

1 ENGROSSED SENATE AMENDMENTS
TO
2 ENGROSSED HOUSE
BILL NO. 2547

By: Richardson, DeWitt,
McMullen and Sears of the
House

and

Schulz of the Senate

8 An Act relating to crimes and punishments; amending
9 Section 4, Chapter 268, O.S.L. 2006 (21 O.S. Supp.
10 2007, Section 1835.2), which relates to trespassing
11 upon certain private land; modifying penalties; and
12 prohibiting hunting or fishing on certain lands
devoted to certain activities.

13 AMENDMENT NO. 1. Page 4, line 4 1/2, insert a new Section 2
to read

14 "SECTION 2. AMENDATORY 23 O.S. 2001, Section 72,
15 is amended to read as follows:

16
17 Section 72. A. For wrongful injuries to timber, crops
18 or livestock upon the land of another, or removal thereof,
19 the measure of damages is not less than three (3) times nor
20 more than ten (10) times such a sum as would compensate for
21 the actual detriment, unless:

22 1. The trespass was casual and involuntary;
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24

1 2. Committed under the belief that the timber or land
2 belonged to the trespasser; or

3 3. The timber was taken by the authority of highway
4 officers for the purposes of a highway, in which case the
5 damages are a sum equal to the actual detriment.

6 B. The prevailing party shall be entitled to costs and
7 attorneys fees.

8 C. For purposes of this section, the term "timber"
9 shall be defined as the term is defined by Section 1301-102
10 of Title 2 of the Oklahoma Statutes.

11 D. For purposes of this section, the term "crops"
12 shall be defined as the term is defined by Section 5-104 of
13 Title 2 of the Oklahoma Statutes.

14 E. For purposes of this section, the term "livestock"
15 shall be defined as the term is defined by Section 1-3 of
16 Title 2 of the Oklahoma Statutes."

17 AMENDMENT NO. 2. Page 1, amend the title to conform as
18 follows

19 line 9 ½, after the second semicolon delete
20 the word "and"

21 line 10 ½, after the word "activities" and
before the period insert the language

22 "; amending 23 O.S. 2001, Section 72, which relates to
23 damages; specifying damages for wrongful injuries to
crops and livestock; and defining terms"

1 Passed the Senate the 14th day of April, 2008.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2008.

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8 _____
9 Presiding Officer of the House
10 of Representatives