

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3694

By: George

6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to crimes and punishments; amending  
9 21 O.S. 2021, Section 1731, which relates to larceny  
10 of merchandise from a retailer; modifying threshold  
11 amounts for certain penalties; and providing an  
12 effective date.

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

14 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1731, is  
15 amended to read as follows:

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

18 1. For the first or second conviction, in the event the value  
19 of the goods, edible meat or other corporeal property which has been  
20 taken is less than ~~One Thousand Dollars (\$1,000.00)~~ Five Hundred  
21 Dollars (\$500.00), the person shall be guilty of a misdemeanor  
22 punishable by imprisonment in the county jail for a term not  
23 exceeding thirty (30) days, and by a fine not less than Ten Dollars  
24 (\$10.00) nor more than Five Hundred Dollars (\$500.00); provided, for

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

6 2. For a third or subsequent conviction, in the event the value  
7 of the goods, edible meat or other corporeal property which has been  
8 taken is less than ~~One Thousand Dollars (\$1,000.00)~~ Five Hundred  
9 Dollars (\$500.00), the person shall be guilty of a misdemeanor and  
10 shall be punished by imprisonment in the county jail for a term not  
11 to exceed one (1) year, and by a fine not exceeding One Thousand  
12 Dollars (\$1,000.00);

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

20 4. In the event the value of the goods, edible meat or other  
21 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)  
22 or more but less than Fifteen Thousand Dollars (\$15,000.00), the  
23 person shall be guilty of a felony and shall be punished by  
24 imprisonment in the custody of the Department of Corrections for a

1 term not to exceed five (5) years, and by a fine not to exceed One  
2 Thousand Dollars (\$1,000.00); or

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

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

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

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

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

59-2-10187      GRS      02/14/24