1	HOUSE OF REPRESENTATIVES - FLOOR VERSION
2	STATE OF OKLAHOMA
3	2nd Session of the 58th Legislature (2022)
4	HOUSE BILL 4373 By: Ford and West (Tammy) of
5	the House
6	and
7	Weaver of the Senate
8	
9	AS INTRODUCED
10	An Act relating to crimes and punishments; amending
11	21 O.S. 2021, Sections 1435 and 1436, which relate to second and third degree burglary and related
12	penalties; modifying elements of certain prohibited act; defining term; modifying penalty of third degree burglary; and providing an effective date.
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15	BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:
16	SECTION 1. AMENDATORY 21 O.S. 2021, Section 1435, is
17	amended to read as follows:
18	Section 1435. A. Every person who breaks and enters the
19	dwelling house of another, in which there is at the time no human
20	being present, or any commercial building or any part of any
21	building, room, booth, tent, railroad car or other structure or
22	erection in which any property is kept or breaks into or forcibly
23	opens, any coin operated or vending machine or device with intent to
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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:

- 7 1. Steal any property therein;
- 8 2. Steal any property attached thereto; or to commit
- 9 3. Commit any felony,
- 10 is guilty of burglary in the third degree.

11 <u>C. As used in subsection B of this section, the term "property</u> 12 <u>attached thereto" includes, but is not limited to, tires, wheels,</u> 13 and catalytic converters.

14 SECTION 2. AMENDATORY 21 O.S. 2021, Section 1436, is 15 amended to read as follows:

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

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

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

3. Burglary in the third degree not exceeding five (5) years,
 or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by
 both such fine and imprisonment.

1	SECTION 3. This act shall become effective November 1, 2022.
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3	COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated 03/02/2022 - DO PASS, As Coauthored.
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