

1 ENGROSSED SENATE  
2 BILL NO. 1735

By: Daniels of the Senate

3 and

4 O'Donnell of the House

5  
6 An Act relating to crimes and punishments; amending  
7 21 O.S. 2021, Section 1435, as amended by Section 1,  
8 Chapter 245, O.S.L. 2022 (21 O.S. Supp. 2023, Section  
9 1435), which relates to burglary in the second and  
10 third degrees; modifying elements of felony offense;  
11 and 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 1435, as  
14 amended by Section 1, Chapter 245, O.S.L. 2022 (21 O.S. Supp. 2023,  
15 Section 1435), is amended to read as follows:

16 Section 1435. A. Every person who breaks and enters the  
17 dwelling house of another, in which there is at the time no human  
18 being present, or any commercial building or any part of any  
19 building, room, booth, tent, railroad car, or other structure or  
20 erection in which any property is kept or who enters into a  
21 restricted area of a commercial building without authorization or  
22 breaks into or forcibly opens, any coin-operated or vending machine  
23 or device with intent to steal any property therein or to commit any  
24 felony, is guilty of burglary in the second degree.

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

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

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

12 SECTION 2. This act shall become effective November 1, 2024.  
13 Passed the Senate the 4th day of March, 2024.

14  
15 \_\_\_\_\_  
16 Presiding Officer of the Senate

17 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
18 2024.

19  
20 \_\_\_\_\_  
21 Presiding Officer of the House  
22 of Representatives  
23  
24