

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3694

By: George and **West (Kevin)**

7
8 COMMITTEE SUBSTITUTE

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

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

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

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

19 1. For the first or second conviction, in the event the value
20 of the goods, edible meat or other corporeal property which has been
21 taken is less than ~~One Thousand Dollars (\$1,000.00)~~ Five Hundred
22 Dollars (\$500.00), the person shall be guilty of a misdemeanor
23 punishable by imprisonment in the county jail for a term not
24 exceeding thirty (30) days, and by a fine not less than Ten Dollars

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

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

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

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

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

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

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

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

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

24

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

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3 COMMITTEE REPORT BY: COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS,
4 dated 02/15/2024 - DO PASS, As Amended and Coauthored.
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