

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE  
4 FOR ENGROSSED  
5 SENATE BILL NO. 299

By: Fields of the Senate

and

6 Biggs and Murdock of the  
7 House

8  
9 COMMITTEE SUBSTITUTE

10 An Act relating to crimes and punishments; amending  
11 21 O.S. 2011, Section 1716, which relates to the  
12 theft of domestic animals; modifying certain  
13 penalties; updating language; requiring portion of  
14 collected restitution be paid to victim and certain  
15 revolving fund; clarifying scope of penalty; and  
16 providing an effective date.

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

18 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1716, is  
19 amended to read as follows:

20 Section 1716. A. Any person in this state who shall steal any  
21 horse, jackass, jennet, mule, cow, hog, or implement of husbandry,  
22 as defined in Section 1-125 of Title 47 of the Oklahoma Statutes  
23 shall ~~be guilty of a felony and,~~ upon conviction shall ~~be punished,~~  
24 be guilty of a felony punishable by confinement in the ~~State~~

1 Penitentiary custody of the Department of Corrections for a term of  
2 not less than three (3) years, nor more than ~~ten (10)~~ fifteen (15)  
3 years; and any, and by restitution in an amount that is equal to  
4 three times the value of the animals or implement of husbandry that  
5 was stolen.

6 B. Any person in this state who shall steal any dog, sheep, or  
7 goat, shall, upon conviction, be guilty of a felony and upon  
8 conviction therefor shall be punished punishable by confinement in  
9 the State Penitentiary custody of the Department of Corrections for  
10 a term of not less than six (6) months, nor more than three (3)  
11 years, or and by a fine restitution in an amount that is equal to  
12 three times the value of the animals and machinery that were stolen  
13 but not more than Five Hundred Thousand Dollars (\$500,000.00), or by  
14 both such fine and imprisonment.

15 C. Two-thirds (2/3) of the restitution collected in subsection  
16 A or B of this section shall be paid to the owner of the animal or  
17 implement of husbandry and one-third (1/3) of the restitution  
18 collected shall be paid to the State Department of Agriculture  
19 Revolving Fund and shall be utilized solely for the benefit of the  
20 agriculture law enforcement agents commissioned pursuant to the  
21 provisions of Section 6-310 of Title 2 of the Oklahoma Statutes.

22 D. For purposes of this section, each animal that is stolen  
23 shall constitute a separate offense and shall be punishable as a  
24 separate violation.

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E. The word "horse" as used in this section includes all animals of the equine species and the word "cow" includes all animals of the bovine species.

SECTION 2. This act shall become effective November 1, 2015.

55-1-7165            GRS            03/18/15