

STATE OF OKLAHOMA

2nd Session of the 47th Legislature (2000)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
SENATE BILL 1054

By: Dunlap of the Senate

and

Benge of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to crimes and punishments; amending 21 O.S. 1991, Section 1835.1, which relates to trespass on business premises; adding condition for forbidding entry; specifying notification procedure; and declaring an emergency.

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

SECTION 1. AMENDATORY 21 O.S. 1991, Section 1835.1, is amended to read as follows:

Section 1835.1 A. Every person, partnership, corporation or other legal entity engaged in any public business, trade, or profession of any kind wherein merchandise, goods or services are offered for sale may forbid the entry or presence of any person upon the premises of the place of business, if the person has been convicted of a crime involving entry onto or criminal acts occurring upon any real property owned, leased, or under the control of such person, partnership, corporation or other legal entity. Entry or presence can also be forbidden to a person arrested for said acts until the disposition of the legal action. Such crimes shall include, but are not limited to, shoplifting, vandalism, and disturbing the peace while upon the premises of any place of business of the person, partnership, corporation, or other legal entity.

B. In order to exercise the authority conferred by subsection A of this section, the owner or an agent of the owner of a public business, trade, or profession must notify the person whom the owner or agent desires to prohibit from such owner's place of business either verbally at the time of arrest with witness by the arresting officer or in writing mailed by certified mail to the last-known address of the person as indicated by the arrest report. A written notification required by this section may be made at any time following arrest or conviction.

C. ~~No~~ It is unlawful for any person shall to willfully enter or remain upon the premises after being expressly forbidden to do so in the manner provided for in this section. Any person convicted of violating the provisions of this section, ~~upon conviction,~~ shall be guilty of trespass and shall be punished by a fine of not more than Two Hundred Fifty Dollars (\$250.00) or by confinement in the county jail for a term of not more than thirty (30) days, or by both such fine and imprisonment.

D. The provisions of this act shall not preclude any other remedy allowed by law.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-2-3568

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