

1 **SENATE FLOOR VERSION**

February 11, 2025

2 **AS AMENDED**

3 SENATE BILL NO. 748

By: Stewart

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6 An Act relating to larceny; amending 21 O.S. 2021,  
7 Section 1731, as amended by Section 1, Chapter 176,  
8 O.S.L. 2024 (21 O.S. Supp. 2024, Section 1731), which  
9 relates to larceny from a retailer or wholesaler;  
10 establishing certain offense; providing penalty; and  
11 providing an effective date.

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

13 SECTION 1. AMENDATORY 21 O.S. 2021, Section 1731, as  
14 amended by Section 1, Chapter 176, O.S.L. 2024 (21 O.S. Supp. 2024,  
15 Section 1731), is amended to read as follows:

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

18 1. For the first or second conviction, in the event the value  
19 of the goods, edible meat, or other corporeal property which has  
20 been taken is less than One Thousand Dollars (\$1,000.00), the person  
21 shall be guilty of a misdemeanor punishable by imprisonment in the  
22 county jail for a term not exceeding thirty (30) days, and by a fine  
23 not less than Ten Dollars (\$10.00) nor more than Five Hundred  
24 Dollars (\$500.00); provided, for the first or second conviction, in  
the event more than one item of goods, edible meat, or other

1 corporeal property has been taken, punishment shall be by  
2 imprisonment in the county jail for a term not to exceed thirty (30)  
3 days, and by a fine not less than Fifty Dollars (\$50.00) nor more  
4 than Five Hundred Dollars (\$500.00);

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

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

18 4. In the event the value of the goods, edible meat, or other  
19 corporeal property is Two Thousand Five Hundred Dollars (\$2,500.00)  
20 or more but less than Fifteen Thousand Dollars (\$15,000.00), the  
21 person shall be guilty of a felony and shall be punished by  
22 imprisonment in the custody of the Department of Corrections for a  
23 term not to exceed five (5) years, and by a fine not to exceed One  
24 Thousand Dollars (\$1,000.00); or

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

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

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

19           D. Any person who commits larceny of a shopping cart from a  
20 retail or wholesale establishment shall be punished by a fine **not to**  
21 **exceed** Five Hundred Dollars (\$500.00) or thirty (30) hours of  
22 community service per violation.

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

4        SECTION 2. This act shall become effective November 1, 2025.

5        COMMITTEE REPORT BY: COMMITTEE ON PUBLIC SAFETY  
6        February 11, 2025 - DO PASS AS AMENDED  
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