

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 834

By: Haste

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5  
6 AS INTRODUCED

7 An Act relating to stolen property; amending 21 O.S.  
8 2011, Section 1713, as last amended by Section 13,  
9 Chapter 116, O.S.L. 2018 (21 O.S. Supp. 2018, Section  
10 1713), which relates to receiving stolen property;  
11 establishing exception to certain valuation  
12 requirements; creating felony offense; and providing  
13 an effective date.

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

15 SECTION 1. AMENDATORY 21 O.S. 2011, Section 1713, as  
16 last amended by Section 13, Chapter 116, O.S.L. 2018 (21 O.S. Supp.  
17 2018, Section 1713), is amended to read as follows:

18 Section 1713. A. Every person who buys or receives, in any  
19 manner, upon any consideration, personal property of a value of One  
20 Thousand Dollars (\$1,000.00) or more that has been stolen,  
21 embezzled, obtained by false pretense or robbery, knowing or having  
22 reasonable cause to believe the same to have been stolen, embezzled,  
23 obtained by false pretense, or robbery, or who conceals, withholds,  
24 or aids in concealing or withholding such property from the owner  
shall, upon conviction, be guilty of a felony punishable as follows:

1           1. If the value of the personal property is One Thousand  
2 Dollars (\$1,000.00) or more but less than Two Thousand Five Hundred  
3 Dollars (\$2,500.00), the person shall be punished by imprisonment in  
4 the custody of the Department of Corrections for a term not to  
5 exceed two (2) years or in the county jail for a term not to exceed  
6 one (1) year, or by a fine not to exceed Five Hundred Dollars  
7 (\$500.00), or by both such fine and imprisonment;

8           2. If the value of the personal property is Two Thousand Five  
9 Hundred Dollars (\$2,500.00) or more but less than Fifteen Thousand  
10 Dollars (\$15,000.00), the person shall be punished by imprisonment  
11 in the custody of the Department of Corrections for a term not to  
12 exceed five (5) years or in the county jail for a term not to exceed  
13 one (1) year, or by a fine not to exceed Five Hundred Dollars  
14 (\$500.00), or by both such fine and imprisonment; or

15           3. If the value of the personal property is Fifteen Thousand  
16 Dollars (\$15,000.00) or more, the person may be punished by  
17 imprisonment in the custody of the Department of Corrections for a  
18 term not to exceed eight (8) years, or by a fine not to exceed Five  
19 Hundred Dollars (\$500.00), or by both such imprisonment and fine.

20           B. If the personal property that has been stolen, embezzled,  
21 obtained by false pretense or robbery has a value of less than One  
22 Thousand Dollars (\$1,000.00), the person shall, upon conviction, be  
23 guilty of a misdemeanor punishable by imprisonment in the county  
24 jail for a term not to exceed six (6) months.

1 C. Notwithstanding the provisions of subsections A and B of  
2 this section, every person who buys or receives, in any manner, upon  
3 any consideration, a firearm that has been stolen, embezzled,  
4 obtained by false pretense or robbery, knowing or having reasonable  
5 cause to believe the same to have been stolen, embezzled, obtained  
6 by false pretense or robbery, or who conceals, withholds, or aids in  
7 concealing or withholding such property from the owner shall, upon  
8 conviction, be guilty of a felony.

9 D. Every person who, without making reasonable inquiry, buys,  
10 receives, conceals, withholds, or aids in concealing or withholding  
11 any property which has been stolen, embezzled, obtained by false  
12 pretense or robbery, or otherwise feloniously obtained, under such  
13 circumstances as should cause such person to make reasonable inquiry  
14 to ascertain that the person from whom such property was bought or  
15 received had the legal right to sell or deliver it shall be presumed  
16 to have bought or received such property knowing it to have been so  
17 stolen or wrongfully obtained. This presumption may, however, be  
18 rebutted by proof.

19 SECTION 2. This act shall become effective November 1, 2019.

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