

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 4376

By: Ford of the House

and

Weaver of the Senate

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10 COMMITTEE SUBSTITUTE

11 An Act relating to crimes and punishments; making
12 certain acts unlawful; providing penalties; defining
13 term; providing for codification; and providing an
14 effective date.

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 1443 of Title 21, unless there
18 is created a duplication in numbering, reads as follows:

19 A. A person commits the offense of smash-and-grab burglary when
20 he or she, while acting individually or in concert with others,
21 intentionally enters a mercantile establishment with the intent to
22 commit a theft which results in discernible damage to the mercantile
23 establishment in excess of Five Hundred Dollars (\$500.00).
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1 B. Any person who violates the provisions of this section
2 shall, upon conviction, be guilty of a felony punishable by
3 imprisonment in the custody of the Department of Corrections for a
4 term of not less than two (2) years nor more than ten (10) years, or
5 by a fine of not less than Ten Thousand Dollars (\$10,000.00), or by
6 both such fine and imprisonment. Any person convicted of a second
7 or subsequent offense under the provisions of this section shall be
8 punished by imprisonment for a term of not less than four (4) years
9 nor more than twenty (20) years, or by a fine of not less than
10 Twenty Thousand Dollars (\$20,000.00), or by both such fine and
11 imprisonment.

12 C. As used in this section, the term "mercantile establishment"
13 means an establishment where merchandise is displayed, held, or
14 offered for sale, either at retail or wholesale, from a fixed
15 location.

16 SECTION 2. This act shall become effective November 1, 2022.

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18 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY - CRIMINAL, dated
19 02/17/2022 - DO PASS, As Amended and Coauthored.
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