

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 15, 2024

By: Pugh

An Act relating to larceny; amending 21 O.S. 2021, Section 1704, as amended by Section 11, Chapter 116, O.S.L. 2018 and Section 4, State Question No. 780, Initiative Petition No. 404, which relates to grand larceny; modifying definition; amending 21 O.S. 2021, Section 1705, as amended by Section 12, Chapter 116, O.S.L. 2018 and Section 5, State Question No. 780, Initiative Petition No. 404, which relates to grand larceny; modifying elements of certain offense; amending 21 O.S. 2021, Section 1713, as amended by Section 13, Chapter 116, O.S.L. 2018 and Section 6, State Question 780, Initiative Petition No. 404, which relates to stolen property; modifying elements of certain offense; and providing an effective date.

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1704, as amended by Section 11, Chapter 116, O.S.L. 2018 and Section 4, State Question No. 780, Initiative Petition No. 404, is amended to read as follows:

Section 1704. Grand larceny is larceny committed in either of the following cases:

1. ~~When the~~ The property taken is of a value of One Thousand Dollars (\$1,000.00) or greater; ~~or~~

1 2. ~~When such~~ Such property, although not of a value of One
2 Thousand Dollars (\$1,000.00) or greater, is taken from the person of
3 another; or

4 3. The property taken is a firearm.

5 Larceny in other cases is petit larceny.

6 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1705, as
7 amended by Section 12, Chapter 116, O.S.L. 2018, and Section 5,
8 State Question No. 780, Initiative Petition No. 404, is amended to
9 read as follows:

10 Section 1705. A. Grand larceny is a felony punishable as
11 follows:

12 1. ~~If the value of the property is less than One Thousand~~
13 ~~Dollars (\$1,000.00), the person shall be punished by imprisonment in~~
14 ~~the county jail for a term not to exceed one (1) year or by~~
15 ~~incarceration in the county jail for one or more nights or weekends~~
16 ~~pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at~~
17 ~~the option of the court, or by a fine not to exceed One Thousand~~
18 ~~Dollars (\$1,000.00), or by both such imprisonment and fine;~~

19 2. If the property is one or more firearms with a total value
20 less than Two Thousand Five Hundred Dollars (\$2,500.00), the
21 property is taken from the person of another, or the value of the
22 property is One Thousand Dollars (\$1,000.00) or more but less than
23 Two Thousand Five Hundred Dollars (\$2,500.00), the person shall be
24 punished by imprisonment in the custody of the Department of

1 Corrections for a term not to exceed two (2) years or in the county
2 jail for a term not to exceed one (1) year, or by a fine not to
3 exceed One Thousand Dollars (\$1,000.00), or by both such
4 imprisonment and fine;

5 ~~3.~~ 2. In the event the total value of the property, including
6 one or more firearms, is Two Thousand Five Hundred Dollars
7 (\$2,500.00) or more but less than Fifteen Thousand Dollars
8 (\$15,000.00), the person shall be punished by imprisonment in the
9 custody of the Department of Corrections for a term not to exceed
10 five (5) years or in the county jail for a term not to exceed one
11 (1) year, or by a fine not to exceed One Thousand Dollars
12 (\$1,000.00), or by both such imprisonment and fine; or

13 ~~4.~~ 3. If the total value of the property, including one or
14 more firearms, is Fifteen Thousand Dollars (\$15,000.00) or more, the
15 person shall be punished by imprisonment in the custody of the
16 Department of Corrections for a term not to exceed eight (8) years,
17 or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by
18 both such imprisonment and fine.

19 B. The person shall also be ordered to pay restitution to the
20 victim as provided in Section 991f of Title 22 of the Oklahoma
21 Statutes.

22 SECTION 3. AMENDATORY 21 O.S. 2021, Section 1713, as
23 amended by Section 13, Chapter 116, O.S.L. 2018 and Section 6, State
24

1 Question 780, Initiative Petition No. 404, is amended to read as
2 follows:

3 Section 1713. A. Every person who buys or receives, in any
4 manner, upon any consideration, one or more firearms regardless of
5 value or other personal property of a value of One Thousand Dollars
6 (\$1,000.00) or more that has been stolen, embezzled, obtained by
7 false pretense or robbery, knowing or having reasonable cause to
8 believe the same to have been stolen, embezzled, obtained by false
9 pretense, or robbery, or who conceals, withholds, or aids in
10 concealing or withholding such property from the owner shall, upon
11 conviction, be guilty of a felony punishable as follows:

12 1. If the value of the personal property is One Thousand
13 Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred
14 Dollars (\$2,500.00), or if the personal property is one or more
15 firearms with a total value less than Two Thousand Five Hundred
16 Dollars (\$2,500.00), the person shall be punished by imprisonment in
17 the custody of the Department of Corrections for a term not to
18 exceed two (2) years or in the county jail for a term not to exceed
19 one (1) year, or by a fine not to exceed Five Hundred Dollars
20 (\$500.00), or by both such fine and imprisonment;

21 2. If the value of the personal property, including one or more
22 firearms, is Two Thousand Five Hundred Dollars (\$2,500.00) or more
23 but less than Fifteen Thousand Dollars (\$15,000.00), the person
24 shall be punished by imprisonment in the custody of the Department

1 of Corrections for a term not to exceed five (5) years or in the
2 county jail for a term not to exceed one (1) year, or by a fine not
3 to exceed Five Hundred Dollars (\$500.00), or by both such fine and
4 imprisonment; or

5 3. If the value of the personal property, including one or more
6 firearms, is Fifteen Thousand Dollars (\$15,000.00) or more, the
7 person may be punished by imprisonment in the custody of the
8 Department of Corrections for a term not to exceed eight (8) years,
9 or by a fine not to exceed Five Hundred Dollars (\$500.00), or by
10 both such imprisonment and fine.

11 B. ~~If~~ Other than firearms, if the personal property that has
12 been stolen, embezzled, obtained by false pretense or robbery has a
13 value of less than One Thousand Dollars (\$1,000.00), the person
14 shall, upon conviction, be guilty of a misdemeanor punishable by
15 imprisonment in the county jail for a term not to exceed six (6)
16 months.

17 C. Every person who, without making reasonable inquiry, buys,
18 receives, conceals, withholds, or aids in concealing or withholding
19 any property which has been stolen, embezzled, obtained by false
20 pretense or robbery, or otherwise feloniously obtained, under such
21 circumstances as should cause such person to make reasonable inquiry
22 to ascertain that the person from whom such property was bought or
23 received had the legal right to sell or deliver it shall be presumed
24 to have bought or received such property knowing it to have been so

1 stolen or wrongfully obtained. This presumption may, however, be
2 rebutted by proof.

3 D. For purposes of this section, the value of any firearms
4 shall be included in the total value of the personal property except
5 where such total value of personal property is less than One
6 Thousand Dollars (\$1,000.00), in which case the firearms shall be
7 treated separately and not included in the valuation of the
8 remaining personal property.

9 SECTION 4. This act shall become effective November 1, 2024.

10 COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY
11 February 15, 2024 - DO PASS
12
13
14
15
16
17
18
19
20
21
22
23
24