

# An Act

ENROLLED HOUSE  
BILL NO. 4373

By: Ford, West (Tammy), and  
Roberts (Eric) of the House

and

Weaver of the Senate

An Act relating to burglary; amending 21 O.S 2021, Sections 1435 and 1436, which relate to second-degree burglary and penalties; modifying elements of certain offense; defining term; modifying punishment for certain offense; and providing an effective date.

SUBJECT: Burglary

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

SECTION 1. AMENDATORY 21 O.S. 2021, Section 1435, is amended to read as follows:

Section 1435. A. Every person who breaks and enters the dwelling house of another, in which there is at the time no human being present, or any commercial building or any part of any building, room, booth, tent, railroad car or other structure or erection in which any property is kept or breaks into or forcibly opens, any ~~coin-operated~~ coin-operated or vending machine or device with intent to steal any property therein or to commit any felony, is guilty of burglary in the second degree.

B. Every person who breaks and enters, climbs under, or uses any jack stands or any other item to raise any automobile, truck, trailer or vessel of another, in which any property is kept, with intent to ~~steal~~:

1. Steal any property therein;
2. Steal any property attached thereto; or to commit

3. Commit any felony,

is guilty of burglary in the third degree.

C. As used in subsection B of this section, the term "property attached thereto" includes, but is not limited to, tires, wheels, and catalytic converters.

SECTION 2. AMENDATORY 21 O.S. 2021, Section 1436, is amended to read as follows:

Section 1436. Burglary is a felony punishable by imprisonment in the custody of the Department of Corrections as follows:

1. Burglary in the first degree for any term not less than seven (7) years nor more than twenty (20) years;

2. Burglary in the second degree not exceeding seven (7) years; and

3. Burglary in the third degree not exceeding five (5) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

SECTION 3. This act shall become effective November 1, 2022.

Passed the House of Representatives the 9th day of May, 2022.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 27th day of April, 2022.

\_\_\_\_\_  
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_