STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1368 By: Jones

AS INTRODUCED

An Act relating to crimes and punishments; amending 21 O.S. 2001, Section 1167, which relates to injury to cemetery or tomb; adding marker to list of protected structures; making buying, selling or bartering for a marker unlawful; including certain types of markers; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1167, is amended to read as follows:

Section 1167. A. Every person who ~~shall~~:

1. Shall willfully with malicious intent destroy, mutilate, deface, injure or remove any tomb, monument or gravestone, or other structure placed in any cemetery or private burying ground, or any fence, railing, or other work for the protection or ornament of any such cemetery or place of burial of any human being, or tomb, monument or gravestone, memento, marker, or memorial, or other structure aforesaid, or of any lot within a cemetery, or shall willfully or with malicious intent destroy, cut, break, or injure any tree, shrub or plant, within the limits thereof; or

2. Knowingly buys, sells or barters for profit any marker placed on a lot within a cemetery or place of burial of any human being,

shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine of not less than Fifty Dollars ($50.00), nor more than Five Thousand Dollars ($5,000.00), or by

imprisonment in the county jail for a term not to exceed six (6) months, or by both such fine and imprisonment.

B. For purposes of this section, a marker shall include but not be limited to any Civil War veteran marker known as a Grand Army of the Republic marker or Southern Cross of Honor marker.

SECTION 2. This act shall become effective November 1, 2003.

49-1-5727 KB 01/07/03