

1 **SENATE FLOOR VERSION**

2 April 13, 2022

3 COMMITTEE SUBSTITUTE
4 FOR ENGROSSED
5 HOUSE BILL NO. 4373

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

6 and

7 Weaver of the Senate

8
9 [crimes and punishments - second and third degree
10 burglary - penalty of third degree burglary -
11 effective date]

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

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

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

23 B. Every person who breaks and enters, climbs under, or uses
24 any jack stands or any other item to raise any automobile, truck,

1 trailer or vessel of another, in which any property is kept, with
2 intent to ~~steal~~:

- 3 1. Steal any property therein;
- 4 2. Steal any property attached thereto; or ~~to commit~~
- 5 3. Commit any felony,

6 is guilty of burglary in the third degree.

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

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

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

- 14 1. Burglary in the first degree for any term not less than
15 seven (7) years nor more than twenty (20) years;
- 16 2. Burglary in the second degree not exceeding seven (7) years;
17 and
- 18 3. Burglary in the third degree not exceeding five (5) years,
19 or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by
20 both such fine and imprisonment.

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

22 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
23 April 13, 2022 - DO PASS AS AMENDED
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