

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE  
5   BILL NO. 334

By: Paxton of the Senate

and

Worthen of the House

6  
7  
8  
9  
10           **[ larceny - modifying certain time element -**  
11                   **effective date ]**

12  
13  
14  
15   ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

16           SECTION 1.       AMENDATORY       21 O.S. 2011, Section 1731, as  
17   amended by Section 15, Chapter 116, O.S.L. 2018 (21 O.S. Supp. 2020,  
18   Section 1731), is amended to read as follows:

19           Section 1731. A. Larceny of merchandise held for sale in  
20   retail or wholesale establishments shall be punishable as follows:

21           1. For the first or second conviction, in the event the value  
22   of the goods, edible meat or other corporeal property which has been  
23   taken is less than One Thousand Dollars (\$1,000.00), the person  
24   shall be guilty of a misdemeanor punishable by imprisonment in the

1 county jail for a term not exceeding thirty (30) days, and by a fine  
2 not less than Ten Dollars (\$10.00) nor more than Five Hundred  
3 Dollars (\$500.00); provided, for the first or second conviction, in  
4 the event more than one item of goods, edible meat or other  
5 corporeal property has been taken, punishment shall be by  
6 imprisonment in the county jail for a term not to exceed thirty (30)  
7 days, and by a fine not less than Fifty Dollars (\$50.00) nor more  
8 than Five Hundred Dollars (\$500.00);

9 2. For a third or subsequent conviction, in the event the value  
10 of the goods, edible meat or other corporeal property which has been  
11 taken is less than One Thousand Dollars (\$1,000.00), the person  
12 shall be guilty of a misdemeanor and shall be punished by  
13 imprisonment in the county jail for a term not to exceed one (1)  
14 year, and by a fine not exceeding One Thousand Dollars (\$1,000.00);

15 3. In the event the value of the goods, edible meat or other  
16 corporeal property is One Thousand Dollars (\$1,000.00) or more but  
17 less than Two Thousand Five Hundred Dollars (\$2,500.00), the person  
18 shall be guilty of a felony and shall be punished by imprisonment in  
19 the custody of the Department of Corrections for a term not to  
20 exceed two (2) years, and by a fine not to exceed One Thousand  
21 Dollars (\$1,000.00);

22 4. In the event the value of the goods, edible meat or other  
23 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)  
24 or more but less than Fifteen Thousand Dollars (\$15,000.00), the

1 person shall be guilty of a felony and shall be punished by  
2 imprisonment in the custody of the Department of Corrections for a  
3 term not to exceed five (5) years, and by a fine not to exceed One  
4 Thousand Dollars (\$1,000.00); or

5 5. In the event the value of the goods, edible meat or other  
6 corporeal property is Fifteen Thousand Dollars (\$15,000.00) or more,  
7 the person shall be guilty of a felony and shall be punished by  
8 imprisonment in the custody of the Department of Corrections for a  
9 term not to exceed eight (8) years, and by a fine not to exceed One  
10 Thousand Dollars (\$1,000.00).

11 B. When three or more separate offenses under this section are  
12 committed within a ~~ninety-day~~ one hundred eighty-day period, the  
13 value of the goods, edible meat or other corporeal property involved  
14 in each larceny offense may be aggregated to determine the total  
15 value for purposes of determining the appropriate punishment under  
16 this section.

17 C. In the event any person engages in conduct that is a  
18 violation of this section in concert with at least one other  
19 individual, such person shall be liable for the aggregate value of  
20 all items taken by all individuals. Such person may also be subject  
21 to the penalties set forth in Section 421 of this title, which shall  
22 be in addition to any other penalties provided for by law.

1 D. Any person convicted pursuant to the provisions of this  
2 section shall also be ordered to pay restitution to the victim as  
3 provided in Section 991f of Title 22 of the Oklahoma Statutes.

4 SECTION 2. This act shall become effective November 1, 2021.  
5

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
7 04/01/2021 - DO PASS, As Amended.  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24