

**EHB 1379**

**THE STATE SENATE**  
**Monday, April 11, 2005**

**ENGROSSED**

**House Bill No. 1379**

**As Amended**

ENGROSSED HOUSE BILL NO. 1379 - By: PIATT, DUNCAN, NANCE and HYMAN  
of the House and CRUTCHFIELD of the Senate.

**[ crimes and punishments - cemetery or tomb - effective  
date ]**

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

SECTION 1. AMENDATORY 21 O.S. 2001, Section 1167, as  
amended by Section 1, Chapter 179, O.S.L. 2003 (21 O.S. Supp. 2004,  
Section 1167), is amended to read as follows:

Section 1167. Every person who:

- 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, veteran marker from any war, 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

1           2. Knowingly buys, sells or barterers for profit any veteran  
2 marker from any war that is placed on a lot within a cemetery or  
3 place of burial of any human being, shall be ~~deemed~~ guilty of a  
4 misdemeanor if the amount of damage is less than Five Thousand  
5 Dollars (\$5,000.00), and shall, upon conviction thereof, be punished  
6 by a fine of not ~~less~~ more than ~~Fifty Dollars (\$50.00)~~, ~~nor more~~  
7 ~~than Five Thousand Dollars (\$5,000.00)~~, One Thousand Dollars  
8 (\$1,000.00), or by imprisonment in the county jail for ~~a term not to~~  
9 ~~exceed six (6) months~~ not less than ninety (90) days, or by both  
10 such fine and imprisonment. If the amount of damage exceeds Five  
11 Thousand Dollars (\$5,000.00) the person shall be guilty of a felony  
12 and shall, upon conviction thereof, be punished by a fine of not  
13 more than Two Thousand Five Hundred Dollars (\$2,500.00), or by  
14 imprisonment in the county jail for not less than six (6) months, or  
15 by both such fine and imprisonment.

16           SECTION 2. This act shall become effective November 1, 2005.

17 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 4-5-05 - DO PASS,  
18 As Amended.