

SENATE FLOOR VERSION

February 12, 2024

SENATE BILL NO. 1957

By: Jett

An Act relating to trespassing; amending 21 O.S. 2021, Section 1835.1, which relates to entry or presence upon premises; permitting businesses to forbid individuals entering or occupying a premises for a certain reason; updating statutory language; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1835.1, is amended to read as follows:

Section 1835.1. A. Every person, partnership, corporation or other legal entity engaged in any public business, trade, or profession of any kind wherein merchandise, goods or services are offered for sale may forbid the entry or presence of any person upon the premises of the place of business, if the person has been convicted of a crime involving entry onto or criminal acts occurring upon any real property owned, leased, or under the control of such person, partnership, corporation or other legal entity. Such crimes shall include, but are not limited to, shoplifting, vandalism, and disturbing the peace while upon the premises of any place of

1 business of the person, partnership, corporation, or other legal
2 entity.

3 B. In order to exercise the authority conferred by subsection A
4 of this section, the owner or an agent of the owner of a public
5 business, trade, or profession ~~must~~ shall notify the person whom the
6 owner or agent desires to prohibit from such owner's place of
7 business.

8 C. Every person, partnership, corporation, or other legal
9 entity engaged in any public business, trade, or profession of any
10 kind wherein merchandise, goods, or services are offered for sale
11 may forbid the entry or presence of any person occupying a place of
12 business for the purpose of malicious occupation. As used in this
13 subsection, "malicious occupation" means individuals who enter or
14 remain upon the premises for:

- 15 1. Noncommercial occupation;
- 16 2. Obstruction of egress or ingress of premises;
- 17 3. Intimidation or harassment of owners, vendors, or customers;
- 18 4. Discouraging patronage through malicious compliance, noxious
19 smells, hygiene, threats, or erratic behavior; or
- 20 5. Diminishing business utility by encroaching, loitering,
21 occupying, sleeping, camping, sitting, standing, or vandalizing for
22 nonproductive or noncommercial purposes.

23 D. No person shall willfully enter or remain upon the premises
24 after being expressly forbidden to do so in the manner provided for

1 in this section. Any person convicted of violating the provisions
2 of this section, upon conviction, shall be guilty of trespass and
3 shall be punished by a fine of not more than Two Hundred Fifty
4 Dollars (\$250.00) or by confinement in the county jail for a term of
5 not more than thirty (30) days, or by both such fine and
6 imprisonment.

7 ~~D.~~ E. The provisions of this act shall not preclude any other
8 remedy allowed by law.

9 SECTION 2. This act shall become effective November 1, 2024.

10 COMMITTEE REPORT BY: COMMITTEE ON BUSINESS AND COMMERCE
11 February 12, 2024 - DO PASS
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