

An Act

ENROLLED SENATE
BILL NO. 786

By: Shaw and Pittman of the
Senate

and

Loring, Cleveland and
Humphrey of the House

An Act relating to crime and punishment; amending 21 O.S. 2011, Section 1435, which relates to burglary in the second degree; modifying offenses; amending 21 O.S. 2011, Section 1436, which relates to penalties for burglary; clarifying language; modifying penalties; creating new classification of offense; and providing an effective date.

SUBJECT: Criminal requirements for burglary

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 1435, is amended to read as follows:

Section 1435. A. Every person who breaks and enters the dwelling house of another, in which there is at the time no human being present, or any commercial building or any part of any building, room, booth, tent, railroad car, ~~automobile, truck, trailer, vessel~~ or other structure or erection, in which any property is kept, or breaks into or forcibly opens, any coin operated or vending machine or device with intent to steal any property therein or to commit any felony, is guilty of burglary in the second degree.

B. Every person who breaks and enters any automobile, truck, trailer or vessel of another, in which any property is kept, with intent to steal any property therein or to commit any felony, is guilty of burglary in the third degree.

SECTION 2. AMENDATORY 21 O.S. 2011, Section 1436, is amended to read as follows:

Section 1436. Burglary is a felony punishable by imprisonment in the ~~State Penitentiary~~ custody of the Department of Corrections as follows:

1. Burglary in the first degree for any term not less than seven (7) years nor more than twenty (20) years; ~~and~~
2. Burglary in the second degree not exceeding seven (7) years ~~and not less than two (2) years; and~~
3. Burglary in the third degree not exceeding five (5) years.

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

Passed the Senate the 17th day of April, 2018.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of April, 2018.

Presiding Officer of the House
of Representatives

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: _____