

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

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

By: Fields of the Senate

and

Biggs and Murdock of the
House

10 COMMITTEE SUBSTITUTE

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

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

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

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

1 be guilty of a felony punishable by confinement in the State
2 Penitentiary custody of the Department of Corrections for a term of
3 not less than three (3) years~~7~~, nor more than ~~ten (10)~~ fifteen (15)
4 years; and any, and by restitution in an amount that is equal to
5 three times the value of the animals or implement of husbandry that
6 was stolen.

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

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

1 D. For purposes of this section, each animal that is stolen
2 shall constitute a separate offense and shall be punishable as a
3 separate violation.

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

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

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9 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
dated 03/18/2015 - DO PASS, As Amended and Coauthored.