

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 453

By: Schulz

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6 AS INTRODUCED

7 An Act relating to damages; amending 23 O.S. 2001,
8 Section 72, which relates to wrongful injuries;
9 adding damages for wrongful injuries to crops and
livestock; defining terms; and providing an effective
date.

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

13 SECTION 1. AMENDATORY 23 O.S. 2001, Section 72, is
14 amended to read as follows:

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

20 1. The trespass was casual and involuntary;

21 2. Committed under the belief that the timber, crops,
22 livestock, or land belonged to the trespasser; or

23 3. The timber was taken by the authority of highway officers
24 for the purposes of a highway,

1 in which case the damages are a sum equal to the actual detriment.

2 B. The prevailing party shall be entitled to costs and
3 attorneys fees.

4 C. For purposes of this section, ~~the term "timber":~~

5 1. "Timber" shall be defined as the term is defined by Section
6 1301-102 of Title 2 of the Oklahoma Statutes.

7 2. "Crops" shall be defined as the term is defined by Section
8 5-104 of Title 2 of the Oklahoma Statutes; and

9 3. "Livestock" shall be defined as the term is defined by
10 Section 1-3 of Title 2 of the Oklahoma Statutes.

11 SECTION 2. This act shall become effective November 1, 2009.

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13 52-1-949 JT 3/6/2009 4:39:32 AM

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