

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

HOUSE BILL NO. 2800

By: Mass

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1503, as amended by Section 2, Chapter 147, O.S.L. 1993 (21 O.S. Supp. 1993, Section 1503), which relates to defrauding certain establishments; modifying establishments for which defrauding is subject to criminal punishment; modifying penalty for defrauding certain owners; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1503, as amended by Section 2, Chapter 147, O.S.L. 1993 (21 O.S. Supp. 1993, Section 1503), is amended to read as follows:

Section 1503. Any person who shall obtain food, lodging, services or other accommodations at any hotel, inn, restaurant, boarding house, rooming house, motel ~~or~~, auto camp, apartment house, apartment, rental unit, rental house or trailer camp, with intent to defraud the owner or keeper thereof, if the value of such food, lodging, services or other accommodations is Twenty Dollars (\$20.00) or less, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding One Hundred Dollars (\$100.00),

or be imprisoned in the county jail not exceeding three (3) months, or punished by both such fine and imprisonment, and if the value of such food, lodging, services or other accommodations is more than Twenty Dollars (\$20.00) but less than Five Hundred Dollars (\$500.00), any person convicted pursuant to this section shall be guilty of a felony and shall be punished by incarceration in the county jail for not to exceed one (1) year or incarceration in the county jail one or more nights or weekends pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at the option of the court, and shall be subject to a fine of not more than Five Thousand Dollars (\$5,000.00) and ordered to provide restitution to the victim as provided in Section 991a of Title 22 of the Oklahoma Statutes, if the value of such food, lodging, services or accommodations is valued at more than Five Hundred Dollars (\$500.00), any person convicted hereunder shall be deemed guilty of a felony and shall be punished by imprisonment in the State Penitentiary for a term not exceeding five (5) years. ~~Any person who shall obtain shelter, lodging, or any other services at any apartment house, apartment, rental unit, rental house, or trailer camp, with intent to defraud the owner or keeper thereof, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding One Hundred Dollars (\$100.00), or be imprisoned in the county jail not exceeding three (3) months, or be punished by both fine and imprisonment.~~ Proof that such lodging, food, services or other accommodations were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property, or that he gave a check on which payment was refused, or that he left the hotel, inn, restaurant, boarding house, rooming house, motel, apartment house, apartment, rental unit or rental house, trailer camp or auto camp, without payment or offering to pay for such food, lodging, services or other accommodation, or that he surreptitiously removed or attempted to remove his baggage, or that he registered under a

fictitious name, shall be prima facie proof of the intent to defraud mentioned in this section; but this section shall not apply where there has been an agreement in writing for delay in payment.

SECTION 2. This act shall become effective September 1, 1994.

44-2-8819

MAH