

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

HOUSE BILL HB2836

By: Perry

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1720, which relates to larceny of automobile, aircraft or other vehicle; adding construction equipment to crime; prohibiting receiving stolen construction equipment; establishing penalty; providing for codification; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1720, is amended to read as follows:

Section 1720. Any person in this state who shall steal an aircraft, automobile or other automotive driven vehicle, or construction equipment shall be guilty of a felony, and upon conviction shall be punished by confinement in the State Penitentiary for a term of not less than three (3) years, nor more than twenty (20) years.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1713.1 of Title 21, unless there is created a duplication in numbering, reads as follows:

A. Every person who buys or receives, in any manner, upon any consideration, any construction equipment of any value whatsoever that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such construction equipment from the owner, shall be guilty of a

felony punishable by imprisonment in the State Penitentiary for a term of not less than two (2) nor more than ten (10) years.

B. Every person who, without making reasonable inquiry, buys, receives, conceals, withholds, or aids in concealing or withholding any construction equipment which has been stolen, embezzled, obtained by false pretense or robbery, or otherwise feloniously obtained, under such circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such construction equipment was bought or received had the legal right to sell or deliver it shall be presumed to have bought or received such construction equipment knowing it to have been so stolen or wrongfully obtained. This presumption may, however, be rebutted by proof.

SECTION 3. This act shall become effective November 1, 2002.

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