

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

SENATE BILL 173

By: Sharp

AS INTRODUCED

An Act relating to crime and punishment; amending 21 O.S. 2011, Section 341, which relates to embezzlement and false accounts by officers; modifying prohibited actions or possession; making gender neutral; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2011, Section 341, is amended to read as follows:

Section 341. Every public officer of the state or any county, city, town, or member or officer of the Legislature, and every deputy or clerk of any such officer and every other person receiving any money or other thing of value on behalf of or for account of this state or any department of the government of this state or any bureau or fund created by law and in which this state or the people thereof, are directly or indirectly interested, who either:

~~First:-~~

1 1. Receives, directly or indirectly, any interest, profit or
2 perquisites, arising from the use or loan of public funds in the
3 officer's or person's hands or money to be raised through an agency
4 for state, city, town, district, or county purposes; ~~or~~

5 ~~Second:~~

6 2. Knowingly keeps any false account, or makes any false entry
7 or erasure in any account of or relating to any moneys so received
8 by him or her, on behalf of the state, city, town, district or
9 county, or the people thereof, or in which they are interested; ~~or~~

10 ~~Third:~~

11 3. Fraudulently alters, falsifies, cancels, destroys or
12 obliterates any such account; or

13 4. Creates or possesses any public funds which are not reported
14 to the Legislature or that are not designated for a particular
15 purpose by a federal grant or state statute, shall, upon conviction,
16 thereof, be deemed guilty of a felony and shall be punished by a
17 fine of not to exceed Five Hundred Dollars (\$500.00), and by
18 imprisonment in the State Penitentiary for a term of not less than
19 one (1) year nor more than twenty (20) years and, in addition
20 thereto, the person shall be disqualified to hold office in this
21 state, and the court shall issue an order of such forfeiture, and
22 should appeal be taken from the judgment of the court, the defendant
23 may, in the discretion of the court, stand suspended from such
24 office until such cause is finally determined.

1 SECTION 2. This act shall become effective November 1, 2019.

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