending 21 O.S. 2021,
9 Section 1731, as amended by Section 15, Chapter 116,
10 O.S.L. 2018 and Section 9, State Question No. 780,
11 Initiative Petition No. 404, which relates to larceny
12 of merchandise; modifying period of aggregate crimes;
13 and providing an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1731, as
16 amended by Section 15, Chapter 116, O.S.L 2018 and Section 9, State
17 Question No. 780, Initiative Petition No. 404, is amended to read as
18 follows:

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

21 1. For the first or second conviction, in the event the value
22 of the goods, edible meat, or other corporeal property which has
23 been taken is less than One Thousand Dollars (\$1,000.00), the person
24 shall be guilty of a misdemeanor punishable by imprisonment in the

1 county jail for a term not exceeding thirty (30) days, and by a fine
2 not less than Ten Dollars (\$10.00) nor more than Five Hundred
3 Dollars (\$500.00); provided, for the first or second conviction, in
4 the event more than one item of goods, edible meat, or other
5 corporeal property has been taken, punishment shall be by
6 imprisonment in the county jail for a term not to exceed thirty (30)
7 days, and by a fine not less than Fifty Dollars (\$50.00) nor more
8 than Five Hundred Dollars (\$500.00);

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

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

22 4. In the event the value of the goods, edible meat, or other
23 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)
24 or more but less than Fifteen Thousand Dollars (\$15,000.00), the

1 person shall be guilty of a felony and shall be punished by
2 imprisonment in the custody of the Department of Corrections for a
3 term not to exceed five (5) years, and by a fine not to exceed One
4 Thousand Dollars (\$1,000.00); or

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

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

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

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

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

5 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
6 February 8, 2024 - DO PASS
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