

OKLAHOMA STATE SENATE  
CONFERENCE  
COMMITTEE REPORT

May 10, 2021

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB334

By: Paxton of the Senate and Worthen of the House

Title: Larceny; modifying certain time element. Effective date.

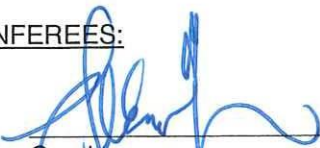
together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:


1. That the House recede from all Amendments.
2. That the attached Conference Committee Substitute be adopted.


Respectfully submitted,

SENATE CONFEREES:

  
\_\_\_\_\_  
Paxton

  
\_\_\_\_\_  
Garvin

  
\_\_\_\_\_  
Coleman

  
\_\_\_\_\_  
Jech

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Floyd

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Matthews

HOUSE CONFEREES:

General Conference Committee on Appropriations

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED

SENATE BILL NO. 334

By: Paxton of the Senate

and

Worthen of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to larceny; amending 21 O.S. 2011, Section 1731, as amended by Section 15, Chapter 116, O.S.L. 2018 (21 O.S. Supp. 2020, Section 1731), which relates to punishment for recidivists; modifying certain time element; and providing an effective date.

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

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

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

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

1 provided in Section 991a-4.1 of Title 22 of the Oklahoma Statutes  
2 and by a fine of not less than Ten Dollars (\$10.00) nor more than  
3 Five Hundred Dollars (\$500.00);

4 2. For a second conviction, in the event the value of the  
5 goods, edible meat or other corporeal property which has been taken  
6 is less than One Thousand Dollars (\$1,000.00), the person shall be  
7 guilty of a misdemeanor punishable by imprisonment in the county  
8 jail for a term not exceeding thirty (30) days, and by a fine not  
9 less than Ten Dollars (\$10.00) nor more than Five Hundred Dollars  
10 (\$500.00); provided, for the first or second conviction, in the  
11 event more than one item of goods, edible meat or other corporeal  
12 property has been taken, punishment shall be by imprisonment in the  
13 county jail for a term not to exceed thirty (30) days, and by a fine  
14 not less than Fifty Dollars (\$50.00) nor more than Five Hundred  
15 Dollars (\$500.00);

16 ~~2.~~ 3. For a third or subsequent conviction, in the event the  
17 value of the goods, edible meat or other corporeal property which  
18 has been taken is less than One Thousand Dollars (\$1,000.00), the  
19 person shall be guilty of a misdemeanor and shall be punished by  
20 imprisonment in the county jail for a term not to exceed one (1)  
21 year, and by a fine not exceeding One Thousand Dollars (\$1,000.00);

22 ~~3.~~ 4. In the event the value of the goods, edible meat or other  
23 corporeal property is One Thousand Dollars (\$1,000.00) or more but  
24 less than Two Thousand Five Hundred Dollars (\$2,500.00), the person

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

5 ~~4.~~ 5. In the event the value of the goods, edible meat or other  
6 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)  
7 or more but less than Fifteen Thousand Dollars (\$15,000.00), the  
8 person shall be guilty of a felony and shall be punished by  
9 imprisonment in the custody of the Department of Corrections for a  
10 term not to exceed five (5) years, and by a fine not to exceed One  
11 Thousand Dollars (\$1,000.00); or

12 ~~5.~~ 6. In the event the value of the goods, edible meat or other  
13 corporeal property is Fifteen Thousand Dollars (\$15,000.00) or more,  
14 the person shall be guilty of a felony and shall be punished by  
15 imprisonment in the custody of the Department of Corrections for a  
16 term not to exceed eight (8) years, and by a fine not to exceed One  
17 Thousand Dollars (\$1,000.00).

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

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

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

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

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