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PRESS RELEASE**FOR RACCOON TECHNOLOGIES INCORPORATED**

A COPORATION OF THE UNITED STATES RESIDENT IN CHICKASAW NATION RESERVATION ORGANIZED UNDER PROTECTION OF THE LAWS OF THE STATE OF OKLAHOMA, BY UNITED STATES UPON PENALTY OF PERFIDY OF THE STATE OF OKLAHOMA AND UNITED STATES

COMES NOW, JAMES ARNOLD ALLEN ON THE 17th DAY OF THE MONTH OF JUNE
IN THE YEAR 2023, WITH PROCLIMATION OF RIGHT BY LAW FOR PUBLIC NOTICE.

I. **REGARD YOU NOW**, AND BE IT KNOWN BY ALL MEN, THE LAWS OF THE STATE OF OKLAHOMA AND PROTECTION SET FORTH OF THE CORPORATIONS, LIMITED LIABILITY COMPANIES, AND BUSINESSES OF REGISTRY AND AGENCY WITHIN THE INDIAN TERRITORY AND CHICKASAW NATION RESERVATION OWING PERFORMANCE AND SERVICE BY CONTRACT, A DUTY OF THE UNITED STATES AND STATE OF OKLAHOMA AND BY ALL EMPLOYEES AND AGENTS THEREOF, AND BY THE PEOPLE WHO SHALL SEEK TO TREAT OR APPEAL FOR CONTRACT WITH THIS CORPORATION OF THE UNITED STATES, ITS CLIENTS, AND UPON THOSE PROPERTIES AND DOMAINS BOTH PHYSICAL AND VIRTUAL, UNDER WHOM THE CHOICE OF LAW AND PROTECTION OF UNIFORM CODE OF COMMERCE (UCC) AND ARTICLES OF ROME AFFORD AUTHORITY NOT OTHERWISE SPECIFIED IN THE ENABLING OF STATEHOOD ACT, A UNITED STATES LAW, AND PROTECTIONS SET FORTH IN CONSTITUTIONAL AND FEDERAL AND STATE LAW AND REGULATION, LAW OF AGENCY THEREOF, AND JURISDICTIONS.

BE YE HEREBY SO ADVISED, UPON PUBLICATION THIS DAY, AND DULY INFORMED OWING SERVICE:

PAY HEED TO OKLAHOMA STATUTORY LAW TITLE 21 SECTION 21-26, AND CONDUCT YOURSELF ACCORDING TO THE LAWS OF THE CRIMINAL CODE AND OTHER TITLES OF LAW OF THE UNITED STATES AND STATE OF OKLAHOMA, OR OTHER LAWS (UIFSA, REVISION 2008 SEC. 604, CHOICE OF LAW) OWING SERVICE AND DUTY, AND BE YE NOTIFIED THEIR VIOLATION IS SUBJECT PUBLIC AND CRIMINAL JUSTICE AND CIVIL SUIT IN REPORT FOR ALL INFRACTION OR CONTEST TO SUCH RIGHT BY LAW AND THE AUTHORITY THEREOF.

THIS SHALL BE THE ONLY NOTICE. THE DUTY EXIST AND NOTICE SERVED UPON CONTRACT IN ANY FORM UNDER THE LAWS OF THE UNITED STATES OR CONVENTION OF ANY TREATY OR ORDER OF ITS REGULATIONS, INCLUDING "THE UNIFORM INTERSTATE FAMILY SUPPORT ACT", "THE WASSANAAR ARRANGEMENT", "THE GENEVA CONVENTION", "THE VICTIMS OF A SEVERE FORM OF TRAFFICKING AND VIOLENCE ACT OF 2000", "THE CONVENTION ON THE PREVENTION AND PUNISHMENT OF THE CRIME OF GENOCIDE", "THE UNIVERSAL DECLARATION OF HUMAN RIGHTS", OR OTHER AGREEMENT ENDORSED BY UNITED STATES AND/OR ITS MEMBERS OR NATIONS AND OWING SERVICE OF THIS STATE AND ITS TERRITORY AGAINST PERSONS OF ALL JURISDICTION PER STATE LAW (21 O.S. 21-29).

II. RACCOON TECHNOLOGIES INCORPORATED, a corporation of the United States, established in CHICKASAW NATION RESERVATION under prior State of Oklahoma settlement and prior McGirt v State of Oklahoma ruling; is a network security firm operating data service center(s) throughout various jurisdictions. Foreign jurisdiction and claims to seek incitement of violence and criminal conduct in the region of clients to overcome or influence their works and publications there available under LIMITED LICENCE AND TERMS, owe notice of application of law to foreign and domestic prior public contest – entitled indefinite duration of response and affirmative response on sustained claims of felony degree or fraud or other false public notices documented. Oklahoma Constitution Article II section II-3 and II-22 void claims of injury or liability for report of facts of material evidence, law, and contents of ORDERS and MERITS OF ORDER or law applicable to ORDERS and title; a right by law of public notice on false title or violation or incitement to injure the property rights of persons or incite injury to people by class, gender, misgender, sex, race, religion or other protection not interchangeable with JURISDICTION and CHOICE OF LAW governing those rules of use and access and republication of media, which is property of clients and / or the hosting company terms and conditions of its distribution and access (see RFC-1918).

III. THE INTERNET is not a party or entity at law, is not entitled to representation by any company or group, and is in such claims of a quasi-government or union a formal declaration of sovereign national identity regardless of stateless or multi-jurisdictional nature, owing no legal force of law or authority over the rights of persons or private networks or limited sharing of intellectual property and franchise of title obtained by conditional access; and the request and use of such documents subject terms and conditions owing specific and individual rule, per Oklahoma Constitution Article XXIII, contracts on use of a machine or property in the jurisdiction or subject its protection by pledge of law, owing no perfidy by United States nor the State of Oklahoma or Federal Union.

IV. Interference in the business of INTRASTATE COMMERCE, INTERSTATE COMMERCE, or trade of the United States to overcome or disable its franchise or officers thereof as vessels and agents of registry in monopoly of commerce owing Sovereign State rights, are criminal and subject also to civil action.

V. Contempt or civil action may not negate criminal prosecution as a release from abuse. (21 O.S. §21-26)

VI. **Regard all laws prior communication with this company** in the Oklahoma Statutory Code and United States Statutory code and Constitutional Law prior delivery of any “legal claim” or notice of “Demand” or other obligation, and be advised contract does not make Law (unless specified in treat or agreement with the State as party and explicitly, as is specified in **Federal Register Volume 81 No 244 page 93492-93569 REQUIRED STATE LAW** clause and **‘substantial changes’ to state law** clause on monies fully or partially paid and accepted with the State and their agent conditional full compliance for limited exclusive defined authority of the United States, of its government, of the agency of such government, or specific terms otherwise set forth explicitly only); nor are other contract terms other than void in State of Oklahoma and its agencies authority where such demand or terms violate any State Law or Constitutional Law (Oklahoma Constitution Article XXIII section XXIII-9, XXIII-8).

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§21-8. Conviction must precede punishment. The punishments prescribed by this chapter can be inflicted only upon a legal conviction in a court having jurisdiction. R.L.1910, § 2090.

§21-21. Prohibited act a misdemeanor, when. Where the performance of an act is prohibited by any statute, and no penalty for the violation of such statute is imposed in any statute, the doing of such act is a misdemeanor. R.L.1910, § 2792.

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§21-22. Gross injuries - Grossly disturbing peace - Openly outraging public decency - Injurious acts not expressly forbidden. Every person who willfully and wrongfully commits any act which grossly injures the person or property of another, or which grossly disturbs the public peace or health, or which openly outrages public decency, including but not limited to urination in a public place, and is injurious to public morals, although no punishment is expressly prescribed therefor by this code, is guilty of a misdemeanor. R.L.1910, § 2793. Amended by Laws 2007, c. 358, § 1, eff. July 1, 2007.

§21-24. Acts punishable under foreign laws. An act or omission declared punishable by this chapter, is not less so because it is also punishable under the laws of another State, government or country, unless the contrary is expressly declared in this chapter. R.L.1910, § 2795.

§21-26. Contempts, criminal acts which are also punishable as. A criminal act is not the less punishable as a crime because it is also declared to be punishable as a contempt. R.L.1910, § 2797.

§21-28. Aiding in a misdemeanor. Whenever an act is declared a misdemeanor, and no punishment for counseling or aiding in the commission of such act is expressly prescribed by law, every person who counsels or aids another in the commission of such act, is guilty of a misdemeanor, and punishable in the same manner as the principal offender. R.L.1910, § 2799.

§21-29. Sending letter - When complete - Place of prosecution. In the various cases in which the sending of a letter is made criminal by this chapter, the offense is deemed complete from the time when such letter is deposited in any post office or any other place, or delivered to any person with intent that it shall be forwarded. And the party may be indicted and tried in any county wherein such letter is so deposited or delivered, or in which it shall be received by the person to whom it is addressed. R.L.1910, § 2800.

§21-835. Concealing persons to avoid habeas corpus. Every person having in his custody or power, or under his restraint, a party who by the provisions of law relating to habeas corpus, would be entitled to a writ of habeas corpus, or for whose relief such writ has been issued, who, with intent to elude the service of such writ, to avoid the effect thereof, transfers the party to the custody, or places him under the power or control of another, or conceals or changes the place of his confinement, or who, without lawful excuse, refuses to produce him, is guilty of a misdemeanor. R.L.1910, § 2394.

§21-836. Assisting in concealing person to avoid habeas corpus. Every person who knowingly assists in the violation of the preceding section is guilty of a misdemeanor. R.L.1910, § 2394.

§21-837. Intimidating laborers. Every person who, by use of force, threats or intimidation, prevents or endeavors to prevent any hired foreman, journeyman, apprentice, workman, laborer, servant or other person employed by another, from continuing or performing his work, or from accepting any new work or employment, or induces such hired person to relinquish his work or employment, or to return any

work he has in hand, before it is finished, is guilty of a misdemeanor. Every person who, by use of force, threats, or intimidation, prevents or endeavors to prevent any farmer or rancher from harvesting, handling, transporting or marketing any agricultural products, is guilty of a misdemeanor. R.L.1910, § 2396; Laws 1968, c. 213, § 1, emerg. eff. April 23, 1968.

§21-838. Intimidating employers. Every person who, by use of force, threats or intimidation, prevents or endeavors to prevent another from employing any person, or to compel another to employ any person, or to force or induce another to alter his mode of carrying on business, or to limit or increase the number of his hired foremen, journeymen, apprentices, workmen, laborers, servants or other persons employed by him, or their rate of wages or time of service, is guilty of a misdemeanor. R.L. 1910, § 2397.

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§21-839.1. Right of privacy - Use of name or picture for advertising without consent - Misdemeanor. Any person, firm or corporation that uses for the purpose of advertising for the sale of any goods, wares or merchandise, or for the solicitation of patronage by any business enterprise, the name, portrait or picture of any person, without having obtained, prior or subsequent to such use, the consent of such person, or, if such person is a minor, the consent of a parent or guardian, and, if such person is deceased, without the consent of the surviving spouse, personal representatives, or that of a majority of the deceased's adult heirs, is guilty of a misdemeanor. Laws 1965, c. 431, § 1, emerg. eff. July 9, 1965. §21-839.1A. Use of name or picture of Armed Forces member for advertising without consent - Misdemeanor. Any person, firm, or corporation that uses for the purpose of advertising for the sale of any goods, wares, or merchandise, or for the solicitation of patronage by any business enterprise, the name, portrait, or picture of any service member of the United States Armed Forces, without having obtained, prior or subsequent to such use, the consent of the person, or, if the person is deceased, without the consent of the surviving spouse, personal representatives, or that of a majority of the adult heirs of the deceased, is guilty of a misdemeanor. This section applies to the name, portrait, or picture of both active duty members as well as former members of the Armed Forces of the United States. Every person convicted of a violation of this section shall be punished by a fine of not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not to exceed one (1) year, or by both said fine and imprisonment. Added by Laws 2006, c. 69, § 1, eff. Nov. 1, 2006. §21-839.2. Right of action - Damages. Any person whose right of privacy, as created in Section 1 hereof, is violated or the surviving spouse, personal representatives or a majority of the adult heirs of a deceased person whose name, portrait, or picture is used in violation of Section 1 hereof, may maintain an action against the person, firm or corporation so using such person's name, portrait or picture to prevent and restrain the use thereof, and may in the same action recover damages for any injuries sustained, and if the defendant in such action shall have knowingly used such person's name, portrait or picture in such manner as is declared to be unlawful, the jury or court, if tried without a jury, in its discretion may award exemplary damages. Laws 1965, c. 431, § 2, emerg. eff. July 9, 1965.

§21-839.3. Right of photographer to exhibit specimens of work - Other uses excepted. Nothing contained in this act shall be so construed as to prevent any person, firm or corporation, practicing the profession of photography, from exhibiting in or about his or its establishment specimens of the work of such establishment, unless the same is continued by such person, firm or corporation after written notice objecting thereto has been given by the person portrayed; and nothing contained in this act shall be so construed as to prevent any person, firm or corporation from using the name, portrait or picture of any manufacturer or dealer in connection with the goods, wares and merchandise manufactured, produced or dealt in by him which he has sold or disposed of with such name, portrait or picture used in

connection therewith; or from using the name, portrait or picture of any author, composer or artist in connection with his literary, musical or artistic productions which he has sold or disposed of with such name, portrait or picture used in connection therewith. Provided that this act shall not prevent the continued use of names of such persons by business establishments using such names and displaying such names at the effective date of this act. Laws 1965, c. 431, § 3, emerg. eff. July 9, 1965.

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§21-843.1. Caretakers - Abuse, financial neglect, neglect, sexual abuse or exploitation of charge. A. 1. No caretaker or other person shall abuse, commit financial neglect, neglect, commit sexual abuse, or exploit any person entrusted to the care of such caretaker or other person in a nursing facility or other setting, or knowingly cause, secure, or permit any of these acts to be done. 2. For purposes of this section, the terms, "abuse", "financial neglect", "neglect", "sexual abuse", and "exploit" shall have the same meaning as such terms are defined and clarified in Section 10- 103 of Title 43A of the Oklahoma Statutes. B. 1. Any person convicted of a violation of this section, except as provided in paragraph 2 of this subsection, shall be guilty of a felony. The violator, upon conviction, shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed ten (10) years, and by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment, and in addition, the person shall be subject to the Elderly and Incapacitated Victim's Protection Act. Such person's term shall further be subject to the provisions of Section 13.1 of this title for mandatory minimum sentencing. 2. Any person convicted of violating the provisions of this section by committing sexual abuse shall be guilty of a felony. The person convicted of sexual abuse shall be punished by imprisonment in the custody of the Department of Corrections for a term not to exceed fifteen (15) years, and by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment, and in addition, the person shall be subject to the Elderly and Incapacitated Victim's Protection Act. Such person's imprisonment term imposed pursuant to this section shall further be subject to the provisions of Section 13.1 of this title for mandatory minimum sentencing. C. Consent shall not be a defense for any violation of this section. D. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of paragraph 2 of subsection B of this section shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Added by Laws 1984, c. 140, § 2, eff. Nov. 1, 1984. Amended by Laws 1997, c. 133, § 247, eff. July 1, 1999; Laws 1998, c. 298, § 7, eff. Nov. 1, 1998; Laws 1999, 1st Ex. Sess., c. 5, § 151, eff. July 1, 1999; Laws 2001, c. 428, § 3, emerg. eff. June 5, 2001; Laws 2002, c. 22, § 8, emerg. eff. March 8, 2002; Laws 2007, c. 68, § 1, eff. Nov. 1, 2007; Laws 2007, c. 261, § 5, eff. Nov. 1, 2007; Laws 2008, c. 314, § 1, eff. July 1, 2008. NOTE: Laws 1998, c. 219, § 1 repealed by Laws 1999, 1st Ex. Sess., c. 5, § 452, eff. July 1, 1999. Laws 2001, c. 194, § 1 repealed by Laws 2002, c. 22, § 34, emerg. eff. March 8, 2002. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 247 from July 1, 1998, to July 1, 1999. §21-843.2. Verbal abuse of charge. A. No caretaker shall verbally abuse any person entrusted to the care of the caretaker, or knowingly cause, secure, or permit an act of verbal abuse to be done. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor. The violator, upon conviction, shall be punished by imprisonment in the county jail for a term not to exceed one (1) year, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. B. For the purpose of this section, "verbal abuse" means the repeated use of words, sounds, or other forms of communication by a caretaker, including but

not limited to, language, gestures, actions or behaviors, that are calculated to humiliate or intimidate or Added by Laws 2003, c. 195, § 1, eff. July 1, 2003. Amended by Laws 2008, c. 314, § 2, eff. July 1, 2008.

§21-843.4. Exploitation of elderly or disabled adult. A. As used in this section, "exploitation of an elderly person or disabled adult" means: 1. Knowingly, by deception or intimidation, obtaining or using, or endeavoring to obtain or use, an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who: a. stands in a position of trust and confidence with the elderly person or disabled adult, or b. has a business relationship with the elderly person or disabled adult, or 2. Obtaining or using, endeavoring to obtain or use, or conspiring with another to obtain or use an elderly person's or disabled adult's funds, assets, or property with the intent to temporarily or permanently deprive the elderly person or disabled adult of the use, benefit, or possession of the funds, assets, or property, or to benefit someone other than the elderly person or disabled adult, by a person who knows or reasonably should know that the elderly person or disabled adult lacks the capacity to consent. B. 1. If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult are valued at One Hundred Thousand Dollars (\$100,000.00) or more, the violator commits a felony punishable by imprisonment in the custody of the Department of Corrections for a term not more than fifteen (15) years and by a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00). 2. If the funds, assets, or property involved in the exploitation of the elderly person or disabled adult are valued at less than One Hundred Thousand Dollars (\$100,000.00), the violator commits a felony punishable by imprisonment in the custody of the Department of Corrections for a term not more than ten (10) years and by a fine in an amount not exceeding Ten Thousand Dollars (\$10,000.00). C. For purposes of this section, "elderly person" means any person sixty-two (62) years of age or older. Added by Laws 2006, c. 215, § 1, eff. July 1, 2006.

§21-843.5. Child abuse - Child neglect - Child sexual abuse - Child sexual exploitation - Enabling - Penalties. A. Any parent or other person who shall willfully or maliciously engage in child abuse shall, upon conviction, be guilty cause fear, embarrassment, shame, or degradation to the person entrusted to the care of the caretaker. Added by Laws 2001, c. 194, § 2, eff. July 1, 2001. §21-843.3. Abuse, sexual abuse, exploitation, or neglect of vulnerable adult. A. Any person who engages in abuse, sexual abuse, or exploitation of a vulnerable adult, as defined in Section 10-103 of Title 43A of the Oklahoma Statutes, shall be guilty of a felony. The person, upon conviction, shall be fined not more than Ten Thousand Dollars (\$10,000.00) or be imprisoned in the custody of the Department of Corrections for a term of not more than two (2) years, or both such fine and imprisonment. B. Any person who has a responsibility to care for a vulnerable adult as defined by Section 10-103 of Title 43A of the Oklahoma Statutes who purposely, knowingly or recklessly neglects the vulnerable adult shall be guilty of a felony. The person, upon conviction, shall be fined not more than Ten Thousand Dollars (\$10,000.00) or be imprisoned in the custody of the Department of Corrections for a term of not more than two (2) years, or both such fine and imprisonment. C. In addition the court shall consider any provision of the Elderly and Incapacitated Victim's Protection Act when the victim is an elderly or incapacitated person as defined by Section 991a-15 of Title 22 of the Oklahoma Statutes. of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. As used in this subsection, "child

abuse" means the willful or malicious harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child under eighteen (18) years of age by another, or the act of willfully or maliciously injuring, torturing or maiming a child under eighteen (18) years of age by another. B. Any parent or other person who shall willfully or maliciously engage in enabling child abuse shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) or both such fine and imprisonment. As used in this subsection, "enabling child abuse" means the causing, procuring or permitting of a willful or malicious act of harm or threatened harm or failure to protect from harm or threatened harm to the health, safety, or welfare of a child under eighteen (18) years of age by another. As used in this subsection, "permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of abuse as proscribed by this subsection. C. Any parent or other person who shall willfully or maliciously engage in child neglect shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. As used in this subsection, "child neglect" means the willful or malicious neglect, as defined by paragraph 47 of Section 1-1-105 of Title 10A of the Oklahoma Statutes, of a child under eighteen (18) years of age by another. D. Any parent or other person who shall willfully or maliciously engage in enabling child neglect shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. As used in this subsection, "enabling child neglect" means the causing, procuring or permitting of a willful or malicious act of child neglect, as defined by paragraph 47 of Section 1-1-105 of Title 10A of the Oklahoma Statutes, of a child under eighteen (18) years of age by another. As used in this subsection, "permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of neglect as proscribed by this subsection. E. Any parent or other person who shall willfully or maliciously engage in child sexual abuse shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment, except as provided in Section 51.1a of this title or as otherwise provided in subsection F of this section for a child victim under twelve (12) years of age. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post imprisonment supervision shall be in addition to the actual imprisonment. As used in this section, "child sexual abuse" means the willful or malicious sexual abuse, which includes but is not limited to rape, incest, and lewd or indecent acts or proposals, of a child under eighteen (18) years of age by another. F. Any parent or other person who shall willfully or maliciously engage in sexual abuse to a child under twelve (12) years of age shall, upon conviction, be punished by imprisonment in the

custody of the Department of Corrections for not less than twenty-five (25) years nor more than life imprisonment, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00). G. Any parent or other person who shall willfully or maliciously engage in enabling child sexual abuse shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. As used in this subsection, "enabling child sexual abuse" means the causing, procuring or permitting of a willful or malicious act of child sexual abuse, which includes but is not limited to rape, incest, and lewd or indecent acts or proposals, of a child under the age of eighteen (18) by another. As used in this subsection, "permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of sexual abuse as proscribed by this subsection. H. Any parent or other person who shall willfully or maliciously engage in child sexual exploitation shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment except as provided in subsection I of this section for a child victim under twelve (12) years of age. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. As used in this subsection, "child sexual exploitation" means the willful or malicious sexual exploitation, which includes but is not limited to allowing, permitting, or encouraging a child under eighteen (18) years of age to engage in prostitution or allowing, permitting, encouraging or engaging in the lewd, obscene or pornographic photographing, filming, or depicting of a child under eighteen (18) years of age by another. I. Any parent or other person who shall willfully or maliciously engage in sexual exploitation of a child under twelve (12) years of age shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections for not less than twenty-five (25) years nor more than life imprisonment, and by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00). J. Any parent or other person who shall willfully or maliciously engage in enabling child sexual exploitation shall, upon conviction, be punished by imprisonment in the custody of the Department of Corrections not exceeding life imprisonment, or by imprisonment in a county jail not exceeding one (1) year, or by a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. As used in this subsection, "enabling child sexual exploitation" means the causing, procuring or permitting of a willful or malicious act of child sexual exploitation, which includes but is not limited to allowing, permitting, or encouraging a child under eighteen (18) years of age to engage in prostitution or allowing, permitting, encouraging or engaging in the lewd, obscene or pornographic photographing, filming, or depicting of a child under eighteen (18) years of age by another. As used in this subsection, "permit" means to authorize or allow for the care of a child by an individual when the person authorizing or allowing such care knows or reasonably should know that the child will be placed at risk of sexual exploitation as proscribed by this subsection. K. Notwithstanding any other provision of law, any parent or other person convicted of forcible anal or oral sodomy, rape, rape by instrumentation,

or lewd molestation of a child under fourteen (14) years of age subsequent to a previous conviction for any offense of forcible anal or oral sodomy, rape, rape by instrumentation, or lewd molestation of a child under fourteen (14) years of age shall be punished by death or by imprisonment for life without parole.

L. Provided, however, that nothing contained in this section shall prohibit any parent or guardian from using reasonable and ordinary force pursuant to Section 844 of this title. Added by Laws 1963, c. 53, § 1, emerg. eff. May 8, 1963. Amended by Laws 1975, c. 250, § 2, emerg. eff. June 2, 1975; Laws 1977, c. 172, § 1, eff. Oct. 1, 1977; Laws 1982, c. 7, § 1, operative Oct. 1, 1982; Laws 1989, c. 348, § 12, eff. Nov. 1, 1989; Laws 1990, c. 224, § 5, eff. Sept. 1, 1990; Laws 1995, c. 353, § 15, eff. Nov. 1, 1995. Renumbered from § 843 of this title by Laws 1995, c. 353, § 20, eff. Nov. 1, 1995. Amended by Laws 1996, c. 200, § 15, eff. Nov. 1, 1996; Laws 1997, c. 133, § 127, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 57, eff. July 1, 1999; Laws 2000, c. 291, § 1, eff. Nov. 1, 2000; Laws 2002, c. 455, § 7, emerg. eff. June 5, 2002; Laws 2006, c. 326, § 1, eff. July 1, 2006; Laws 2007, c. 325, § 1, eff. Nov. 1, 2007; Laws 2008, c. 3, § 5, emerg. eff. Feb. 28, 2008. Renumbered from § 7115 of Title 10 by Laws 2009, c. 233, § 207, emerg. eff. May 21, 2009. Amended by Laws 2010, c. 278, § 18, eff. Nov. 1, 2010; Laws 2014, c. 240, § 1, emerg. eff. May 9, 2014. NOTE: Laws 2007, c. 261, § 1 repealed by Laws 2008, c. 3, § 6, emerg. eff. Feb. 28, 2008. Laws 2010, c. 23, § 1 repealed by Laws 2011, c. 1, § 13, emerg. eff. March 18, 2011.

§21-850. Malicious intimidation or harassment because of race, color, religion, ancestry, national origin or disability - Standardized reporting system. A. No person shall maliciously and with the specific intent to intimidate or harass another person because of that person's race, color, religion, ancestry, national origin or disability: 1. Assault or batter another person; 2. Damage, destroy, vandalize or deface any real or personal property of another person; or 3. Threaten, by word or act, to do any act prohibited by paragraph 1 or 2 of this subsection if there is reasonable cause to believe that such act will occur. B. No person shall maliciously and with specific intent to incite or produce, and which is likely to incite or produce, imminent violence, which violence would be directed against another person because of that person's race, color, religion, ancestry, national origin or disability, make or transmit, cause or allow to be transmitted, any telephonic, computerized, or electronic message. C. No person shall maliciously and with specific intent to incite or produce, and which is likely to incite or produce, imminent violence, which violence would be directed against another person because of that person's race, color, religion, ancestry, national origin or disability, broadcast, publish, or distribute, cause or allow to be broadcast, published or distributed, any message or material. D. Any person convicted of violating any provision of subsections A, B or C of this section shall be guilty of a misdemeanor on a first offense and a felony punishable by not more than ten (10) years incarceration in the custody of the Department of Corrections for a second or subsequent offense. The fine for a felony violation of this section shall not exceed Ten Thousand Dollars (\$10,000.00). Furthermore, said person shall be civilly liable for any damages resulting from any violation of this section. E. Upon conviction, any person guilty of a misdemeanor in violation of this section shall be punishable by the imposition of a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a period of not more than one (1) year, or by both such fine and imprisonment. F. The Oklahoma State Bureau of Investigation shall develop a standard system for state and local law enforcement agencies to report incidents of crime which are apparently directed against members of racial, ethnic, religious groups or other groups specified by this section. The Oklahoma State Bureau of Investigation shall promulgate rules, regulations and procedures necessary to develop, implement and maintain a standard system for the collection and reporting of hate crime data. All state, county, city and town law enforcement agencies shall submit a monthly report to the Oklahoma State Bureau of Investigation on forms prescribed by the Bureau. The

report shall contain the number and nature of the offenses committed within their respective jurisdictions, the disposition of such matters and any other information the Bureau may require, respecting information relating to the cause and prevention of crime, recidivism, the rehabilitation of criminals and the proper administration of criminal justice. G. No person, partnership, company or corporation that installs telephonic, computerized, or electronic message equipment shall be required to monitor the use of such equipment for possible violations of this section, nor shall such person, partnership, company or corporation be held criminally or civilly liable for the use by another person of the equipment in violation of this section, unless the person, partnership, company or corporation that installed the equipment had prior actual knowledge that the equipment was to be used in violation of this section. Added by Laws 1987, c. 48, § 1, emerg. eff. April 24, 1987. Amended by Laws 1989, c. 68, § 1, emerg. eff. April 13, 1989; Laws 1990, c. 73, § 1, emerg. eff. April 16, 1990; Laws 1992, c. 82, § 1, eff. Sept. 1, 1992; Laws 1997, c. 133, § 249, eff. July 1, 1999; Laws 1998, c. 330, § 1, eff. Nov. 1, 1998; Laws 1998, 1st Ex. Sess., c. 2, § 7, emerg. eff. June 19, 1998; Laws 1999, 1st Ex. Sess., c. 5, § 153, eff. July 1, 1999; Laws 2001, c. 45, § 1, eff. Nov. 1, 2001. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 249 from July 1, 1998, to July 1, 1999.

§21-851. Desertion of children under age of ten a felony. Any parent of any child or children under the age of ten (10) years, and every person to whom such child or children have been confided for nurture or education, who deserts such child or children within the State of Oklahoma, or takes such child or children without the State of Oklahoma, with the intent wholly to abandon it shall be deemed guilty of a felony and, upon conviction thereof shall be punished by imprisonment in the State Penitentiary for any period of time not less than one (1) year nor more than ten (10) years. R.L. 1910, § 2433. Amended by Laws 1923, c. 78, p. 143, § 1, emerg. eff. March 28, 1923; Laws 1997, c. 133, § 250, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 154, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 250 from July 1, 1998, to July 1, 1999.

§21-853. Desertion of wife or child under 15 a felony. Every person who shall without good cause abandon his wife in destitute or necessitous circumstances and neglect and refuse to maintain or provide for her, or who shall abandon his or her minor child or children under the age of fifteen (15) years and willfully neglect or refuse to maintain or provide for such child or children, shall be deemed guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the State Penitentiary for any period of time not less than one (1) year or more than ten (10) years. Added by Laws 1915, c. 149, § 1. Amended by Laws 1923, c. 78, p. 144, § 2, emerg. eff. March 28, 1923; Laws 1997, c. 133, § 253, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 157, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 253 from July 1, 1998, to July 1, 1999.

§21-854. Proof of marriage - Wife as competent witness - Duty of County Attorney to prosecute. No other evidence shall be required to prove marriage of such husband and wife, or that such person is the lawful father or mother of such child or children than is or shall be required to prove such fact in a civil action, and such wife shall be a competent witness to testify in any case brought under this act, and to any and all matters relevant thereto, including the fact of such marriage and the parentage of such child or children. It shall be the mandatory duty of each district attorney of this state to diligently prosecute all persons violating any of the provisions of this chapter (Chapter 31, Title 21 O.S.1951), and in all cases where the evidence is deemed sufficient to justify a prosecution for such violation, any district attorney

who shall willfully fail, neglect or refuse to institute criminal proceedings to enforce such provisions, shall be subject to removal from office. Laws 1915, c. 149, § 2; Laws 1949, p. 203, § 1.

§21-856. Causing, aiding, abetting or encouraging minor to be delinquent or runaway child, to commit felony or to become involved with criminal street gang. A. 1. Except as otherwise specifically provided by law, every person who shall knowingly or willfully cause, aid, abet or encourage a minor to be, to remain, or to become a delinquent child or a runaway child, upon conviction, shall, for the first offense, be guilty of a misdemeanor punishable by imprisonment in a county jail not to exceed one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. 2. For purposes of prosecution under this subsection, a "runaway child" means an unemancipated minor who is voluntarily absent from the home without a compelling reason, without the consent of a custodial parent or other custodial adult and without the parent or other custodial adult's knowledge as to the child's whereabouts. "Compelling reason" means imminent danger from incest, a life-threatening situation, or equally traumatizing circumstance. A person aiding a runaway child pursuant to paragraph (4) of subsection (a) of Section 5 of Title 76 of the Oklahoma Statutes or aiding a child based upon a reasonable belief that the child is in physical, mental or emotional danger and with notice to the Department of Human Services or a local law enforcement agency of the location of the child within twelve (12) hours of aiding the child shall not be subject to prosecution under this section. B. Every person convicted of a second or any subsequent violation of this section shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not to exceed three (3) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. C. Every person eighteen (18) years of age or older who shall knowingly or willfully cause, aid, abet, or encourage a minor to commit or participate in committing an act that would be a felony if committed by an adult shall, upon conviction, be guilty of a felony punishable by the maximum penalty allowed for conviction of the offense or offenses which the person caused, aided, abetted, or encouraged the minor to commit or participate in committing. D. Every person who shall knowingly or willfully cause, aid, abet, encourage, solicit, or recruit a minor to participate, join, or associate with any criminal street gang, as defined by subsection F of this section, or any gang member for the purpose of committing any criminal act shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not more than five (5) years, or a fine not to exceed Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. E. Every person convicted of a second or subsequent violation of subsection D of this section shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not less than five (5) years nor more than ten (10) years, or by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. F. "Criminal street gang" means any ongoing organization, association, or group of five or more persons that specifically either promotes, sponsors, or assists in, or participates in, and requires as a condition of membership or continued membership, the commission of one or more of the following criminal acts: 1. Assault, battery, or assault and battery with a deadly weapon, as defined in Section 645 of this title; 2. Aggravated assault and battery as defined by Section 646 of this title; 3. Robbery by force or fear, as defined in Sections 791 through 797 of this title; 4. Robbery or attempted robbery with a dangerous weapon or imitation firearm, as defined by Section 801 of this title; 5. Unlawful homicide or manslaughter, as defined in Sections 691 through 722 of this title; 6. The sale, possession for sale, transportation, manufacture, offer for sale, or offer to manufacture controlled dangerous substances, as defined in Section 2-101 et seq. of Title 63 of the Oklahoma Statutes; Trafficking in Illegal Drugs Act, Section 2-414 of Title 63 of the Oklahoma Statutes; 8. Arson, as

defined in Sections 1401 through 1403 of this title; 9. The influence or intimidation of witnesses and jurors, as defined in Sections 388, 455 and 545 of this title; 10. Theft of any vehicle, as described in Section 1720 of this title; 11. Rape, as defined in Section 1111 of this title; 12. Extortion, as defined in Section 1481 of this title; 13. Transporting a loaded firearm in a motor vehicle, in violation of Section 1289.13 of this title; 14. Possession of a concealed weapon, as defined by Section 1289.8 of this title; or 15. Shooting or discharging a firearm, as defined by Section 652 of this title. Added by Laws 1939, p. 15, § 1. Amended by Laws 1989, c. 157, § 3, emerg. eff. May 8, 1989; Laws 1990, c. 272, § 5, eff. Sept. 1, 1990; Laws 1992, c. 182, § 1, emerg. eff. May 7, 1992; Laws 1993, c. 212, § 1, emerg. eff. May 24, 1993; Laws 1996, c. 196, § 1, eff. July 1, 1996; Laws 1997, c. 133, § 254, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 158, eff. July 1, 1999; Laws 2011, c. 168, § 1, eff. Nov. 1, 2011. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 254 from July 1, 1998, to July 1, 1999.

§21-856.2. Harboring endangered runaway child. It shall be unlawful for any person to knowingly and willfully harbour an endangered runaway child. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00), or by imprisonment in a county jail not exceeding one (1) year, or by both such fine and imprisonment. Every person convicted of a second or any subsequent violation shall, upon conviction, be guilty of a felony punishable by a fine not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment not exceeding three (3) years, or by both such fine and imprisonment. For purposes of this section, an "endangered runaway child" means an unemancipated minor who is voluntarily absent from the home for seventy-two (72) hours or more without a compelling reason and without the consent of a custodial parent or other custodial adult or an unemancipated minor who is voluntarily absent from the home without a compelling reason and without the consent of a custodial parent or other custodial adult and the child needs medication or other special services. For purposes of this section, "compelling reason" shall be defined as provided in Section 856 of Title 21 of the Oklahoma Statutes. Added by Laws 1996, c. 196, § 2, eff. July 1, 1996. Amended by Laws 1997, c. 133, § 256, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 160, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 256 from July 1, 1998, to July 1, 1999.

§21-856.3. Gang related offenses - Condition of membership. Any person who attempts or commits a gang-related offense as a condition of membership in a criminal street gang or while in association with any criminal street gang or gang member shall be guilty of a felony offense. Upon conviction, the violator shall be punished by incarceration in the custody of the Department of Corrections for a term of five (5) years, which shall be in addition to any other penalty imposed. For purposes of this section, "criminal street gang" is defined by subsection F of Section 856 of Title 21 of the Oklahoma Statutes and "gang-related offense" means those offenses enumerated in paragraphs 1 through 16 of subsection F of Section 856 of Title 21 of the Oklahoma Statutes. Added by Laws 2011, c. 168, § 2, eff. Nov. 1, 2011.

§21-858.1. Parent causing, aiding, abetting or encouraging minor to become in need of supervision or dependent or neglected - Punishment - Second or subsequent conviction. A. Any parent or other person who knowingly and willfully: 1. causes, aids, abets or encourages any minor to be in need of supervision, or deprived; or 2. shall by any act or omission to act have caused, encouraged or contributed to the deprivation, or the need of supervision of the minor, or to such minor becoming deprived, or in need of supervision; shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined a sum not to exceed Five Hundred Dollars (\$500.00), or imprisonment in the county jail for a period not to

exceed one (1) year, or by both such fine and imprisonment. B. Upon a second or succeeding conviction for a violation of this section, the defendant shall be fined not more than One Thousand Dollars (\$1,000.00), or imprisoned in the county jail not to exceed one (1) year, or punished by both such fine and imprisonment. Laws 1945, p. 27, § 1. Amended by Laws 1990, c. 272, § 6, eff. Sept. 1, 1990; Laws 1991, c. 335, § 6, emerg. eff. June 15, 1991.

§21-858.2. Neglect by parent of child placed in parent's care by court. In all cases where a minor has been adjudged delinquent, in need of supervision or deprived by a court of competent jurisdiction and such court by order for care or probation, has placed such minor in the care or on probation to the parent, legal guardian, legal custodian of such minor, stepparent or other adult person living in the home, any parent, legal guardian or legal custodian of such minor who shall neglect, fail or refuse to give such minor proper parental care, or to comply with the order for care or probation shall be deemed guilty of a misdemeanor and upon conviction thereof shall, as applicable, be punished as provided in Section 856 or 858.1 of this title. Laws 1945, p. 27, § 2. Amended by Laws 1990, c. 272, § 7, eff. Sept. 1, 1990; Laws 1991, c. 335, § 7, emerg. eff. June 15, 1991.

§21-871. Adultery defined - Who may institute prosecution. Adultery is the unlawful voluntary sexual intercourse of a married person with one of the opposite sex; and when the crime is between persons, only one of whom is married, both are guilty of adultery. Prosecution for adultery can be commenced and carried on against either of the parties to the crime only by his or her own husband or wife as the case may be, or by the husband or wife of the other party to the crime: Provided, that any person may make complaint when persons are living together in open and notorious adultery. R.L.1910, § 2431. §21-872. Punishment for adultery. Any person guilty of the crime of adultery shall be guilty of a felony and punished by imprisonment in the State Penitentiary not exceeding five (5) years or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. R.L. 1910, § 2432. Amended by Laws 1997, c. 133, § 259, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 163, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 259 from July 1, 1998, to July 1, 1999. §21-881. Bigamy defined. Every person who having been married to another who remains living, marries any other person except in the cases specified in the next section is guilty of bigamy. R.L.1910, § 2439.

§21-882. Exceptions to the rule of bigamy. The last preceding section does not extend: 1. To any person whose husband or wife by a former marriage has been absent for five (5) successive years without being known to such person within that time to be living; nor, 2. To any person whose husband or wife by a former marriage has absented himself or herself from his wife or her husband and has been continually remaining without the United States for a space of five (5) years together; nor, 3. To any person by reason of any former marriage which has been pronounced void, annulled or dissolved by the judgment of a competent court; nor, 4. To any person by reason of any former marriage with a husband or wife who has been sentenced to imprisonment for life. R.L.1910, § 2440

§21-883. Bigamy a felony. Any person guilty of bigamy shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years. R.L. 1910, § 2441. Amended by Laws 1997, c. 133, § 260, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 164, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 260 from July 1, 1998, to July 1, 1999.

§21-884. Person marrying bigamist. Any person who knowingly marries the husband or wife of another, in any case in which such husband or wife would be punishable according to the foregoing provisions, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or in a county jail not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. R.L. 1910, § 2442. Amended by Laws 1997, c. 133, § 261, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 165, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 261 from July 1, 1998, to July 1, 1999.

§21-888v1. Forcible sodomy. A. Any person who forces another person to engage in the detestable and abominable crime against nature, pursuant to Section 886 of this title, upon conviction, is guilty of a felony punishable by imprisonment in the State Penitentiary for a period of not more than twenty (20) years, except as provided in Section 3 of this act. Any person convicted of a second violation of this section, where the victim of the second offense is a person under sixteen (16) years of age, shall not be eligible for probation, suspended or deferred sentence. B. The crime of forcible sodomy shall include: 1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age; or 2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; or 3. Sodomy accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime; or 4. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state. Added by Laws 1981, c. 57, § 1, eff. Oct. 1, 1981. Amended by Laws 1982, c. 11, § 1, operative Oct. 1, 1982; Laws 1990, c. 224, § 1, eff. Sept. 1, 1990; Laws 1992, c. 289, § 2, emerg. eff. May 25, 1992; Laws 1997, c. 133, § 264, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 168, eff. July 1, 1999; Laws 2000, c. 175, § 1, eff. Nov. 1, 2000; Laws 2002, c. 455, § 4, emerg. eff. June 5, 2002. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 264 from July 1, 1998, to July 1, 1999.

§21-888v2. Forcible sodomy. A. Any person who forces another person to engage in the detestable and abominable crime against nature, pursuant to Section 886 of this title, upon conviction, is guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a period of not more than twenty (20) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this subsection shall be required to serve a term of post-imprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. Any person convicted of a second violation of this section, where the victim of the second offense is a person under sixteen (16) years of age, shall not be eligible for probation, suspended or deferred sentence. Any person convicted of a third or subsequent violation of this section, where the victim of the third or subsequent offense is a person under sixteen (16) years of age, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole, in the discretion of the jury, or in case the jury fails or refuses to fix punishment then the same shall be pronounced by the court. Any person convicted of a violation of this subsection after having been twice convicted of a violation of subsection A of Section 1114 of this title, a

violation of Section 1123 of this title or sexual abuse of a child pursuant to Section 843.5 of this title, or of any attempt to commit any of these offenses or any combination of said offenses, shall be punished by imprisonment in the custody of the Department of Corrections for a term of life or life without parole.

B. The crime of forcible sodomy shall include: 1. Sodomy committed by a person over eighteen (18) years of age upon a person under sixteen (16) years of age; 2. Sodomy committed upon a person incapable through mental illness or any unsoundness of mind of giving legal consent regardless of the age of the person committing the crime; 3. Sodomy accomplished with any person by means of force, violence, or threats of force or violence accompanied by apparent power of execution regardless of the age of the victim or the person committing the crime; 4. Sodomy committed by a state, county, municipal or political subdivision employee or a contractor or an employee of a contractor of the state, a county, a municipality or political subdivision of this state upon a person who is under the legal custody, supervision or authority of a state agency, a county, a municipality or a political subdivision of this state; 5. Sodomy committed upon a person who is at least sixteen (16) years of age but less than twenty (20) years of age and is a student of any public or private secondary school, junior high or high school, or public vocational school, with a person who is eighteen (18) years of age or older and is employed by the same school system; 6. Sodomy committed upon a person who is at the time unconscious of the nature of the act, and this fact should be known to the accused; or 7. Sodomy committed upon a person where the person is intoxicated by a narcotic or anesthetic agent administered by or with the privity of the accused as a means of forcing the person to submit. Added by Laws 1981, c. 57, § 1. Amended by Laws 1982, c. 11, § 1, operative Oct. 1, 1982; Laws 1990, c. 224, § 1, eff. Sept. 1, 1990; Laws 1992, c. 289, § 2, emerg. eff. May 25, 1992; Laws 1997, c. 133, § 264, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 168, eff. July 1, 1999; Laws 2000, c. 175, § 1, eff. Nov. 1, 2000; Laws 2002, c. 460, § 9, eff. Nov. 1, 2002; Laws 2006, c. 62, § 4, emerg.

eff. April 17, 2006; Laws 2007, c. 261, § 9, eff. Nov. 1, 2007; Laws 2009, c. 234, § 123, emerg. eff. May 21, 2009; Laws 2016, c. 349, § 5, emerg. eff. June 6, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 264 from July 1, 1998, to July 1, 1999.

§21-891. Child stealing - Penalty. Whoever maliciously, forcibly or fraudulently takes or entices away any child under the age of sixteen (16) years, with intent to detain or conceal such child from its parent, guardian or other person having the lawful charge of such child or to transport such child from the jurisdiction of this state or the United States without the consent of the person having lawful charge of such child shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years. Except for persons sentenced to life or life without parole, any person sentenced to imprisonment for two (2) years or more for a violation of this section and the offense involved sexual abuse or sexual exploitation, shall be required to serve a term of postimprisonment supervision pursuant to subparagraph f of paragraph 1 of subsection A of Section 991a of Title 22 of the Oklahoma Statutes under conditions determined by the Department of Corrections. The jury shall be advised that the mandatory post-imprisonment supervision shall be in addition to the actual imprisonment. R.L.1910, § 2435. Amended by Laws 1997, c. 133, § 265, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 169, eff. July 1, 1999; Laws 2000, c. 370, § 13, eff. July 1, 2000; Laws 2007, c. 261, § 10, eff. Nov. 1, 2007; Laws 2008, c. 438, § 1, eff. July 1, 2008. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 265 from July 1, 1998, to July 1, 1999.

§21-1173. Stalking - Penalties. A. Any person who willfully, maliciously, and repeatedly follows or harasses another person in a manner that: 1. Would cause a reasonable person or a member of the

immediate family of that person as defined in subsection F of this section to feel frightened, intimidated, threatened, harassed, or molested; and 2. Actually causes the person being followed or harassed to feel terrorized, frightened, intimidated, threatened, harassed, or molested, shall, upon conviction, be guilty of the crime of stalking, which is a misdemeanor punishable by imprisonment in a county jail for not more than one (1) year, or by a fine of not more than One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. B. Any person who violates the provisions of subsection A of this section when:

1. There is a permanent or temporary restraining order, a protective order, an emergency ex parte protective order, or an injunction in effect prohibiting the behavior described in subsection A of this section against the same party, when the person violating the provisions of subsection A of this section has actual notice of the issuance of such order or injunction; 2. Said person is on probation or parole, a condition of which prohibits the behavior described in subsection A of this section against the same party or under the conditions of a community or alternative punishment; or 3. Said person, within ten (10) years preceding the violation of subsection A of this section, completed the execution of sentence for a conviction of a crime involving the use or threat of violence against the same party, or against any member of the immediate family of such party, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding five (5) years, or by a fine of not more than Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment. C. Any person who: 1. Commits a second act of stalking within ten (10) years of the completion of sentence for a prior conviction of stalking; or 2. Has a prior conviction of stalking and, after being served with a protective order that prohibits contact with an individual, knowingly makes unconsented contact with the same individual, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding five (5) years, or by a fine of not less than Two Thousand Five Hundred Dollars (\$2,500.00), or by both such fine and imprisonment. D. Any person who commits an act of stalking within ten (10) years of the completion of execution of sentence for a prior conviction under subsection B or C of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding ten (10) years, or by a fine of not less than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. E. Evidence that the defendant continued to engage in a course of conduct involving repeated unconsented contact, as defined in subsection F of this section, with the victim after having been requested by the victim to discontinue the same or any other form of unconsented contact, and to refrain from any further unconsented contact with the victim, shall give rise to a rebuttable presumption that the continuation of the course of conduct caused the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested. F. For purposes of this section: 1. "Harasses" means a pattern or course of conduct directed toward another individual that includes, but is not limited to, repeated or continuing unconsented contact, that would cause a reasonable person to suffer emotional distress, and that actually causes emotional distress to the victim. Harassment shall include harassing or obscene phone calls as prohibited by Section 1172 of this title and conduct prohibited by Section 850 of this title. Harassment does not include constitutionally protected activity or conduct that serves a legitimate purpose; 2. "Course of conduct" means a pattern of conduct composed of a series of two or more separate acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct"; 3. "Emotional distress" means significant mental suffering or distress that may, but does not necessarily require, medical or other professional treatment or counseling; 4. "Unconsented contact" means any contact with another individual that is initiated or continued without the consent of the individual, or in

disregard of that individual's expressed desire that the contact be avoided or discontinued. Constitutionally protected activity is not included within the meaning of unconsented contact. Unconsented contact includes but is not limited to any of the following: a. following or appearing within the sight of that individual, b. approaching or confronting that individual in a public place or on private property, c. appearing at the workplace or residence of that individual, d. entering onto or remaining on property owned, leased, or occupied by that individual, e. contacting that individual by telephone, f. sending mail or electronic communications to that individual, and g. placing an object on, or delivering an object to, property owned, leased, or occupied by that individual; and 5. "Member of the immediate family", for the purposes of this section, means any spouse, parent, child, person related within the third degree of consanguinity or affinity or any other person who regularly resides in the household or who regularly resided in the household within the prior six (6) months. Added by Laws 1992, c. 107, § 1, emerg. eff. June 4, 1992. Amended by Laws 1993, c. 64, § 1, emerg. eff. April 13, 1993; Laws 1997, c. 133, § 307, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 205, eff. July 1, 1999; Laws 2000, c. 370, § 14, eff. July 1, 2000; Laws 2015, c. 206, § 1, eff. Nov. 1, 2015. NOTE: Laws 1992, c. 348, § 4 repealed the original effective date of Laws 1992, c. 107, § 1 (Sept. 1, 1992). A new emergency effective date of June 4, 1992, was given to that section by Laws 1992, c. 348, § 5. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 307 from July 1, 1998, to July 1, 1999.

§21-1175. Unauthorized use of newborn DNA. A laboratory, medical facility, hospital or birthing place is prohibited from the unauthorized storage, transferring, use or databasing of DNA from any newborn child without express parental consent. Added by Laws 2010, c. 246, § 1, emerg. eff. May 10, 2010.

§21-1192. Spread of infectious diseases. Any person who shall inoculate himself or any other person or shall suffer himself to be inoculated with smallpox, syphilis or gonorrhoea and shall spread or cause to be spread to any other persons with intent to or recklessly be responsible for the spread of or prevalence of such infectious disease, shall be deemed a felon, and, upon conviction thereof, guilty of a felony and shall be punished by imprisonment in the State Penitentiary for not more than five (5) years nor less than two (2) years. R.L. 1910, § 2518. Amended by Laws 1997, c. 133, § 308, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 206, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 308 from July 1, 1998, to July 1, 1999.

§21-1197. Poisons, laying out. Whosoever shall willfully lay out poison with the intent that the same be taken by any domestic animal, or in such a manner as to endanger human life; or whoever shall, if in open range livestock territory, lay out poisons except in a safe place on his own premises, is guilty of a misdemeanor. R.L.1910, § 2531; Laws 1951, p. 61, § 1.

§21-1198. Fires, refusing to aid at or interfering with others' acts. Every person who, at any burning of a building, is guilty of any disobedience to lawful orders of any public officer or fireman, or of any resistance to or interference with the lawful efforts of any fireman or company of firemen to extinguish the same, or of any disorderly conduct calculated to prevent the same from being extinguished, or who forbids, prevents or dissuades others from assisting to extinguish the same, is guilty of a misdemeanor. R.L.1910, § 2533.

§21-1199. Contagious disease, exposing oneself or another with. Every person who willfully exposes himself or another person, being affected with any contagious disease in any public place or thoroughfare, except in his necessary removal in a manner not dangerous to the public health, is guilty of a misdemeanor. R.L.1910, § 2540.

§21-1200. Frauds affecting market price. Every person who willfully makes or publishes any false statement, spreads any false rumor, or employs any other false and fraudulent means or device, with intent to affect the market price of any kind of property, is guilty of a misdemeanor. R.L.1910, § 2541.

§21-1201. Newspapers, false statements in. Every editor or proprietor of any newspaper who willfully publishes in such newspaper as true, any statement which he has not good reason to believe to be true, with intent to increase thereby the sales of copies of such paper, is guilty of a misdemeanor. R.L.1910, § 2542. d

§21-1202. Eavesdropping. Every person guilty of secretly loitering about any building, with intent to overhear discourse therein, and to repeat or publish the same to vex, annoy, or injure others, is guilty of a misdemeanor. R.L.1910, § 2543.

§21-1223. Leaving carcass in certain places unlawful. It shall be unlawful for any person to leave or deposit, or cause to be deposited or left the carcass of any animal, chicken or other fowl, whether the same shall have died from disease or otherwise, in any well, spring, pond or stream of water; or leave or deposit the same within one-fourth (1/4) mile of any occupied dwelling or of any public highway, without burying the same as provided in the preceding section of this act. R.L.1910, § 2522; Laws 1955, p. 189, § 1.

§21-1224. Violation of sections regarding carcasses a misdemeanor. Every person who violates the two preceding sections, shall be guilty of a misdemeanor. R.L.1910, § 2523.

§21-1226. Selling or buying infected carcass. If any person shall barter, sell or dispose of the carcass of any swine or other domestic animals infected with cholera or other infectious diseases at the time of death to any person for the purpose of manufacturing the same into lard, soap or for any other purpose, or if any person shall buy or otherwise obtain the carcass of any swine or other domestic animals infected with cholera or other infectious diseases at the time of death for manufacturing purposes as aforesaid or any other purpose except that of burial or burning he shall be fined in any sum not to exceed Fifty (\$50.00) Dollars or be imprisoned in the county jail not more than thirty (30) days. R.L.1910, § 2525.

§21-1261. Criminal syndicalism defined. Criminal syndicalism is hereby defined to be the doctrine which advocates crime, physical violence, arson, destruction of property, sabotage, or other unlawful acts or methods, as a means of accomplishing or effecting industrial or political ends, or as a means of effecting industrial or political revolution, or for profit. Laws 1919, c. 70, p. 110, § 1. D

§21-1262. Sabotage defined. Sabotage is hereby defined to be a malicious, felonious, intentional or unlawful damage, injury to or destruction of real or personal property of any employer or owner by his or her employee or employees, or any employer or employers or by any person or persons at their own instance, or at the instance, request or instigation of such employees, employers, or any other person. Laws 1919, c. 70, p. 111, § 2.

§21-1263. Advocating or teaching necessity, etc., of crime, criminal syndicalism or sabotage - Printing, publishing, etc., books, pamphlets, etc. - Organizing or becoming member of society or assembly. Any person who, by word of mouth or writings, advocates, affirmatively suggests or teaches the duty, necessity, propriety or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest or teach the duty, necessity, propriety or expediency of doing any act of violence,

the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit; or who prints, publishes, edits, issues, or knowingly circulates, sells, distributes, or publicly displays any books, pamphlets, paper, handbill, poster, document, or written or printed matter in any form whatsoever, containing matter advocating, advising, affirmatively suggesting, or teaching crime, criminal syndicalism, sabotage, the doing of any act of physical violence, the destruction of or damage to any property, the injury to any person, or the commission of any crime or unlawful act as a means of accomplishing, effecting or bringing about any industrial or political ends, or change, or as a means of accomplishing, effecting or bringing about any industrial or political revolution, or for profit; or who shall openly, or at all attempt to justify by word of mouth or writing, the commission or the attempt to commit sabotage, any act of physical violence, the destruction of or damage to any property, the injury to any person or the commission of any crime or unlawful act, with the intent to exemplify, spread or teach or affirmatively suggest criminal syndicalism; or who organizes, or helps to organize or becomes a member of or voluntarily assembles with any society or assemblage of persons which teaches, advocates, or affirmatively suggests the doctrine of criminal syndicalism, sabotage, or the necessity, propriety or expediency of doing any act of physical violence or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change or revolution, or for profit, is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the State Penitentiary for a term not to exceed ten (10) years, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Provided, that none of the provisions of Sections 1261 through 1264 of this title shall be construed to modify or affect Section 166 of Title 40 of the Oklahoma Statutes. Added by Laws 1919, c. 70, p. 111, § 3, emerg. eff. March 15, 1919. Amended by Laws 1997, c. 133, § 314, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 212, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 314 from July 1, 1998, to July 1, 1999.

§21-1264. Permitting use of building for assemblies in violation of section 1263 prohibited. The owner, lessee, agent, superintendent, or person in charge or occupation of any place, building, room or rooms, or structure, who knowingly permits therein any assembly or consort of persons prohibited by the provisions of Section 3 of this act, or who after notification by authorized public or peace officers that the place or premises, or any part thereof, is or are so used, permits such use to be continued, is guilty of a misdemeanor and punishable upon conviction thereof by imprisonment in the county jail for not less than sixty (60) days or for not more than one (1) year, or by a fine of not less than One Hundred Dollars (\$100.00) or more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. Laws 1919, c. 70, p. 111, § 4.

§21-1265.3. Causing defects in articles used in defense preparation or prosecution of war. Whoever intentionally makes or causes to be made any defect in any article or thing with reasonable grounds to believe that such article or thing is intended to be used in connection with the preparation of the United States or any of the states for defense or for war, or for the prosecution of war by the United States, or that such article or thing is one of a number of similar articles or things, some of which are intended so to be used, shall be guilty of a felony punishable by imprisonment for not more than ten (10) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00) or both; provided, if such person so acts with the intent to hinder, delay or interfere with the preparation of the United States or of any of the states for defense or for war, or with the prosecution of war by the United States, the minimum punishment

shall be imprisonment for not less than one (1) year. Added by Laws 1941, p. 85, § 3. Amended by Laws 1997, c. 133, § 316, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 214, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 316 from July 1, 1998, to July 1, 1999.

§21-1265.4. Attempts - Punishment - Acts constituting. Whoever attempts to commit any of the crimes defined by Sections 1265.1 through 1265.14 of this title shall be liable to one-half (1/2) the punishment prescribed for the completed crime. In addition to the acts which constitute an attempt to commit a crime under the law of this state, the solicitation or incitement of another to commit any of the crimes defined by Sections 1265.1 through 1265.14 of this title not followed by the commission of the crime, the collection or assemblage of any materials with the intent that the same are to be used then or at a later time in the commission of such crime, or the entry, with or without permission, of a building, enclosure or other premises of another with the intent to commit any such crime therein or thereon shall constitute an attempt to commit such crime. Added by Laws 1941, p. 85, § 4. Amended by Laws 1997, c. 133, § 317, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 215, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 317 from July 1, 1998, to July 1, 1999.

§21-1265.5. Conspiracies. If two or more persons conspire to commit any crime defined by Sections 1265.1 through 1265.14 of this title, each of such persons is guilty of conspiracy and subject to the same punishment as if he had committed the crime which he conspired to commit, whether or not any act be done in furtherance of the conspiracy. It shall not constitute any defense or ground of suspension of judgment, sentence or punishment on behalf of any person prosecuted under this section, that any of his fellow conspirators has been acquitted, has not been arrested or convicted, is not amenable to justice or has been pardoned or otherwise discharged before or after conviction. Added by Laws 1941, p. 85, § 5. Amended by Laws 1997, c. 133, § 318, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 318 from July 1, 1998, to July 1, 1999.

§21-1265.8. Detention and arrest of persons entering without permission. Any peace officer or any person employed as watchman, guard, or in a supervisory capacity on premises posted as provided in Section 7 may stop any person found on any premises to which entry without permission is forbidden by Section 7 and may detain him for the purpose of demanding, and may demand of him his name, address and business in such place. If said peace officer or employee has reason to believe from the answers of the person so interrogated that such person has no right to be in such place, said peace officer shall forthwith release such person or he may arrest such person without a warrant on the charge of violating the provisions of Section 7; and said employee shall forthwith release such person or turn him over to a peace officer, who may arrest him without a warrant on the charge of violating the provisions of Section 7. Laws 1941, p. 86, § 8.

§21-1266. Advocating overthrow of government by force - Penalty. Any person above the age of eighteen (18) years who advocates revolution, teaches or justifies a program of sabotage, force and violation, sedition or treason against the government of the United States or of this state, or who directly or indirectly advocates or teaches by any means the overthrow of the government of the United States or of this state by force or any unlawful means shall be guilty of a felony, and upon conviction shall be punished by imprisonment in the State Penitentiary from five (5) years to life. Added by Laws 1955, p. 189, § 1, emerg. eff. June 6, 1955. Amended by Laws 1997, c. 133, § 319, eff. July 1, 1999; Laws 1999, 1st

Ex.Sess., c. 5, § 216, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 319 from July 1, 1998, to July 1, 1999.

§21-1266.1. Existence of communist conspiracy. Upon evidence and proof already presented before this legislature, congress, the courts of this state, and the courts of the United States, it is here now found and declared to be a fact that there exists an International Communist conspiracy which is committed to the overthrow of the government of the United States and of the several states, including that of the State of Oklahoma, by force or violence, such conspiracy including the Communist Party of the United States, its component or related parts and members, and that such conspiracy constitutes a clear and present danger to the government of the United States and of this state. Laws 1955, p. 189, § 1.

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§21-1266.2. Communist Party of the United States and component parts as illegal. The Communist Party of the United States, together with its component or related parts and organizations, no matter under what name known, and all other organizations, incorporated or unincorporated, which engage in or advocate, abet, advise, or teach, or a purpose of which is to engage in or advocate, abet, advise, or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Oklahoma, or of any political subdivision of either of them, by force or violence, are hereby declared to be illegal and not entitled to any rights, privileges, or immunities attendant upon bodies under the jurisdiction of the State of Oklahoma or any political subdivision thereof. It shall be unlawful for such Party or any of its component or related parts or organizations, or any such other organization, to exist, function, or operate in the State of Oklahoma. Any organization which is found by a court of competent jurisdiction to have violated any provisions of this section, in a proceeding brought for that purpose by the County Attorney, shall be dissolved, and if it be a corporation organized and existing under the laws of this state or having a permit to do business in this state, its charter or permit shall be forfeited, and, whether incorporated or unincorporated, all funds, records, and other property belonging to such Party or any component or related part or organization thereof, or to any such other organization, shall be seized by and forfeited to the State of Oklahoma to escheat to the state as in the case of a person dying without heirs. All books, records, and files of any such organizations shall be turned over to the Attorney General. Laws 1955, p. 190, § 2.

§21-1266.3. Affiliation with parent or superior organization - Prima facie evidence of guilt. As to any particular organization, proof of its affiliation with a parent or superior organization, inside or outside of this state, which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Oklahoma, or of any political subdivision of either of them, by force or violence, shall constitute prima facie evidence that such particular organization engages in or advocates, abets, advises, or teaches, or has as a purpose the engaging in or advocating, abetting, advising, or teaching of, the same activities with the same intent. Laws 1955, p. 190, § 3.

§21-1266.4. Unlawful acts. It shall be unlawful for any person knowingly or willfully to: (1) Commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Oklahoma, or of any political subdivision of either of them, by force or violence; or (2) Advocate, abet, advise, or teach by any means any person to commit, attempt to commit,

or aid in the commission of any such act, under such circumstances as to constitute a clear and present danger to the security of the United States, or of the State of Oklahoma, or of any political subdivision of either of them; or (3) Conspire with one or more persons to commit any of the above acts; or (4) Assist in the formation of, or participate in the management of, or contribute to the support of, or become or remain a member of, or destroy any books or records or files of, or secrete any funds in this state of the Communist Party of the United States or any component or related part or organization thereof, or any organization which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise or teach, any activities intended to overthrow, destroy, or alter, or to assist in the overthrow, destruction, or alteration of, the constitutional form of the government of the United States, or of the State of Oklahoma, or of any political subdivision of either of them, by force or violence, knowing the nature of such organization. Laws 1955, p. 190, § 4.

§21-1266.5. Penalty. Any person who shall violate any of the provisions of Section 1266.4 of this title shall be guilty of a felony, and upon conviction thereof shall be fined not more than Twenty Thousand Dollars (\$20,000.00), or imprisoned not less than one (1) year nor more than twenty (20) years in the State Penitentiary, or may be both so fined and imprisoned. No person convicted of any violation of this act shall ever be entitled to suspension or probation of sentence by the trial court. Added by Laws 1955, p. 191, § 5, emerg. eff. June 6, 1955. Amended by Laws 1997, c. 133, § 320, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 217, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 320 from July 1, 1998, to July 1, 1999.

§21-1266.6. Bar from holding public office. Any person who shall be convicted finally by a court of competent jurisdiction of violating any of the provisions of this act shall from the date of such final conviction automatically be disqualified and barred from holding any office, elective or appointive, or any other position of profit, trust, or employment with the government of the State of Oklahoma or any agency thereof, or of any county, municipal corporation, or other political subdivision of the state. Laws 1955, p. 191, § 6.

§21-1266.7. District court powers. The district courts of this state and the judges thereof shall have full power, authority, and jurisdiction, upon the application of the State of Oklahoma, acting through the district attorney, to issue any and all proper restraining orders, temporary and permanent injunctions, and any other writs and processes appropriate to carry out and enforce the provisions of this act; no injunction or other writ shall be granted, used or relied upon under the provisions of this act in any labor dispute or disputes. Such proceedings shall be instituted, prosecuted, tried, and heard as other civil proceedings of like nature in such courts, provided that such proceedings shall have priority over other cases in settings for hearing. Nothing in this act shall be construed to alter in any way the powers now held by the courts of this state or of this nation under the laws of this state in labor disputes. Laws 1955, p. 191, § 7.

§21-1266.8. Search warrants. A search warrant may issue for the purpose of searching for and seizing any books, records, pamphlets, cards, receipts, lists, memoranda, pictures, recordings, or any written instruments showing that a person or organization is violating or has violated any provision of this act. Search warrants may be issued by any judge of a court of record in this state upon the written application of the district attorney, within their respective jurisdictions, accompanied by the affidavit of a credible person setting forth the name or description of the owner or person in charge of the premises to be searched, or stating that his name and description are unknown, the address or description of the

premises, and showing that the described premises is a place where some specified phase or phases of this act are violated or are being violated, or where are kept any books, records, pamphlets, cards, receipts, lists, memoranda, pictures, recordings, or written instruments of any kind showing a violation of some phase or phases of this act; provided that if the premises to be searched constitute a private residence, such application for a search warrant shall be accompanied by the affidavits of two (2) credible citizens. Except as herein provided, the application, issuance, and execution of any such warrant and all proceedings relative thereto shall conform to the applicable provisions of the Code of Criminal Procedure; provided that any evidence obtained by virtue of a search warrant issued under the provisions of this act shall not be admissible in evidence in the trial of any proceeding, administrative or judicial, save and except those arising under this act. Laws 1955, p. 191, § 8.

§21-1266.9. Utilization of State agency personnel by Governor. The Governor is authorized to utilize any personnel of the Department of Public Safety and any other state agency to conduct such investigations and to render such assistance to local law enforcement officers as the Governor may deem necessary in carrying out the provisions of this act. Laws 1955, p. 191, § 9.

§21-1266.10. Partial invalidity. If any section or any part whatever of this act, or the application thereof to any person or circumstances, should be held for any reason to be invalid, such invalidity shall not affect or invalidate any portion of the remainder of this act, and it is hereby declared that such remaining portions would have been enacted in any event. Laws 1955, p. 192, § 10.

§21-1266.11. Provisions cumulative. The provisions of this act are expressly declared to be cumulative to existing laws. Laws 1955, p. 192, § 11. §21-1267.1. Organizing or assisting to organize groups, companies, etc. Any person organizing or assisting to organize any group, company, assembly of persons, or association with the intent of advocating or encouraging the overthrow of the United States or state governments, or of acting to overthrow such governments, by force or violence, or who is or becomes a member or affiliate of any such organization knowing its purposes shall, upon conviction thereof, be guilty of a felony. Added by Laws 1961, p. 743, § 1, emerg. eff. July 12, 1961. Amended by Laws 1997, c. 133, § 321, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 321 from July 1, 1998, to July 1, 1999.

§21-1267.2. Registration - Contents. (a) The officers of each group, company, assembly of persons, or association with the intent designated in Section 1267.1 of this title shall, within thirty (30) days of the effective date hereof, register with the Attorney General, on forms prescribed by him by regulations, as such an organization, and shall thereafter register annually on or before July 1. (b) The registration statements shall include the following information: (1) The name of the organization and address of its principal office; (2) The name and present address of each person who is currently an officer of the organization or who has been an officer of the organization any time in the course of the twelve (12) months preceding the filing of each registration statement; (3) An accounting of all money received and expended by the organization, including the sources of receipt and purposes of expenditures, in the course of the twelve (12) months preceding the filing of each registration statement; (4) The name and present address of each person who is or was a member of the organization at any time in the course of the twelve (12) months preceding the filing of each registration statement. (5) If any officer or member of the organization uses or has used more than one name, all such names shall be included in the registration statements. (c) All such organizations shall maintain, in the form and manner as the Attorney General shall by regulations provide, an accurate and complete record of all information required by the

registration statement forms. (d) If the officers of any such organization violate any provision of this section they shall, upon conviction, be guilty of a felony. Added by Laws 1961, p. 743, § 2, emerg. eff. July 12, 1961. Amended by Laws 1997, c. 133, § 322, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 322 from July 1, 1998, to July 1, 1999.

§21-1268. Short title. This act shall be known and may be cited as the "Oklahoma Antiterrorism Act". Added by Laws 2002, c. 477, § 1, emerg. eff. June 6, 2002.

§21-1268.1. Definitions. As used in this act: 1. "Biochemical assault" means the intentional delivery of any substance or material to another person without lawful cause, whether or not such substance or material is toxic, noxious or lethal to humans, to: a. cause intimidation, fear or anxiety and a reasonable belief by the victim that death, disease, injury or illness will occur as a result of contamination by such substance or material and, based upon that belief, an emergency response is necessary, or b. poison, injure, harm or cause disease or illness to any person; 2. "Biochemical terrorism" means an act of terrorism involving any biological organism, pathogen, bacterium, virus, chemical or its toxins, isomers, salts or compounds, or any combination of organisms, viruses or chemicals that is capable of and intended to cause death, disease, injury, illness or harm to any human or animal upon contact or ingestion, or harm to any food supply, plant, water supply, drink, medicine or other product used for or consumed by humans or animals; 3. "Conduct" includes initiating, concluding, or participating in initiating or concluding a transaction; 4. "Financial institution" includes: a. any financial institution, as defined in Section 5312(a)(2) of Title 31 of the United States Code, or the regulations promulgated thereunder, and b. any foreign bank, as defined in Section 3101 of Title 12 of the United States Code; 5. "Financial transaction" means: a. a transaction which in any way or degree affects state, interstate or foreign commerce: (1) involving the movement of funds by wire or other means, (2) involving one or more monetary instruments, or (3) involving the transfer of title to any real property, vehicle, vessel, or aircraft, or b. a transaction involving the use of a financial institution which is engaged in, or the activities of which affect, state, interstate or foreign commerce in any way or degree; 6. "Monetary instrument" means: a. coin or currency of the United States or of any other country, travelers' checks, personal checks, bank checks, and money orders, or b. investment securities or negotiable instruments, in bearer form or otherwise in such form that title thereto passes upon delivery; 7. "Proceeds" means all monies, negotiable instruments, and securities received, used, or intended to be used to facilitate any violation of the Oklahoma Antiterrorism Act; 8. "Terrorism" means one or more kidnappings or other act of violence, or a series of acts of violence, resulting in damage to property, personal injury or death, or the threat of such act or acts that appears to be intended: a. to intimidate or coerce a civilian population, b. to influence the policy or conduct of a government by intimidation or coercion, or c. in retaliation for the policy or conduct of a government by intimidation or coercion. Peaceful picketing or boycotts and other nonviolent action shall not be considered terrorism; 9. "Terrorism hoax" means the willful conduct to simulate an act of terrorism as a joke, hoax, prank or trick against a place, population, business, agency or government by: a. the intentional use of any substance to cause fear, intimidation or anxiety and a reasonable belief by any victim that such substance is used, placed, sent, delivered or otherwise employed as an act of biochemical terrorism requiring an emergency response or the evacuation or quarantine of any person, place or article, or b. any act or threat of violence, sabotage, damage or harm against a population, place or infrastructure that causes fear, intimidation or anxiety and a reasonable belief by any victim that such act or threat is an act of terrorism to disrupt any place, population, business, agency or government; 10. "Terrorist activity" means to plan, aid or abet an act of terrorism or

aid or abet any person who plans or commits an act of terrorism; and 11. "Transaction" includes a purchase, sale, loan, pledge, gift, transfer, delivery, or other disposition, and with respect to a financial institution includes a deposit, withdrawal, transfer between accounts, exchange of currency, loan, extension of credit, purchase or sale of any stock, bond, certificate of deposit, or other monetary instrument, use of a safe deposit box, or any other payment, transfer, or delivery by, through, or to a financial institution, by whatever means effected. Added by Laws 2002, c. 477, § 2, emerg. eff. June 6, 2002. Amended by Laws 2010, c. 456, § 1, eff. Nov. 1, 2010; Laws 2016, c. 154, § 1, eff. Nov. 1, 2016.

§21-1268.2. Violations - Penalties. A. Every act of terrorism is a felony. B. A person convicted of terrorism shall be punished by imprisonment in the custody of the Department of Corrections for a term not exceeding life. C. A person who kills another person or who causes the death of another person in the commission of an act of terrorism shall be guilty of murder in the first degree. D. A person convicted of biochemical terrorism shall be ordered, in addition to the punishment imposed for the act of terrorism, to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act of terrorism. E. The punishment for terrorism shall be in addition to any penalty imposed for any individual offense or offenses involved in the act or acts of terrorism. Added by Laws 2002, c. 477, § 3, emerg. eff. June 6, 2002. Amended by Laws 2016, c. 154, § 2, eff. Nov. 1, 2016.

§21-1268.3. Conspiracy - Penalty. A. Conspiracy to commit terrorism is a felony. B. A person convicted of conspiracy to commit terrorism shall be punished by imprisonment in the State Penitentiary for a term not exceeding life. Added by Laws 2002, c. 477, § 4, emerg. eff. June 6, 2002.

§21-1268.4. Hoax - Penalty. A. Terrorism hoax is a felony. B. A person convicted of terrorism hoax shall be punished by imprisonment in the State Penitentiary for a term of not more than ten (10) years. In addition to any punishment imposed for the act of terrorism hoax, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act. Added by Laws 2002, c. 477, § 5, emerg. eff. June 6, 2002.

§21-1268.5. Biochemical assault - Penalties. A. Every person who, without justifiable or excusable cause, willfully commits biochemical assault against another person shall be punished as provided in this section. B. Every act of biochemical assault is a misdemeanor punishable by imprisonment in the county jail for a term of not more than one (1) year, or by a fine not to exceed One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment when the person knows the substance or material used to commit biochemical assault is not toxic, noxious, or lethal to humans. In addition to any term of imprisonment imposed for biochemical assault, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act. C. Every act of biochemical assault is a felony punishable by imprisonment in the State Penitentiary for a term of not more than ten (10) years when the person knows the substance or material used to commit biochemical assault is toxic, noxious, or lethal to humans. In addition to any term of imprisonment imposed for biochemical assault, the person shall be ordered to make restitution to the victim and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to such act. Added by Laws 2002, c. 477, § 6, emerg. eff. June 6, 2002.

§21-1268.6. Manufacture, delivery or possession of toxic materials intended for terrorist activity - Penalties. A. It shall be unlawful for any person to manufacture, send, deliver or possess any toxic, noxious, or lethal substance, chemical, biological or nuclear material with the intent of engaging in terrorist activity. B. A person convicted of a violation of this section shall be guilty of a felony punishable by imprisonment in the State Penitentiary for a term of not more than eight (8) years. In addition to any term of imprisonment imposed for a violation of this section, the person shall be ordered to make restitution to victims and to reimburse the cost of any emergency personnel, equipment, supplies, and other expenses incurred by the state and any political subdivision as a result of responding to the crime. Added by Laws 2002, c. 477, § 7, emerg. eff. June 6, 2002.

§21-1268.7. Unlawful acts - Conduct financial transaction or transport, transmit, or transfer monetary instrument. A. No person, knowing that property is the proceeds of an act of terrorism or a monetary instrument given, received, or intended to be used in support of an act of terrorism, shall conduct or attempt to conduct any financial transaction involving that property or transport, transmit or transfer that monetary instrument with the intent to do any of the following: 1. Commit or further the commission of an act of terrorism; 2. Conceal or disguise the nature, location, source, ownership, or control of either the proceeds of an act of terrorism or a monetary instrument given, received, or intended to be used to support an act of terrorism; or 3. Conceal or disguise the intent to avoid a financial transaction reporting requirement as provided in 31 U.S.C., Section 5311 et seq., 31 C.F.R., Part 103, Title 6 of the Oklahoma Statutes, or other federal monetary reporting requirements under law. B. Any person convicted of violating any provision of subsection A of this section shall be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00) or an amount equal to twice the dollar amount of each transaction, whichever is greater, or by both such fine and imprisonment. Added by Laws 2010, c. 456, § 2, eff. Nov. 1, 2010.

§21-1268.8. Oklahoma Antiterrorism Act - Using money services business or electronic funds transfer network. Any person who knowingly or intentionally uses a money services business, as defined by the Oklahoma Financial Transaction Reporting Act, or an electronic funds transfer network for any purpose in violation of the Oklahoma Antiterrorism Act, or with intent to facilitate any violation of the Oklahoma Antiterrorism Act shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, or by a fine of not more than Fifty Thousand Dollars (\$50,000.00) or an amount equal to twice the dollar amount of each transaction, whichever is greater, or by both such fine and imprisonment. Added by Laws 2010, c. 456, § 3, eff. Nov. 1, 2010.

§21-1279. Misdemeanor pointing a firearm. MISDEMEANOR POINTING A FIREARM Except for an act of self-defense, it shall be unlawful for any person to point any pistol or any other deadly weapon whether loaded or not, at any other person or persons. Any person violating the provisions of this section shall, upon conviction, be guilty of a misdemeanor punishable as provided in Section 1280 of this title. Any person convicted of violating the provisions of this section after having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act may be subject to an administrative violation as provided in Section 1280 of this title. R.L. 1910, § 2553. Amended by Laws 1995, c. 272, § 33, eff. Sept. 1, 1995; Laws 2013, c. 171, § 1, eff. Nov. 1, 2013.

§21-1280. Penalty for 1279. PENALTY FOR 1279 Any person violating the provisions of Section 1279 of this title, upon conviction, shall be guilty of a misdemeanor. The person offending shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) and shall be imprisoned in the county jail for a period not less than three (3) nor more than twelve (12) months. Any person convicted of violating the provisions of Section 1279 of this title after having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act, Sections 1 through 25 of this act, shall have the handgun license permanently revoked and shall be liable for an administrative fine of Fifty Dollars (\$50.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section. R.L. 1910, § 2554. Amended by Laws 1992, c. 170, § 2, emerg. eff. May 5, 1992; Laws 1993, c. 264, § 5, eff. Sept. 1, 1993; Laws 1995, c. 272, § 34, eff. Sept. 1, 1995.

§21-1287. Use of firearm while committing a felony. USE OF FIREARM WHILE COMMITTING A FELONY A. Any person who, while committing or attempting to commit a felony, possesses a pistol, shotgun or rifle or any other offensive weapon in such commission or attempt, whether the pistol, shotgun or rifle is loaded or not, or who possesses a blank or imitation pistol, altered air or toy pistol, shotgun or rifle capable of raising in the mind of one threatened with such device a fear that it is a real pistol, shotgun or rifle, or who possesses an air gun or carbon dioxide or other gas-filled weapon, electronic dart gun, conductive energy weapon, knife, dagger, dirk, switchblade knife, blackjack, ax, loaded cane, billy, hand chain or metal knuckles, in addition to the penalty provided by statute for the felony committed or attempted, upon conviction shall be guilty of a felony for possessing such weapon or device, which shall be a separate offense from the felony committed or attempted and shall be punishable by imprisonment in the custody of the Department of Corrections for a period of not less than two (2) years nor for more than ten (10) years for the first offense, and for a period of not less than ten (10) years nor more than thirty (30) years for any second or subsequent offense. B. Any person convicted of violating the provisions of this section after having been issued a handgun license pursuant to the provisions of the Oklahoma Self-Defense Act shall have the license permanently revoked and shall be liable for an administrative fine of One Thousand Dollars (\$1,000.00) upon a hearing and determination by the Oklahoma State Bureau of Investigation that the person is in violation of the provisions of this section. C. As used in this section, "altered toy pistol" shall mean any toy weapon which has been altered from its original manufactured state to resemble a real weapon. D. As used in this section, "altered air pistol" shall mean any air pistol manufactured to propel projectiles by air pressure which has been altered from its original manufactured state. Added by Laws 1969, c. 220, § 1. Amended by Laws 1976, c. 111, § 1; Laws 1982, c. 173, § 3, emerg. eff. April 16, 1982; Laws 1995, c. 272, § 38, eff. Sept. 1, 1995; Laws 1997, c. 133, § 329, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 222, eff. July 1, 1999; Laws 2006, c. 62, § 2, emerg. eff. April 17, 2006; Laws 2007, c. 162, § 2, eff. Nov. 1, 2007; Laws 2012, c. 259, § 10, eff. Nov. 1, 2012. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 329 from July 1, 1998, to July 1, 1999.

§21-1287.1. Penalty enhancement for weapon possession. PENALTY ENHANCEMENT FOR WEAPON POSSESSION Any person who, while committing or attempting to commit a crime of violence, discharges a firearm, in addition to the penalty provided by statute for the crime of violence committed or attempted, upon conviction, may be charged, in the discretion of the district attorney, with an additional felony for possessing such weapon, which shall be a separate offense punishable, upon conviction, by not less than ten (10) years in the custody of the Department of Corrections which may be served

concurrently with the sentence for the crime of violence. For purposes of this section, "crime of violence" means an offense that is a felony and has as an element of the offense, the use, attempted use, or threatened use of physical force against the person of another or that by its nature involves a substantial risk that physical force against the person of another may be used in the course of committing the offense. For purposes of this section, "firearm" means a rifle, pistol or shotgun. Added by Laws 1999, c. 318, § 2, eff. Nov. 1, 1999.

§21-1289.7. Firearms in vehicles. FIREARMS IN VEHICLES Any person, except a convicted felon, may transport in a motor vehicle a rifle, shotgun or pistol, open and unloaded, at any time. For purposes of this section "open" means the firearm is transported in plain view, in a case designed for carrying firearms, which case is wholly or partially visible, in a gun rack mounted in the vehicle, in an exterior locked compartment or a trunk of a vehicle. Any person, except a convicted felon, may transport in a motor vehicle a rifle or shotgun concealed behind a seat of the vehicle or within the interior of the vehicle provided the rifle or shotgun is not clip, magazine or chamber loaded. The authority to transport a clip or magazine loaded rifle or shotgun shall be pursuant to Section 1289.13 of this title. Any person who is the operator of a vehicle or is a passenger in any vehicle wherein another person who is licensed pursuant to the Oklahoma Self-Defense Act to carry a handgun, concealed or unconcealed, and is carrying a handgun or has the handgun in such vehicle, shall not be deemed in violation of the provisions of this section provided the licensee is in or near the vehicle. Added by Laws 1971, c. 159, § 7, emerg. eff. May 24, 1971. Amended by Laws 1995, c. 272, § 45, eff. Sept. 1, 1995; Laws 1996, c. 190, § 1, emerg. eff. May 16, 1996; Laws 2012, c. 259, § 12, eff. Nov. 1, 2012.

§21-1411. Fraudulent bill of lading. Any person being the master, owner or agent of any vessel, or officer or agent of any railroad, express or transportation company, or otherwise being or representing any carrier who delivers any bill of lading, receipt or other voucher, or by which it appears that any merchandise of any description has been shipped on board of any vessel, or delivered to any railroad, express or transportation company or other carrier, unless the same has been so shipped or delivered, and is at the time actually under the control of such carrier, or the master, owner or agent of such vessel, or some officer or agent of such company, to be forwarded as expressed in such bill of lading, receipt or voucher, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both. R.L. 1910, § 2710. Amended by Laws 1997, c. 133, § 352, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 245, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 352 from July 1, 1998, to July 1, 1999.

§21-1412. Fraudulent warehouse receipts. Any person carrying on the business of a warehouseman, wharfinger or other depository of property, who issues any receipt, bill of lading or other voucher for any merchandise of any description which has not been actually received upon the premises of such person, and is not under his actual control at the time of issuing such instrument, whether such instrument is issued to a person as being the owner of such merchandise, or as security for any indebtedness, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both. R.L. 1910, § 2711. Amended by Laws 1997, c. 133, § 353, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 246, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 353 from July 1, 1998, to July 1, 1999.

§21-1413. Correspondence between instrument and merchandise received. No person can be convicted of any offense under the last two sections by reason that the contents of any barrel, box, case, cask or other vessel or package mentioned in the bill of lading, receipt or other voucher, did not correspond with the description given in such instrument of the merchandise received, if such description corresponded substantially with the marks, labels or brands upon the outside of such vessel or package, unless it appears that the accused knew that such marks, labels or brands were untrue. R.L.1910, § 2712.

§21-1414. Duplicate receipts or vouchers. Any person mentioned in Section 1411 or 1412 of this title, who issued any second or duplicate receipt or voucher of a kind specified in those two sections, at a time while any former receipt or voucher for the merchandise specified in the second receipt is outstanding and uncanceled, without writing across the face of the same the word "Duplicate," in a plain and legible manner, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both. R.L. 1910, § 2713. Amended by Laws 1997, c. 133, § 354, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 247, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 354 from July 1, 1998, to July 1, 1999.

§21-1415. Selling goods without consent of holder of bill of lading. Any person mentioned in Section 1411 or 1412 of this title, who sells, hypothecates or pledges any merchandise for which any bill of lading, receipt or voucher has been issued by him without the consent in writing thereto of the person holding such bill, receipt or voucher, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years, or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both. R.L. 1910, § 2714. Amended by Laws 1997, c. 133, § 355, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 248, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 355 from July 1, 1998, to July 1, 1999.

§21-1416. Unlawful delivery of goods. Any person mentioned in Section 1412 of this title, who delivers to another any merchandise for which any bill of lading, receipt or voucher has been issued, unless such receipt or voucher bore upon its face the words "Not negotiable," plainly written or stamped, or unless such receipt is surrendered to be canceled at the time of delivery or unless, in the case of partial delivery, a memorandum thereof is endorsed upon such receipt or voucher, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both. R.L. 1910, § 2715. Amended by Laws 1997, c. 133, § 356, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 249, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 356 from July 1, 1998, to July 1, 1999.

§21-1417. When law does not apply. The last two sections do not apply where property is demanded by virtue of process of law. R.L.1910, § 2716.

§21-1458. Evidence of debt subject of embezzlement. Any evidence of debt, negotiable by delivery only, and actually executed, is equally the subject of embezzlement whether it has been delivered or issued as a valid instrument or not. R.L.1910, § 2677.

§21-1459. Property taken under claim of title. Upon any prosecution for embezzlement it is a sufficient defense that the property was appropriated openly and avowedly, and under a claim of title preferred in

good faith even though such claim is untenable. But this provision shall not excuse the retention of the property of another, to offset or pay demand held against him. R.L.1910, § 2678.

§21-1460. Intent to restore no defense. The fact that the accused intended to restore the property embezzled is no ground of defense, or of mitigation of punishment, if it has not been restored before an information has been laid before a magistrate, charging the commission of the offense. R.L.1910, § 2679.

§21-1461. Mitigation of punishment. Whenever it is made to appear that prior to any information laid before a magistrate charging the commission of embezzlement, the person accused voluntarily and actually restored or tendered restoration of the property alleged to have been embezzled, or any part thereof, such is not a ground of defense to the indictment, but it authorizes the court to mitigate punishment in its discretion. R.L.1910, § 2680.

§21-1483. Extortion or attempted extortion. Every person who extorts or attempts to extort any money or other property from another, under circumstances not amounting to robbery, by means of force or any threat such as is mentioned in Section 1482 of this title, upon conviction, shall be guilty of a felony. A conviction for extortion is punishable by imprisonment in the State Penitentiary for a term not exceeding five (5) years. A conviction for attempted extortion is punishable by imprisonment in the State Penitentiary for a term not exceeding two (2) years. R.L. 1910, § 2684. Amended by Laws 1991, c. 226, § 2, emerg. eff. May 23, 1991; Laws 1997, c. 133, § 362, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 254, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 362 from July 1, 1998, to July 1, 1999.

§21-1484. Extortion under color of official right. Every person who commits any extortion under color of official right, in cases for which a different punishment is not prescribed by this code, or by some of the statutes, which it specifies as continuing in force, is guilty of a misdemeanor. R.L.1910, § 2685.

§21-1485. Obtaining signature by extortion. Every person, who by any extortionate means, obtains from another his signature to any paper or instrument, whereby, if such signature were freely given, any property would be transferred, or any debt, demand, charge or right of action created, is punishable in the same manner as if the actual delivery of such property or payment of the amount of such debt, demand, charge or right of action were obtained. R.L.1910, § 2686.

§21-1486. Letters, threatening. Every person who, with intent to extort any money or other property from another, sends to any person any letter or other writing, whether subscribed or not, expressing or implying, or adapted to imply, any threat, such as is specified in the second section of this article, is punishable in the same manner as if such money or property were actually obtained by means of such threat. R.L.1910, § 2687. §21-1487. Repealed by Laws 1991, c. 226, § 4, emerg. eff. May 23, 1991.

§21-1488. Blackmail. Blackmail is verbally or by written or printed communication and with intent to extort or gain any thing of value from another or to compel another to do an act against his or her will: 1. Accusing or threatening to accuse any person of a crime or conduct which would tend to degrade and disgrace the person accused; 2. Exposing or threatening to expose any fact, report or information concerning any person which would in any way subject such person to the ridicule or contempt of society; or 3. Threatening to report a person as being illegally present in the United States, and is coupled with the threat that such accusation or exposure will be communicated to a third person or persons unless the person threatened or some other person pays or delivers to the accuser or some

other person some thing of value or does some act against his or her will. Blackmail is a felony punishable by imprisonment in the State Penitentiary for not to exceed five (5) years or fine not to exceed Ten Thousand Dollars (\$10,000.00) or by both such imprisonment and fine. Added by Laws 1974, c. 142, § 1, emerg. eff. May 3, 1974. Amended by Laws 1997, c. 133, § 363, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 255, eff. July 1, 1999; Laws 2010, c. 409, § 4, eff. Nov. 1, 2010. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 363 from July 1, 1998, to July 1, 1999.

§21-1500. Real property loans - Securing by false instrument - Penalty. (a) It shall be unlawful for any person willfully, knowingly, or fraudulently to make, issue, deliver, use or submit, or to participate in making, issuing, delivering, using or submitting any fictitious, false or fraudulent offer, agreement, contract or other instrument concerning any real property or improvements thereon for the purpose either of inducing or attempting to induce any lender, prospective lender or government agency to make any loan, advance or commitment or of securing any guaranty or insurance in connection therewith. (b) Any person violating the provisions of this act shall be deemed to be guilty of a misdemeanor and upon conviction shall be fined not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned for not more than one (1) year, or both. Laws 1968, c. 181, § 1, emerg. eff. April 15, 1968.

§21-1501. Securing credit fraudulently - Penalty. Any person who shall: 1. Knowingly make or cause to be made, either directly or indirectly, or through any agency whatsoever, any false statement in writing, with intent that it shall be relied upon, respecting the financial condition, or means or ability to pay of such person, or any other person, firm or corporation, in whom the person is interested, or for whom the person is acting, for the purpose of procuring in any form whatsoever, either the delivery of personal property, the payment of cash, the making of a loan or credit, the extension of a credit, the discount of an account receivable, or the making, acceptance, discount, sale or endorsement of a bill of exchange or promissory note, for the benefit of either such person or any other person, firm or corporation; 2. With knowledge that a false statement in writing has been made, respecting the financial condition or means or ability to pay, of such person, or any other person, firm or corporation in which the person is interested, or for whom the person is acting, procures, upon the faith thereof, for the benefit of either such person, or any other person, firm or corporation, either or any of the things of benefit mentioned in paragraph 1 of this section; 3. With knowledge that a statement in writing has been made, respecting the financial condition or means or ability to pay of such person, or any other person, firm or corporation, in which the person is interested, or for whom the person is acting, represents on a later date in writing, that the statement theretofore made, if then again made on said day, would be then true, when in fact, the statement if then made would be false, and procures upon the faith thereof, for the benefit of either such person or any other person, firm or corporation, either or any of the things of benefit mentioned in paragraph 1 of this section; or 4. Knowingly with intent to defraud, make any false statement or report or willfully falsify the value of any land, property or security for the purpose of influencing in any way the action taken or decision made on any application, advance, discount, purchase, purchase agreement, repurchase agreement, commitment or loan, or any change or extension of any of the same, by renewal, deferment of action or otherwise, or the acceptance, release or substitution of security; shall be, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for not more than six (6) months or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. Laws 1915, c. 180, § 1. Amended by Laws 2004, c. 298, § 2, emerg. eff. May 12, 2004.

§21-1502. Fraudulent advertising prohibited - Punishment. Any person, firm, corporation or association who, with intent to sell or in anywise dispose of merchandise, securities, service or anything offered by such person, firm, corporation or association, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, makes, publishes, disseminates, circulates or places before the public, or causes directly or indirectly to be made, published, disseminated, circulated or placed before the public in this state, in a newspaper or publication or in form of a book, notice, handbill, poster, bill, circular, pamphlet or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than Ten Dollars (\$10.00) nor more than Fifty (\$50.00) or by imprisonment in the county jail not exceeding twenty (20) days, or both such fine and imprisonment. Laws 1919, c. 56, p. 91, § 1.

§21-1508. Fictitious copartnership. Every person transacting business in the name of a person as a partner who is not interested in his firm, or transacting business under a firm name in which the designation "and company" or "& Co." is used without representing an actual partner except in the cases in which the continued use of a copartnership name is authorized by law, is guilty of a misdemeanor. R.L.1910, § 2700. D

§21-1510. Destroying evidence of ownership of wrecked property. Every person who defaces or obliterates the marks upon wrecked property, or in any manner disguises the appearance thereof with intent to prevent the owner from discovering its identity, or who destroys or suppresses any invoice, bill of lading or other document tending to show the ownership, is guilty of a misdemeanor. R.L. 1910, § 2702.

§21-1514. Insignia, badge or pin calculated to deceive, wearing of - Name of society, order or organization calculated to deceive, using - Punishment. Any person who shall wear the badge, pin, or insignia, or shall use the name of any society, order or organization of ten (10) years' standing or existence in this State, either in the identical form or in any such near resemblance thereto as might be calculated to deceive, or shall use the same to obtain aid or assistance within this state, unless entitled to use or wear the same under the constitution and bylaws, rules and regulations of such order or society, shall be guilty of a misdemeanor and upon conviction thereof, shall be fined in any sum not less than Twenty-five Dollars (\$25.00), nor more than One Hundred Dollars (\$100.00), and in addition thereto, may be imprisoned in the county jail for a period of time not exceeding thirty (30) days. Laws 1939, p. 361, § 1.

§21-1515. Telecommunication services - Unlawful procurement - Penalty. Any individual, corporation, or other person, who, with intent to defraud or to aid and abet another to defraud any individual, corporation, or other person, of the lawful charge, in whole or in part, for any telecommunications service, shall avoid or attempt to avoid or shall cause or assist another to avoid or attempt to avoid any such charge for such service: (a) by charging such service to an existing account, or using such services from an existing account, telephone number or credit card number without the authority of the subscriber thereto or the legitimate holder thereof; or (b) by charging such service to a nonexistent, false, fictitious, or counterfeit account, telephone number or credit card number or to a suspended,

terminated, expired, cancelled or revoked telephone number or credit card number; or (c) by use of a code, prearranged scheme, or other similar strategem or device whereby said person in effect sends or receives information; or (d) by rearranging, tampering with or making connection with any facilities or equipment of a telephone or other communications company, whether physically, inductively, acoustically, or electrically, or by utilizing such service, having reason to believe that such rearrangement, connection, or tampering existed or occurred; shall be guilty of a misdemeanor, and shall, upon conviction thereof, be imprisoned not exceeding one (1) year or fined not exceeding One Thousand Dollars (\$1,000.00), or both, in the discretion of the court. Laws 1965, c. 137, § 1, emerg. eff. May 24, 1965; Laws 1991, c. 10, § 1, eff. July 1, 1991.

§21-1516. Devices or plans to procure services - Making, possessing, etc., prohibited - Penalty. Any individual, corporation or other person who: (a) makes or possesses any instrument, apparatus, equipment, or device designed, adapted or which can be used (1) to fraudulently avoid the lawful charge for any telecommunication service in violation of Section 1 of this act; or (2) to conceal, or to assist another to conceal, from any supplier of telecommunication service or from any lawful authority the existence or place of origin or of destination of any telecommunication; or (b) sells, gives or otherwise transfers to another, or offers or advertises to sell, give or otherwise transfer, any instrument, apparatus, equipment, or device, described in (a) above, or plans or instructions for making or assembling the same; under circumstances evidencing an intent to use or employ such instrument, apparatus, equipment, or device, or to allow the same to be used or employed, for a purpose described in (a) (1) or (a) (2), above, or knowing or having reason to believe that the same is intended to be so used, or that the aforesaid plans or instructions are intended to be used for making or assembling such instrument, apparatus, equipment, or device; shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be imprisoned not exceeding one (1) year or fined not exceeding One Thousand Dollars (\$1,000.00), or both, in the discretion of the court. Laws 1965, c. 137, § 2, emerg. eff. May 24, 1965.

§21-1518. Misrepresentation of age by false document. It shall be unlawful for any person, for the purpose of violating any Statutes of Oklahoma, to willfully and knowingly misrepresent his age by presenting a false document purporting to state his true age. Laws 1965, c. 481, § 1, emerg. eff. July 14, 1965.

§21-1519. Penalties. Any person violating the provisions of Section 1 of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed One Hundred Dollars (\$100.00), or shall be confined to the county jail for a period of not to exceed thirty (30) days, or by both such fine and confinement. Laws 1965, c. 481, § 2, emerg. eff. July 14, 1965.

§21-1520. Provisions as cumulative. The provisions of this act shall be cumulative to existing laws. Laws 1965, c. 481, § 3, emerg. eff. July 14, 1965.

§21-1522. Publication of telephone credit card information for fraudulent purposes. Any person who publishes or causes to be published the number or code of an existing, cancelled, revoked, expired or nonexistent telephone credit card, or the numbering or coding system which is employed in the issuance of telephone credit cards, with the intent that it be used to fraudulently avoid the payment of any lawful toll charge, is guilty of a misdemeanor. As used in this section, "published" means the communication of information to any one or more persons, either orally, in person or by telephone, radio or television, or in a writing of any kind, including without limitation a letter or memorandum, circular or handbill, newspaper or magazine article or book. Laws 1973, c. 140, § 1, emerg. eff. May 10, 1973.

§21-1531. False personation - Marriage - Becoming bail or surety - Execution of instrument - Creating liability or benefit. Any person who falsely personates another, and in such assumed character: 1. Marries or pretends to marry, or to sustain the marriage relation toward another, with or without the connivance of such other person; or 2. Becomes bail or surety for any party, in any proceeding whatever, before any court or officer authorized to take such bail or surety; or 3. Subscribes, verifies, publishes, acknowledges or proves, in the name of another person, any written instrument, with intent that the same may be delivered or used as true; or 4. Does any other act whereby, if it were done by the person falsely personated, he might in any event become liable to any suit or prosecution, or to pay any sum of money, or to incur any charge, forfeiture or penalty, or whereby any benefit might accrue to the party personating, or to any other person; shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding ten (10) years. R.L. 1910, § 2689. Amended by Laws 1997, c. 133, § 367, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 259, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 367 from July 1, 1998, to July 1, 1999.

§21-1532. Receiving money or property intended for individual personated. Any person who falsely personates another, and in such assumed character receives any money or property, that knowing it is intended to be delivered to the individual so personated, with intent to convert the same to his own use, or to that of another person who is not entitled thereto, shall be guilty of a felony punishable in the same manner and to the same extent as for larceny of the money or property so received. R.L. 1910, § 2690. Amended by Laws 1997, c. 133, § 368, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 260, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 368 from July 1, 1998, to July 1, 1999.

§21-1533. Penalties - Definitions - Certain defenses excluded. A. Except as provided in subsection B of this section, every person who falsely personates any public officer, civil or military, any firefighter, any law enforcement officer, any emergency medical technician or other emergency medical care provider, or any private individual having special authority by law to perform any act affecting the rights or interests of another, or who assumes, without authority, any uniform or badge by which such officers or persons are usually distinguished, and in such assumed character does any act whereby another person is injured, defrauded, harassed, vexed or annoyed, upon conviction, is guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding Two Thousand Dollars (\$2,000.00), or by both such fine and imprisonment. B. Every person who falsely personates any public officer or any law enforcement officer in connection with or relating to any sham legal process shall, upon conviction, be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. C. Every person who falsely asserts authority of law not provided for by federal or state law in connection with any sham legal process shall, upon conviction, be guilty of a felony, punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. D. Every person who, while acting falsely in asserting authority of law, attempts to intimidate or hinder a public official or law enforcement officer in the discharge of official duties by means of threats, harassment, physical abuse, or use of sham legal process shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. E. Any person who, without authority under federal or state law,

acts as a supreme court justice, a district court judge, an associate district judge, a special judge, a magistrate, a clerk of the court or deputy, a notary public, a juror or other official holding authority to determine a controversy or adjudicate the rights or interests of others, or signs a document in such capacity, shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for not more than two (2) years, or a fine not exceeding Five Thousand Dollars (\$5,000.00), or both such fine and imprisonment. F. Every person who uses any motor vehicle or motor-driven cycle usually distinguished as a law enforcement vehicle or equips any motor vehicle or motor-driven cycle with any spot lamps, audible sirens, or flashing lights, in violation of Section 12-217, 12-218 or 12-227 of Title 47 of the Oklahoma Statutes, or in any other manner uses any motor vehicle or motor-driven cycle: 1. Which, by markings that conform to or imitate the markings required or authorized in subsection B of Section 151 of Title 47 of the Oklahoma Statutes and used by the Oklahoma Highway Patrol Division of the Department of Public Safety, conveys to any person the impression or appearance that it is a vehicle of the Oklahoma Highway Patrol shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or both fine and imprisonment; provided, nothing in this paragraph shall be construed to prohibit the use of such a vehicle for exhibitions, club activities, parades, and other functions of public interest and which is not used on the public roads, streets, and highways for regular transportation; or 2. For the purpose of falsely personating a law enforcement officer and who in such assumed character commits any act whereby another person is injured, defrauded, harassed, vexed or annoyed shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. G. 1. Any person who displays or causes to be displayed the words "State Police" alone or in conjunction with any other word or words on any motor vehicle, badge, clothing, identification card, or any other object or document with the intent to communicate peace officer or investigating authority shall, upon conviction, be guilty of a misdemeanor punishable by a fine not exceeding One Thousand Dollars (\$1,000.00). This paragraph shall not apply to any officer with statewide investigatory or law enforcement authority. 2. Any person who displays or causes to display such words as provided in this subsection for the purpose of falsely personating a law enforcement officer and as such commits any act whereby another person is injured, defrauded, harassed, vexed or annoyed shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding ten (10) years, or by a fine not exceeding Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. H. As used in this section: 1. "Sham legal process" means the issuance, display, delivery, distribution, reliance on as lawful authority, or other use of an instrument that is not lawfully issued, whether or not the instrument is produced for inspection or actually exists, and purports to do any of the following: a. to be a summons, subpoena, judgment, arrest warrant, search warrant, or other order of a court recognized by the laws of this state, a law enforcement officer commissioned pursuant to state or federal law or the law of a federally recognized Indian tribe, or a legislative, executive, or administrative agency established by state or federal law or the law of a federally recognized Indian tribe, b. to assert jurisdiction or authority over or determine or adjudicate the legal or equitable status, rights, duties, powers, or privileges of any person or property, or c. to require or authorize the search, seizure, indictment, arrest, trial, or sentencing of any person or property; and 2. "Lawfully issued" means adopted, issued, or rendered in accordance with the applicable statutes, rules, regulations, and ordinances of the United States, a state, or a political subdivision of a state. I. It shall not be a defense to a prosecution under

subsection B, C, D or E of this section that: 1. The recipient of the sham legal process did not accept or believe in the authority falsely asserted in the sham legal process; 2. The person violating subsection B, C, D or E of this section does not believe in the jurisdiction or authority of this state or of the United States government; or 3. The office the person violating subsection B, C, D or E of this section purports to hold does not exist or is not an official office recognized by state or federal law. R.L. 1910, § 2691.

Amended by Laws 1990, c. 320, § 4, emerg. eff. May 30, 1990; Laws 1993, c. 13, § 1, emerg. eff. March 24, 1993; Laws 1997, c. 405, § 1, emerg. eff. June 13, 1997; Laws 1998, 1st Ex. Sess., c. 2, § 8, emerg. eff. June 19, 1998; Laws 1999, c. 24, § 4, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 261, eff. July 1, 1999; Laws 2003, c. 199, § 2, eff. Nov. 1, 2003; Laws 2003, c. 474, § 2, eff. Nov. 1, 2003; Laws 2012, c. 125, § 1, eff. Nov. 1, 2012.

§21-1533.1. Identity theft - Penalties - Civil action. A. It is unlawful for any person to willfully and with fraudulent intent obtain the name, address, Social Security number, date of birth, place of business or employment, debit, credit or account numbers, driver license number, or any other personal identifying information of another person, living or dead, with intent to use, sell, or allow any other person to use or sell such personal identifying information to obtain or attempt to obtain money, credit, goods, property, or service in the name of the other person without the consent of that person. B. It is unlawful for any person to use with fraudulent intent the personal identity of another person, living or dead, or any information relating to the personal identity of another person, living or dead, to obtain or attempt to obtain credit or anything of value. C. It is unlawful for any person with fraudulent intent to lend, sell, or otherwise offer the use of such person's own name, address, Social Security number, date of birth, or any other personal identifying information or document to any other person with the intent to allow such other person to use the personal identifying information or document to obtain or attempt to obtain any identifying document in the name of such other person. D. It is unlawful for any person to willfully create, modify, alter or change any personal identifying information of another person with fraudulent intent to obtain any money, credit, goods, property, service or any benefit or thing of value, or to control, use, waste, hinder or encumber another person's credit, accounts, goods, property, title, interests, benefits or entitlements without the consent of that person. E. Any person convicted of violating any provision of this section shall be guilty of identity theft. Any person who violates the provisions of subsection A, B or D of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term of not less than one (1) year nor more than five (5) years, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Any person who violates the provisions of subsection C of this section shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail for a term not to exceed one (1) year, or a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by both such fine and imprisonment. Restitution to the victim may be ordered in addition to any criminal penalty imposed by the court. The victim of identity theft may bring a civil action for damages against any person participating in furthering the crime or attempted crime of identity theft. Added by Laws 1999, c. 144, § 1, emerg. eff. May 3, 1999. Amended by Laws 2000, c. 277, § 10, eff. Nov. 1, 2000; Laws 2001, c. 5, § 5, emerg. eff. March 21, 2001; Laws 2004, c. 279, § 1, emerg. eff. May 10, 2004; Laws 2007, c. 167, § 1, eff. Nov. 1, 2007; Laws 2016, c. 221, § 3, eff. Nov. 1, 2016. NOTE: Laws 2000, c. 174, § 1 repealed by Laws 2001, c. 5, § 6, emerg. eff. March 21, 2001.

§21-1533.2. Fraudulently obtaining another person's information of financial institution - Presenting false or fraudulent information to officer, employee, agent or another customer of financial institution.

A. It is unlawful for any person to willfully and knowingly obtain, or attempt to obtain, another person's personal, financial or other information of a financial institution by means of any false or fraudulent statement made to any officer, employee, agent or customer of such financial institution. B. It is unlawful for any person to willfully and knowingly present any false or fraudulent document or information, or any document or information obtained or used without lawful consent or authority, to any officer, employee, agent or another customer of such financial institution to obtain, or attempt to obtain, another person's personal, financial or other information from a financial institution or to commit any crime. C. Any person violating any provision of this section shall, upon conviction, be guilty of a felony punishable by imprisonment in the Department of Corrections for a term of not more than ten (10) years. In addition, the court may order restitution to be paid by the defendant to every customer whose information was obtained or otherwise utilized in violation of this provision. Added by Laws 2004, c. 298, § 3, emerg. eff. May 12, 2004.

§21-1533.3. Identity theft incident report - Preparation and filing by local law enforcement - Reports not considered open cases. A. Notwithstanding that jurisdiction may lie elsewhere for investigation and prosecution of a crime of identity theft, victims of identity theft have the right to contact the local law enforcement agency where the victim is domiciled and have an incident report about the identity theft prepared and filed. The local law enforcement agency that prepares and files the incident report shall, upon request, provide the victim with a copy of the incident report. The law enforcement agency may share the incident report with law enforcement agencies located in other jurisdictions. For purposes of this section, "incident report" means a loss or other similar report prepared and filed by a local law enforcement agency. B. Nothing in this section shall interfere with the discretion of a local law enforcement agency to allocate resources for investigations of crimes. An incident report prepared and filed pursuant to this section shall not be an open case for purposes of compiling open case statistics. Added by Laws 2007, c. 10, § 1, eff. Nov. 1, 2007.

§21-1541.1v1. Obtaining or attempting to obtain property by trick or deception - False statements or pretenses - Confidence game - Penalty. Every person who, with intent to cheat and defraud, shall obtain or attempt to obtain from any person, firm or corporation any money, property or valuable thing, of a value less than One Thousand Dollars (\$1,000.00), by means or by use of any trick or deception, or false or fraudulent representation or statement or pretense, or by any other means or instruments or device commonly called the "confidence game", or by means or use of any false or bogus checks, or by any other written or printed or engraved instrument or spurious coin, shall, upon conviction, be guilty of a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment. Added by Laws 1967, c. 94, § 1, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 1, operative Oct. 1, 1982; Laws 2001, 1st Ex. Sess., c. 2, § 1, emerg. eff. Oct. 8, 2001; Laws 2016, c. 221, § 4, eff. Nov. 1, 2016.

§21-1541.1v2. Obtaining or attempting to obtain property by trick or deception - False statements or pretenses - Confidence game - Penalty. Every person who, with intent to cheat and defraud, shall obtain or attempt to obtain from any person, firm or corporation any money, property or valuable thing, of a value less than One Thousand Dollars (\$1,000.00), by means or by use of any trick or deception, or false or fraudulent representation or statement or pretense, or by any other means or instruments or device commonly called the "confidence game", or by means or use of any false or bogus checks, or by any other written or printed or engraved instrument or spurious coin, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00), or

by imprisonment in the county jail for not more than one (1) year, or by both such fine and imprisonment. Added by Laws 1967, c. 94, § 1, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 1, operative Oct. 1, 1982; Laws 2001, 1st Ex. Sess., c. 2, § 1, emerg. eff. Oct. 8, 2001; State Question No. 780, Initiative Petition No. 404, § 13, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

§21-1541.2v1. Value of money, property or valuable thing - Penalty. If the value of the money, property or valuable thing referred to in Section 1541.1 of this title is One Thousand Dollars (\$1,000.00) or more, any person convicted pursuant to this section shall be guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for a term not more than ten (10) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment, and ordered to provide restitution to the victim as provided in Section 991a of Title 22 of the Oklahoma Statutes. Added by Laws 1967, c. 94, § 2, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 2, operative Oct. 1, 1982; Laws 1993, c. 147, § 4, eff. Sept. 1, 1993; Laws 1997, c. 133, § 369, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 262, eff. July 1, 1999; Laws 2001, c. 437, § 7, eff. July 1, 2001; Laws 2016, c. 221, § 5, eff. Nov. 1, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 369 from July 1, 1998, to July 1, 1999.

§21-1541.2v2. Value of One Thousand Dollars or more - Punishment. If the value of the money, property or valuable thing referred to in Section 1541.1 of this title is One Thousand Dollars (\$1,000.00) or more, any person convicted hereunder shall be deemed guilty of a felony and shall be punished by imprisonment in the State Penitentiary for a term not more than ten (10) years, or by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment. Added by Laws 1967, c. 94, § 2, emerg. eff. April 20, 1967. Amended by Laws 1982, c. 277, § 2, operative Oct. 1, 1982; Laws 1993, c. 147, § 4, eff. Sept. 1, 1993; Laws 1997, c. 133, § 369, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 262, eff. July 1, 1999; Laws 2001, c. 437, § 7, eff. July 1, 2001; State Question No. 780, Initiative Petition No. 404, § 14, adopted at General Election held on November 8, 2016, eff. July 1, 2017. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 369 from July 1, 1998, to July 1, 1999.

§21-1541.5. Credit defined. The word "credit," as used in Section 1541.1 through 1541.4 of this title, shall be construed to mean an arrangement or understanding with the bank, depository, or seller of goods or livestock for the payment of such check, draft, or order. Added by Laws 1967, c. 94, § 5, emerg. eff. April 20, 1967. Amended by Laws 2009, c. 428, § 2, eff. Nov. 1, 2009.

§21-1541.6. Refund fraud - Penalties. A. No person shall give a false or fictitious name or address as his own, or give the name or address of any other person without the knowledge and consent of that person, for the purpose of obtaining or attempting to obtain a refund for merchandise from a business establishment. B. Any person convicted of violating the provisions of this section shall be guilty of a misdemeanor punishable by the imposition of a fine of not more than One Thousand Dollars (\$1,000.00) or by imprisonment in the county jail for not more than one (1) year, or by both said fine and imprisonment. Added by Laws 1984, c. 44, § 1, eff. Nov. 1, 1984. De

§21-1542. Obtaining property or signature under false pretenses - Use of retail sales receipt or Universal Price Code Label to cheat or defraud. A. Every person who, with intent to cheat or defraud another, designedly, by color or aid of any false token or writing, or other false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money or property is, upon

conviction, guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding three (3) years or in a county jail not exceeding one (1) year if the value is One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding three times the value of the money or property so obtained, or by both such fine and imprisonment. If the value is less than One Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding three times the value of the money or property so obtained, or by both such fine and imprisonment. B. Every person who, with intent to cheat or defraud another, possesses, uses, utters, transfers, makes, manufactures, counterfeits, or reproduces a retail sales receipt or a Universal Price Code Label is, upon conviction, guilty of a felony punishable by imprisonment in the custody of the Department of Corrections for a term not exceeding three (3) years or in a county jail not exceeding one (1) year if the value is One Thousand Dollars (\$1,000.00) or more, or by a fine not exceeding three times the value represented on the retail sales receipt or the Universal Price Code Label, or by both such fine and imprisonment. If the value is less than One Thousand Dollars (\$1,000.00), the person is, upon conviction, guilty of a misdemeanor punishable by imprisonment in the county jail for a term not exceeding one (1) year, or by a fine not exceeding three times the value represented on the retail sales receipt or the Universal Price Code Label, or by both such fine and imprisonment. For purposes of this subsection, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime. R.L. 1910, § 2694. Amended by Laws 1997, c. 139, § 2, eff. Nov. 1, 1997; Laws 2016, c. 221, § 7, eff. Nov. 1, 2016. NOTE: Laws 1997, c. 133, § 371 repealed by Laws 1999, 1st Ex. Sess., c. 5, § 452, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 371 from July 1, 1998, to July 1, 1999.

§21-1543. Obtaining signature or property for charitable purposes by false pretenses. Any person who designedly, by color or aid of any false token or writing, or other false pretense, obtains the signature of any person to any written instrument, or obtains from any person any money or property for any alleged charitable or benevolent purpose whatever, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding three (3) years or in a county jail not exceeding one (1) year, or by a fine not exceeding the value of the money or property so obtained, or by both such fine and imprisonment. R.L. 1910, § 2695. Amended by Laws 1997, c. 133, § 372, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 264, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 372 from July 1, 1998, to July 1, 1999.

§21-1544. False negotiable paper. If the false token by which any money or property is obtained in violation of the first and second preceding sections of this article, is a promissory note or negotiable evidence of debt purporting to be issued by or under the authority of any banking company or corporation not in existence, the person guilty of such cheat shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding seven (7) years, instead of by punishment prescribed by those sections. R.L. 1910, § 2696. Amended by Laws 1997, c. 133, § 373, eff. July 1, 1999;

Laws 1999, 1st Ex.Sess., c. 5, § 265, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 373 from July 1, 1998, to July 1, 1999.

§21-1545. Using false check - False token. The use of a matured check or other order for the payment of money, as a means of obtaining any signature, money or property, such as is specified in the last two sections, by a person who knows that a drawer thereof is not entitled to draw for the sum specified therein, upon the drawee, is the use of a false token within the meaning of those sections although no representation is made in respect thereto. R.L.1910, § 2697. De

§21-1546. Removing, defacing, altering or obliterating - Subsequent sale. Any person, firm or corporation who removes, defaces, alters, changes, destroys, covers, obliterates or makes a substitution of any trademark, distinguishing or identification number, serial number or mark, on or from any machine or electrical or mechanical device or apparatus, and thereafter sells or resells or offers for sale or resale the same in such condition, is guilty of a misdemeanor. Laws 1953, p. 97, § 1.

§21-1550.29. Forged or revoked card. A person who, with intent to defraud (a) the issuer, (b) a person or organization providing money, goods, services or anything else of value, or (c) any other person, uses for the purpose of obtaining money, goods, services or anything else of value a credit card or debit card obtained or retained in violation of any provision of Sections 1550.22 through 1550.28 of this title or a credit card or debit card which he knows is forged or revoked, or obtains money, goods, services or anything else of value by representing, without the consent of the cardholder, that he is the holder of a specified card or by representing that he is the holder of a card and such card has in fact not been issued, has violated this subsection and is guilty of an offense and is subject to the penalties set forth in Section 1550.33(a) of this title. Knowledge of revocation shall be presumed to have been received by a cardholder fourteen (14) days after it has been mailed to him at the address in this state set forth on the credit card application or at his last-known address by registered or certified mail, return receipt requested. Laws 1970, c. 258, § 9, emerg. eff. April 22, 1970; Laws 1981, c. 86, § 11, emerg. eff. April 20, 1981.

§21-1550.32. Receiving of money, goods or services in violation of Section 1550.29. A person who receives money, goods, services or anything else of value obtained in violation of Section 1550.29 of this title, with the knowledge or belief that it was so obtained, is guilty of an offense and is subject to the penalties set forth in subsection C of Section 1550.33 of this title. Added by Laws 1970, c. 258, § 12, emerg. eff. April 22, 1970. Amended by Laws 2016, c. 221, § 9, eff. Nov. 1, 2016.

§21-1550.33. Penalties. A. A person who is subject to the penalties of this subsection shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00) or imprisoned in the county jail not to exceed one (1) year, or both fined and imprisoned. B. A person who is subject to the penalties of this subsection shall be guilty of a felony and shall be punished by imprisonment in the custody of the Department of Corrections for not more than seven (7) years.

C. A person subject to the penalties of this subsection who received goods or services or any other item which has a value of One Thousand Dollars (\$1,000.00) or more shall be guilty of a felony and fined not more than Three Thousand Dollars (\$3,000.00), imprisoned in the custody of the Department of Corrections for not more than three (3) years, or both fined and imprisoned. If the value is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00), imprisoned in the county jail for not more than one (1) year, or both fined

and imprisoned. For purposes of this subsection, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime. Added by Laws 1970, c. 258, § 13, emerg. eff. April 22, 1970. Amended by Laws 1971, c. 307, § 7, emerg. eff. June 19, 1971; Laws 1997, c. 133, § 375, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 267, eff. July 1, 1999; Laws 2016, c. 221, § 10, eff. Nov. 1, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 375 from July 1, 1998, to July 1, 1999.

§21-1550.34. Other criminal law not precluded - Exception. This act shall not be construed to preclude the applicability of any other provision of the criminal law of this state which presently applies or may in the future apply to any transaction which violates this act, unless such provision is inconsistent with the terms of this act. Laws 1970, c. 258, § 14, emerg. eff. April 22, 1970.

§21-1550.36. Provisions cumulative. The provisions of this act shall be cumulative to any existing laws. Added by Laws 1970, c. 258, § 16, emerg. eff. April 22, 1970

§21-1578v1. Possession of forged evidences of debt. Every person who, with intent to defraud, has in his or her possession any forged, altered or counterfeit negotiable note, bill, draft or other evidence of debt issued or purporting to have been issued by any corporation or company duly authorized for that purpose by the laws of this state or of any other state, government or country, the forgery of which is hereinbefore declared to be punishable, knowing the same to be forged, altered or counterfeited, with intent to utter the same as true or as false, or to cause the same to be so uttered, is guilty of forgery in the second degree if the value of the instrument is One Thousand Dollars (\$1,000.00) or more and forgery in the third degree if the value of the instrument is less than One Thousand Dollars (\$1,000.00). For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime. R.L. 1910, § 2630. Amended by Laws 2016, c. 221, § 12, eff. Nov. 1, 2016.

§21-1578v2. Possession of forged evidences of debt. Every person who, with intent to defraud, has in his possession any forged, altered or counterfeit negotiable note, bill, draft or other evidence of debt issued or purporting to have been issued by any corporation or company duly authorized for that purpose by the laws of this state or of any other state, government or country, the forgery of which is hereinbefore declared to be punishable, knowing the same to be forged, altered or counterfeited, with intent to utter the same as true or as false, or to cause the same to be so uttered, is guilty of forgery in the third degree. R.L.1910, § 2630. Amended by State Question No. 780, Initiative Petition No. 404, § 18, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

§21-1579v1. Possession of other forged instruments. Every person who has in his or her possession any forged or counterfeited instrument, the forgery of which has previously been declared to be punishable,

other than such as are enumerated in Section 1578 of this title, knowing the same to be forged, counterfeited or falsely altered with intent to injure or defraud by uttering the same to be true, or as false, or by causing the same to be uttered, is guilty of forgery in the second degree if the value of the instrument is One Thousand Dollars (\$1,000.00) or more and forgery in the third degree if the value of the instrument is less than One Thousand Dollars (\$1,000.00). For purposes of this section, a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime. R.L. 1910, § 2631. Amended by Laws 2016, c. 221, § 13, eff. Nov. 1, 2016.

§21-1579v2. Possession of other forged instruments. Every person who has in his possession any forged or counterfeited instrument, the forgery of which is hereinbefore declared to be punishable, other than such as are enumerated in the last section, knowing the same to be forged, counterfeited or falsely altered with intent to injure or defraud by uttering the same to be true, or as false, or by causing the same to be uttered, is guilty of forgery in the third degree. R.L. 1910, § 2631. Amended by State Question No. 780, Initiative Petition No. 404, § 19, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

§21-1580. Issuing spurious certificates of stock. Any officer or agent of any corporation or joint stock association formed or existing under or by virtue of the laws of this state, or of any other state, government or country, who, within this state, willfully signs or procures to be signed, with intent to issue, sell or pledge, or to cause to be issued, sold or pledged, or who willfully issues, sells or pledges, or causes to be issued, sold or pledged, any false or fraudulent certificate or other evidence of the ownership or transfer of any share or shares of the capital stock of such corporation or association, whether of full paid shares or otherwise, or of any interest in its property or profits, or of any certificate or other evidence of such ownership, transfer or interest, or any instrument purporting to be a certificate or other evidence of such ownership, transfer or interest, the signing, issuing, selling or pledging of which has not been duly authorized by the board of directors or other managing body of such corporation or association having authority to issue the same, is guilty of forgery in the second degree. R.L.1910, § 2632.

§21-1582. False evidences of debt. Any officer or agent of any corporation, municipal or otherwise, of any joint stock association formed or existing under or by virtue of the laws of this state, or of any other state, government or country, who, within this state, willfully signs or procures to be signed with intent to issue, sell or pledge, or cause to be issued, sold or pledged, or who willfully issues, sells or pledges, or causes to be issued, sold or pledged, any false or fraudulent bond or other evidence of debt against such corporation or association of any instrument purporting to be a bond or other evidence of debt against such corporation or association, the signing, issuing, selling or pledging of which has not been duly authorized by the board of directors or common council or other managing body of officers of such corporation having authority to issue the same, is guilty of forgery in the second degree. R.L.1910, § 2634.

§21-1585. Forging process of court or title to property, etc. Every person who, with intent to defraud, falsely marks, alters, forges or counterfeits: 1. Any instrument in writing, being or purporting to be any process issued by any competent court, magistrate, or officer of being or purporting to be any pleading, proceeding, bond or undertaking filed or entered in any court, or being or purporting to be any license or authority authorized by any statute; or, 2. Any instrument of writing, being or purporting to be the act of another by which any pecuniary demand or obligation is, or purports to be created, increased, discharged or diminished, or by which any rights or property whatever, are, or purport to be, transferred, conveyed, discharged, diminished, or in any manner affected, the punishment of which is not hereinbefore prescribed, by which false marking, altering, forging or counterfeiting, any person may be affected, bound or in any way injured in his person or property, is guilty of a forgery in the second degree. R.L.1910, § 2637.

§21-1586. Making false entries in public book. Every person who, with intent to defraud, makes any false entry or falsely alters any entry made in any book of accounts kept in the office of the State Auditor and Inspector, or in the office of the Treasurer of this state or of any county treasurer, by which any demand or obligation, claim, right or interest either against or in favor of the people of this state, or any county or town, or any individual, is or purports to be discharged, diminished, increased, created, or in any manner affected, is guilty of forgery in the second degree. R.L.1910, § 2638; Laws 1979, c. 30, § 9, emerg. eff. April 6, 1979.

§21-1588. Postage stamps, forging. Every person who forges, counterfeits or alters any postage or revenue stamp of the United States, or who sells or offers to keep for sale, as genuine or as forged, any such stamp, knowing it to be forged, counterfeited or falsely altered, is guilty of forgery in the second degree. R.L.1910, § 2640.

§21-1589. False entries in corporation books. Every person who, with intent to defraud, makes any false entry, or falsely alters any entry made in any book of accounts kept by any corporation within this state, or in any book of accounts kept by any such corporation or its officers, and delivered or intended to be delivered to any person dealing with such corporation, by which any pecuniary obligation, claim or credit is, or purports to be, discharged, diminished, increased, created or in any manner affected, is guilty of forgery in the second degree. R.L.1910, § 2641.

§21-1590. Officer or employee of corporation making false entries. Every person who being a member or officer or in the employment of any corporation, association or partnership, falsifies, alters, erases, obliterates or destroys any account or book of accounts or records belonging to such corporation, association or partnership, or appertaining to their business or makes any false entries in such account or book or keeps any false account in such business with intent to defraud his employers, or to conceal any embezzlement of their money, or property, or any defalcation or other misconduct, committed by any person in the management of their business, is guilty of forgery in the second degree. R.L.1910, § 2642.

§21-1592. Uttering forged instruments or coin. Every person who, with intent to defraud, utters or publishes as true any forged, altered or counterfeited instrument or any counterfeit gold or silver coin, the forging, altering or counterfeiting of which has previously been declared to be punishable, knowing such instrument or coin to be forged, altered or counterfeited, is guilty of forgery in the second degree if the value of the instrument is One Thousand Dollars (\$1,000.00) or more and forgery in the third degree if the value of the instrument is less than One Thousand Dollars (\$1,000.00). For purposes of this section,

a series of offenses may be aggregated into one offense when they are the result of the formulation of a plan or scheme or the setting up of a mechanism which, when put into operation, results in the taking or diversion of money or property on a recurring basis. When all acts result from a continuing course of conduct, they may be aggregated into one crime. Acts forming an integral part of the first taking which facilitate subsequent takings, or acts taken in preparation of several takings which facilitate subsequent takings, are relevant to determine the intent of the party to commit a continuing crime. R.L. 1910, § 2645. Amended by Laws 2016, c. 221, § 14, eff. Nov. 1, 2016.

§21-1593. Falsely obtaining signature. Every person who, by any false representation, artifice or deceit, procures from another his signature to any instrument, the false making of which would be forgery, and which the party signing would not have executed had he known the facts and effect of the instrument, is guilty of forgery in the second degree. R.L.1910, § 2646.

§21-1621v1. First-, second- and third-degree forgery - Penalties. A. Forgery in the first degree is a felony punishable by imprisonment in the custody of the Department of Corrections for not less than seven (7) years nor more than twenty (20) years. B. Forgery in the second degree is a felony punishable by imprisonment in the custody of the Department of Corrections for not more than seven (7) years. C. Forgery in the third degree is a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year and a fine of One Thousand Dollars (\$1,000.00). R.L. 1910, § 2644. Amended by Laws 1997, c. 133, § 377, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 269, eff. July 1, 1999; Laws 2016, c. 221, § 15, eff. Nov. 1, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 377 from July 1, 1998, to July 1, 1999.

§21-1621v2. Forgery a felony. Forgery is punishable as follows: 1. Forgery in the first degree is a felony punishable by imprisonment not less than seven (7) years nor more than twenty (20) years; and 2. Forgery in the second degree is a felony punishable by imprisonment not exceeding seven (7) years. 3. Forgery in the third degree is: a. If the value of the forgery is less than One Thousand Dollars (\$1,000.00), a misdemeanor punishable by confinement for not more than one (1) year and by a fine not exceeding One Thousand Dollars (\$1,000.00). b. If the value of the forgery is One Thousand Dollars (\$1,000.00) or more, a felony punishable by imprisonment not exceeding seven (7) years. c. If the total or aggregate value of the forgery is Two Thousand Dollars (\$2,000.00) or more, a felony punishable by imprisonment not exceeding seven (7) years. R.L. 1910, § 2644. Amended by Laws 1997, c. 133, § 377, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 269, eff. July 1, 1999; State Question No. 780, Initiative Petition No. 404, § 20, adopted at General Election held on November 8, 2016, eff. July 1, 2017. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 377 from July 1, 1998, to July 1, 1999.

§21-1622. Fraudulently uttering one's signature as that of another of same name. Every person who, with intent to defraud, makes or subscribes any instrument in his own name, intended to create, increase, discharge, defeat or diminish any pecuniary obligation, right or interest, or to transfer or affect any property whatever, and utters or passes such instrument, under the pretense that it is the act of another who bears the same name, is guilty of forgery in the same degree as if he had forged the instrument of a person bearing a different name from his own. R.L.1910, § 2647.

§21-1623. Fraudulently uttering one's indorsement as another's. Every person who, with intent to defraud, endorses any negotiable instrument in his own name, and utters or passes such instrument, under the fraudulent pretense that it is endorsed by another person who bears the same name, is guilty

of forgery in the same degree as if he had forged the endorsement of a person bearing a different name from his own. R.L.1910, § 2648.

§21-1624. Erasure and obliterations. The total or partial erasure or obliteration of any instrument or writing, with intent to defraud, by which any pecuniary obligation, or any right, interest or claim to property is or is intended to be created, increased, discharged, diminished or in any manner affected, is forgery in the same degree as the false alteration of any part of such instrument or writing. R.L.1910, § 2649.

§21-1625. Writing and written defined. Every instrument partly printed and partly written, or wholly printed with a written signature thereto, and every signature of an individual, firm or corporation, or of any officer of such body, and every writing purporting to be such signature, is a writing or a written instrument, within the meaning of the provisions of this article. R.L.1910, § 2650.

§21-1626. Signing fictitious names as officers of corporations. The false making or forging of an evidence of debt purporting to have been issued by any corporation and bearing the pretended signature of any person as an agent or officer of such corporation, is forgery in the same degree as if such person was at the time an officer or agent of such corporation; notwithstanding such person may never have been an officer or agent of such corporation, or notwithstanding there never was any such person in existence. R.L.1910, § 2651.

§21-1627. False or bogus order directing payment of money. Every person who, with intent to cheat or defraud, shall obtain or attempt to obtain from any person any labor or personal services, or the postponement of actual payment due for labor or personal services theretofore performed, by means or use of any false or bogus written, printed or engraved order directing the payment of money, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or by both such fine and imprisonment. The term "false or bogus written, printed or engraved order directing the payment of money," in addition to its common meaning, also shall include any check, draft or order on any bank or trust company which is not honored on presentation on account of insufficient funds to the credit of the maker or drawer thereof with which to pay same. The word "credit," as used herein, shall mean any arrangement or understanding with a bank or trust company for the payment by it of any check, draft or money payment order. As against the maker or drawer of any false or bogus written, printed or engraved order directing the payment of money, and as against any officer or employee of the maker or drawer thereof, who shall authorize or direct the making, drawing, uttering or delivering, or who shall make, draw, utter or deliver any such false or bogus written, printed or engraved order directing the payment of money, to obtain or to attempt to obtain from any person any labor or personal services, or the postponement of actual payment due for labor or personal services, the fact of dishonor or refusal to pay the amount of money specified in said false or bogus order shall be prima facie evidence of intent to cheat or defraud, and of knowledge of insufficient funds to the credit of the maker or drawer, with the drawer specified therein, to pay the same; provided, said fact shall not constitute prima facie evidence as above set forth if the maker or drawer shall pay the amount of such false or bogus order, together with protest fees, within five (5) days from the date the same shall have been presented to the drawer for payment; and provided further, that said fact shall not constitute prima facie evidence as above set forth unless the said false or bogus order be presented to the drawer within thirty (30) days after the same shall have been uttered or delivered. Laws 1955, p. 192, § 1.

§21-1627.1. False or bogus orders as payment for labor - Penalties. In addition to the criminal penalties imposed pursuant to the provisions of Section 1627 of Title 21 of the Oklahoma Statutes, any person who obtains or attempts to obtain from any person, with the intent to cheat or defraud, any labor or personal services, or the postponement of actual payment due for labor or personal services performed, by means or use of any false or bogus written, printed or engraved order directing the payment of money, shall also be liable to the payee, in addition to the amount owing upon such order, for damages of double the amount so owing, but in no case shall the amount of damages awarded be less than Two Hundred Dollars (\$200.00), plus reasonable attorney fees and court costs. Said damages shall be recoverable in a civil action. Added by Laws 1985, c. 130, § 1, eff. Nov. 1, 1985.

§21-1628. Fraudulently altering, forging, reproducing abstractor's certificate or signature. Any person who, with intent to defraud, alters, forges, falsely makes, photographs, or by any method reproduces any certificate of authority provided for in Title 1 of the Oklahoma Statutes, or other instrument, document, paper or abstract of title entry signed or executed by any abstractor to whom a certificate of authority has been lawfully issued, shall be guilty of the commission of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than Twenty-five Dollars (\$25.00) nor more than One Thousand Dollars (\$1,000.00) for each reproduction thereof. Laws 1971, c. 169, § 1.

§21-1631. Fraud in subscription for stock. Any person who signs the name of a fictitious person to any subscription for, or agreement to take stock in any corporation, existing or proposed; and every person who signs, to any subscription or agreement, the name of any person, knowing that such person has not means or does not intend in good faith to comply with all the terms thereof, or under any understanding or agreement that the terms of such subscription or agreement are not to be complied with or enforced, is guilty of a misdemeanor. R.L.1910, § 2721.

§21-1632. Fraud in procuring organization of stock company. Any officer, agent or clerk of any corporation, or of any persons proposing to organize a corporation or to increase the capital stock of any corporation, who knowingly exhibits any false, forged or altered book, paper, voucher, security or other instrument of evidence to any public officer or board authorized by law to examine the organization of such corporation, or to investigate its affairs, or to allow an increase of its capital with intent to deceive such officer or board in respect thereto, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding ten (10) years, and not less than three (3) years. R.L. 1910, § 2722. Amended by Laws 1997, c. 133, § 378, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 270, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 378 from July 1, 1998, to July 1, 1999.

§21-1633. Unauthorized use of names. Any person who, without being authorized so to do, subscribes the name of another to, or inserts the name of another in any prospectus, circular, or other advertisement or announcement of any corporation or joint stock association existing or intended to be formed, with intent to permit the same to be published, and thereby to lead persons to believe that the person whose name is so subscribed is an officer, agent, member or promoter of such corporation or association, is guilty of a misdemeanor. R.L.1910, § 2723.

§21-1634. Omitting to enter receipt. Any director, officer or agent of any corporation or joint stock association, who knowingly receives or possesses himself of any property of such corporation or association, otherwise than in payment of a just demand, and who, with intent to defraud, omits to

make, or to cause or direct to be made, a full and true entry thereof in the books or accounts of such corporation or association, is guilty of a misdemeanor. R.L.1910, § 2724.

§21-1635. Destroying or falsifying books. Any director, officer, agent or member of any corporation or joint stock association, who, with intent to defraud, destroys, alters, mutilates or falsifies any of the books, papers, writings or securities belonging to such corporation or association, or makes or concurs in making any false entry, or omits or concurs in omitting to make any material entry in any book of accounts, or other record or document kept by such corporation or association, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding ten (10) years and not less than three (3) years, or by imprisonment in a county jail not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. R.L. 1910, § 2725. Amended by Laws 1997, c. 133, § 379, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 271, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 379 from July 1, 1998, to July 1, 1999

§21-1636. False reports of corporation - Refusal to make report. Any director, officer or agent of any corporation or joint stock association, who knowingly concurs in the making, or publishes any written report, exhibit or statement of its affairs or pecuniary condition, containing any material statement which is false, other than as are mentioned in Sections 2722 and 2723, or willfully refuses or neglects to make or deliver any written report, exhibit or statement required by law, is guilty of a misdemeanor. R.L.1910, § 2726. D

§21-1640. Violation of duty by officer of corporation. Any director of any moneyed corporation who willfully does any act, as such director, which is expressly forbidden by law, or willfully omits to perform any duty expressly imposed upon him as such director, by law, the punishment for which act or omission is not otherwise prescribed by this article, or by some of the acts which it specifies as continuing in force, is guilty of a misdemeanor. R.L.1910, § 2730.

§21-1641. Director presumed to have knowledge. Any director of a corporation or joint stock association is deemed to possess such a knowledge of the affairs of his corporation, as to enable him to determine whether any act, proceeding or omission of its directors, is a violation of this article. R.L.1910, § 2731.

§21-1642. Director presumed to have assented, when. Any director of a corporation or joint stock association, who is present at a meeting of the directors at which any act, proceeding or omission of such directors, in violation of this article occurs, is deemed to have concurred therein, unless he at the time causes, or in writing requires, his dissent therefrom to be entered in the minutes of the directors. R.L.1910, § 2732.

§21-1643. Presumption of assent when director was absent from meeting. Any director of a corporation or joint stock association, although not present at the meeting of the directors at which any act, proceeding or omission of such directors, in violation of this article, occurs, is deemed to have concurred therein, if the facts constituting such violation appear on the record or minutes of the proceedings of the board of directors, and he remains a director of the same company for six (6) months thereafter, and does not, within that time, cause or in writing require his dissent from such illegality to be entered in the minutes of the directors. R.L.1910, § 2733.

§21-1644. Foreign corporation no defense. It is no defense to a prosecution for a violation of the provisions of this article, that the corporation was one created by the laws of another state, government or country, if it was one carrying on business, or keeping an officer thereof, within this state. R.L. 1910 Sec. 2734.

§21-1645. Director defined. The term director, as used in this article, embraces any of the persons having by law the direction or management of the affairs of a corporation by whatever name such persons are described in its charter, or known by law. R.L.1910, § 2735.

§21-1662. False claim or proof of loss in insurance. Any person who presents or causes to be presented any false or fraudulent claim, or any proof in support of any such claim, upon any contract of insurance, for the payment of any loss, or who prepares, makes or subscribes any account, certificate, survey affidavit, proof of loss, or other book, paper or writing, with intent to present or use the same, or to allow it to be presented or used in support of any such claim, shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding three (3) years, or by a fine not exceeding twice the amount of the aggregated loss sum, or both. R.L.1910, § 2709. Amended by Laws 1997, c. 133, § 380, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 272, eff. July 1, 1999; Laws 2012, c. 235, § 3, eff. July 1, 2012. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 380 from July 1, 1998, to July 1, 1999.

§21-1671. Fraudulent conveyance. Every person who being a party to any conveyance or assignment of any real or personal property, or of any interest therein, made or created with intent to defraud prior or subsequent purchasers, or to hinder, delay or defraud creditors or other persons, and every person being privy to or knowing of such conveyance, assignment or charge, who willfully puts the same in use as having been made in good faith, is guilty of a misdemeanor. R.L.1910, § 2717.

§21-1672. Fraudulent removal of property. Every person who removes any of his property out of any county, with intent to prevent the same from being levied upon by any execution or attachment, or who secretes, assigns, conveys or otherwise disposes of any of his property, with intent to defraud any creditor, or to prevent such property being made liable for the payment of his debts, and every person who receives any such property with such intent, is guilty of a misdemeanor. R.L.1910, § 2718.

§21-1673. Assignment to creditor with preference. Every person who, knowing that his property is insufficient for the payment of all his lawful debts, assigns, transfers or delivers any property for the benefit of any creditor or creditors, upon any trusts or condition, that any creditor shall receive a preference or priority over any other, except in the cases in which such preference is expressly allowed to be given by law, or with intent to create such preference of priority, is guilty of a misdemeanor. R.L.1910, § 2719.

§21-1674. Frauds by insolvent debtor. Every person who, upon making or prosecuting any application for a discharge as an insolvent debtor, under the provision of any law now in force, or that may hereafter be enacted, either: 1. Fraudulently presents, or authorizes to be presented on his behalf such application, in a case in which it is not authorized by law; or, 2. Makes or presents to any court or office, in support of such application, any petition, schedule, book, account, voucher or other paper or document, knowing the same to contain any false statement; or, 3. Fraudulently makes or exhibits, or alters, obliterates or destroys any account or voucher relating to the condition of his affairs, or any entry or statement in such account or voucher; or, 4. Practices any fraud upon any creditor, with intent to induce him to petition for,

or consent to such discharge; or, 5. Conspires with or induces any person fraudulently to unite as a creditor in any petition for such discharge, or to practice any fraud in aid thereof, is guilty of a misdemeanor. R.L.1910, § 2720.

§21-1681. Poisoning animals. Any person who willfully administers poison to any animal, the property of another, and every person who maliciously exposes any poisonous substance with intent that the same shall be taken by any such animal, shall be guilty of a felony and shall be punishable by imprisonment in the State Penitentiary not exceeding three (3) years, or in a county jail not exceeding one (1) year, or by a fine not exceeding Two Hundred Fifty Dollars (\$250.00), or by both such fine and imprisonment. R.L. 1910, § 2742. Amended by Laws 1997, c. 133, § 383, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 275, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 383 from July 1, 1998, to July 1, 1999.

§21-1682. Instigating fights between animals. Every person who maliciously, or for any bet, stake or reward, instigates or encourages any fight between animals with the exception of dogs, or instigates or encourages any animal with the exception of dogs to attack, bite, wound or worry another, upon conviction, is guilty of a misdemeanor. Amended by Laws 1982, c. 184, § 10, emerg. eff. April 20, 1982.

§21-1686. Abandoned animals – Euthanasia – Custody of animal following arrest. A. Any person owning or having charge or custody of a maimed, diseased, disabled, or infirm animal who abandons the animal or who allows the animal to lie in a public street, road, or public place one (1) hour after the person receives notice by a duly constituted authority that the animal is disabled or dead, upon conviction, shall be guilty of a misdemeanor. B. Any peace officer or animal control officer may humanely destroy or cause to be humanely destroyed any animal found abandoned and for which no proper care has been given. C. When any person who is arrested is, at the time of the arrest, in charge of any animal or of any vehicle drawn by or containing any animal, any peace officer, or animal control officer may take custody of the animal or of the vehicle and its contents, or deliver the animal or the vehicle and its contents into the possession of the police or sheriff of the county or place where the arrest was made, who shall assume the custody thereof. All necessary expenses incurred in taking custody of the animal or of the vehicle and its contents shall be a lien on such property. D. For the purpose of the provisions of this section and Section 1691 of this title, the term “abandon” means the voluntary relinquishment of an animal and shall include but shall not be limited to vacating a premises and leaving the animal in or at the premises, or failing to feed the animal or allowing it to stray or wander onto private or public property with the intention of surrendering ownership or custody over the animal. R.L. 1910, § 2747. Amended by Laws 1984, c. 104, § 1, operative July 1, 1984; Laws 2006, c. 188, § 4, eff. Nov. 1, 2006.

§21-1689. Poisonous drugs, unjustifiable administration of. Any person who unjustifiably administers any poisonous or noxious drug or substance to any animal, or unjustifiably exposes any such drug or substance with intent that the same shall be taken by an animal, whether such animal be the property of himself or another, is guilty of a misdemeanor. R.L.1910, § 2750.

§21-1701. Larceny defined. Larceny is the taking of personal property accomplished by fraud or stealth, and with intent to deprive another thereof. R.L.1910, § 2652.

§21-1702. Larceny of lost property. One who finds lost property under circumstances which gives him knowledge or means of inquiry as to the true owner, and who appropriates such property to his own use, or to the use of another person who is not entitled thereto, without having first made such effort to

find the owner and restore the property to him as the circumstances render reasonable and just, is guilty of larceny. R.L.1910, § 2653.

§21-1703. Degrees of larceny. Larceny is divided into two degrees; the first of which is termed grand larceny, the second petit larceny. R.L.1910, § 2654.

§21-1704v1. Grand and petit larceny defined. Grand larceny is larceny committed in either of the following cases: 1. When the property taken is of value exceeding One Thousand Dollars (\$1,000.00); or 2. When such property, although not of value exceeding One Thousand Dollars (\$1,000.00), is taken from the person of another. Larceny in other cases is petit larceny. R.L. 1910, § 2655. Amended by Laws 1982, c. 277, § 4, operative Oct. 1, 1982; Laws 2001, c. 437, § 10, eff. July 1, 2001; Laws 2016, c. 221, § 16, eff. Nov. 1, 2016.

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§21-1704v2. Grand and petit larceny defined. Grand larceny is larceny committed in either of the following cases: 1. When the property taken is of value exceeding One Thousand Dollars (\$1,000.00). 2. When such property, although not of value exceeding One Thousand Dollars (\$1,000.00), is taken from the person of another. Larceny in other cases is petit larceny. R.L. 1910, § 2655. Amended by Laws 1982, c. 277, § 4, operative Oct. 1, 1982; Laws 2001, c. 437, § 10, eff. July 1, 2001; State Question No. 780, Initiative Petition No. 404, § 4, adopted at General Election held on November 8, 2016, eff. July 1, 2017.

§21-1705v1. Grand larceny a felony. Grand larceny is a felony punishable by imprisonment in the custody of the Department of Corrections not exceeding five (5) years, a fine not exceeding Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment if the value of the property is One Thousand Dollars (\$1,000.00) or more and if the value of the property is less than One Thousand Dollars (\$1,000.00) punishable by incarceration in the county jail for not more than one (1) year or by incarceration in the county jail one or more nights or weekends pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at the option of the court, a fine not exceeding One Thousand Dollars (\$1,000.00), or by both such fine and imprisonment. The defendant shall also be ordered to provide restitution to the victim as provided in Section 991a of Title 22 of the Oklahoma Statutes. R.L. 1910, § 2656. Amended by Laws 1993, c. 147, § 6, eff. Sept. 1, 1993; Laws 1997, c. 133, § 390, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 282, eff. July 1, 1999; Laws 2016, c. 221, § 17, eff. Nov. 1, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 390 from July 1, 1998, to July 1, 1999.

§21-1705v2. Grand larceny a felony. Grand larceny is a felony punishable by imprisonment in the State Penitentiary not exceeding five (5) years if the value of the property is One Thousand Dollars (\$1,000.00) or more and if the value of the property is less than One Thousand Dollars (\$1,000.00) punishable by incarceration in the county jail for not more than one (1) year or by incarceration in the county jail one or more nights or weekends pursuant to Section 991a-2 of Title 22 of the Oklahoma Statutes, at the option of the court, and shall be subject to a fine of not more than Five Thousand Dollars (\$5,000.00) and ordered to provide restitution to the victim as provided in Section 991a of Title 22 of the Oklahoma Statutes. R.L. 1910, § 2656. Amended by Laws 1993, c. 147, § 6, eff. Sept. 1, 1993; Laws 1997, c. 133, § 390, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 282, eff. July 1, 1999; State Question No. 780, Initiative Petition No. 404, § 5, adopted at General Election held on November 8, 2016, eff. July 1, 2017. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 390 from July 1, 1998, to July 1, 1999.

§21-1706. Punishment for petit larceny. Petit larceny shall be punishable by a fine of not less than Ten Dollars (\$10.00) or more than Five Hundred Dollars (\$500.00), or imprisonment in the county jail not to six (6) months, or by both such fine and imprisonment, at the discretion of the court. R.L. 1910, § 2657; Laws 1993, c. 288, § 1, eff. Sept. 1, 1993.

§21-1707. Grand larceny in house or vessel a felony. When it appears upon a trial for grand larceny that the larceny alleged was committed in any dwelling house or vessel, the offender shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding eight (8) years. R.L. 1910, § 2658. Amended by Laws 1997, c. 133, § 391, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 283, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 391 from July 1, 1998, to July 1, 1999.

§21-1708. Grand larceny in night time from person a felony. When it appears upon such trial, that such larceny was committed by stealing in the night time, from the person of another, the offender shall be guilty of a felony punishable by imprisonment in the State Penitentiary not exceeding ten (10) years. R.L. 1910, § 2659. Amended by Laws 1997, c. 133, § 392, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 284, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 392 from July 1, 1998, to July 1, 1999.

§21-1709. Larceny of written instrument - Value. If the thing stolen consists of any evidence of debt or other written instrument, the amount of money due thereon or secured to be paid thereby and remaining unsatisfied, or which in any contingency might be collected thereon, or the value of the property the title to which is shown thereby, or the sum of which might be recovered in the absence thereof, as the case may be, shall be deemed the value of the thing stolen. R.L.1910, § 2660.

§21-1711. Securities not yet issued or delivered, larceny of. All the provisions of this article shall apply where the property taken is an instrument for the payment of money, evidence of debt, public security or passage ticket, completed and ready to be issued or delivered, though the same has never been issued or delivered by the makers thereof to any person as a purchaser or owner. R.L. 1910, § 2662.

§21-1712. Severed fixture, larceny of. Any fixture or part of realty, the instant it is severed from the realty becomes personal property, and the subject of larceny within the meaning of this article. R.L.1910, § 2663.

§21-1713v1. Receiving stolen property - Presumption. A. Every person who buys or receives, in any manner, upon any consideration, personal property of a value of One Thousand Dollars (\$1,000.00) or more that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such property from the owner shall, upon conviction, be guilty of a felony punishable by imprisonment in the custody of the Department of Corrections not to exceed five (5) years, or in the county jail not to exceed one (1) year, or by a fine not to exceed Five Hundred Dollars (\$500.00), or by both such fine and imprisonment. If the personal property that has been stolen, embezzled, obtained by false pretense or robbery has a value of less than One Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not to exceed one (1) year. receives, conceals, withholds, or aids in concealing or withholding any property which has been stolen, embezzled, obtained by false pretense or robbery, or otherwise feloniously obtained, under such

circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such property was bought or received had the legal right to sell or deliver it shall be presumed to have bought or received such property knowing it to have been so stolen or wrongfully obtained. This presumption may, however, be rebutted by proof. R.L. 1910, § 2664. Amended by Laws 1961, p. 234, § 1, emerg. eff. July 18, 1961; Laws 1997, c. 133, § 393, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 285, eff. July 1, 1999; Laws 2016, c. 221, § 18, eff. Nov. 1, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 393 from July 1, 1998, to July 1, 1999.

§21-1713v2. Receiving stolen property - Presumption. A. Every person who buys or receives, in any manner, upon any consideration, any personal property of any value whatsoever that has been stolen, embezzled, obtained by false pretense or robbery, knowing or having reasonable cause to believe the same to have been stolen, embezzled, obtained by false pretense, or robbery, or who conceals, withholds, or aids in concealing or withholding such property from the owner, shall, if the value of the property is One Thousand Dollars (\$1,000.00) or more be guilty of a felony punishable by imprisonment in the State Penitentiary not to exceed five (5) years, or in the county jail not to exceed one (1) year, or by a fine not to exceed Five Hundred Dollars (\$500.00) or by both such fine and imprisonment. If the value of the property received is less than One Thousand Dollars (\$1,000.00), the person shall be guilty of a misdemeanor and shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for a term not to exceed six (6) months, or by both such fine and imprisonment. B. Every person who, without making reasonable inquiry, buys, receives, conceals, withholds, or aids in concealing or withholding any property which has been stolen, embezzled, obtained by false pretense or robbery, or otherwise feloniously obtained, under such circumstances as should cause such person to make reasonable inquiry to ascertain that the person from whom such property was bought or received had the legal right to sell or deliver it shall be presumed to have bought or received such property knowing it to have been so stolen or wrongfully obtained. This presumption may, however, be rebutted by proof. R.L. 1910, § 2664. Amended by Laws 1961, p. 234, § 1, emerg. eff. July 18, 1961; Laws 1997, c. 133, § 393, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 285, eff. July 1, 1999; State Question No. 780, Initiative Petition No. 404, § 6, adopted at General Election held on November 8, 2016, eff. July 1, 2017. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 393 from July 1, 1998, to July 1, 1999.

§21-1715. Bringing stolen property into the State. Every person who steals the property of another in any other state or country, and brings the same into this state may be convicted and punished in the same manner as if such larceny had been committed in this state; and such larceny may be charged to have been committed in any town or city into or through which such stolen property has been brought. R.L.1910, § 2666.

§21-1732. Larceny of trade secrets – Applicability of section. A. Any person who, with intent to deprive or withhold from the owner thereof the control of a trade secret, or with an intent to appropriate a trade secret to his or her own use or to the use of another: (a) steals or embezzles an article representing a trade secret, or, (b) without authority makes or causes to be made a copy of an article representing a trade secret, shall be guilty of larceny under Section 1704 of this title. For purposes of determining whether such larceny is grand larceny or petit larceny under this section, the value of the trade secret and not the value of the article shall be controlling. B. (a) The word "article" means any object, material, device, customer list, business records, or substance or copy thereof, including any writing, record, recording, drawing, sample, specimen, prototype, model, photograph, microorganism,

blueprint, information stored in any computer-related format, or map. (b) The word "representing" means describing, depleting, containing, constituting, reflecting or recording. (c) The term "trade secret" means information, including a formula, pattern, compilation, program, device, method, technique, customer list, business records or process, that: 1. derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and 2. is the subject of efforts that are reasonable under the circumstances to maintain its secrecy. (d) The word "copy" means any facsimile, replica, photograph or other reproduction of an article, including copying, transferring and e-mailing of computer data, and any note, drawing or sketch made of or from an article. C. In a prosecution for a violation of this act, it shall be no defense that the person so charged returned or intended to return the article so stolen, embezzled or copied. D. The provisions of this section shall not apply if the person acted in accordance with a written agreement with the person's employer that specified the manner in which disputes involving clients are to be resolved upon termination of the employer-employee relationship. Added by Laws 1968, c. 110, §§ 1 to 3, emerg. eff. April 1, 1968. Amended by Laws 1986, c. 85, § 12, eff. Nov. 1, 1986; Laws 2009, c. 287, § 1, eff. Nov. 1, 2009.

§21-1737. Larceny of cable, information, or telecommunications services. A. Any person who: 1. Shall knowingly obtain or attempt to obtain cable, information, or telecommunications service of any type or kind including but not limited to cable television, telephony, internet, and data transmission service from another by means, artifice, trick, deception, or device without the payment to the operator of said service of all lawful compensation for each type of service obtained; or 2. Shall knowingly assist or instruct any other person in obtaining or attempting to obtain cable, information, or telecommunications service of any type or kind including but not limited to cable television, telephony, internet, and data transmission service without the payment to the operator of all lawful compensations; or 3. Shall knowingly tamper or otherwise interfere with or connect to by any means, whether mechanical, electrical, acoustical, or other means, any cables, wires, or other devices used for the distribution of cable, information, or telecommunications service of any type or kind including but not limited to cable television, telephony, internet, and data transmission service without authority from the operator of said service; or 4. Shall knowingly manufacture, import into this state, distribute, sell, offer for sale, rental, or use, possess for sale, rental, or use, or advertise for sale, rental, or use any device of any description, or any plan, or kit for a device, designed in whole or in part to facilitate the doing of any of the acts specified in paragraphs 1, 2 and 3 of this subsection; shall be guilty, upon conviction, of the misdemeanor of larceny of cable television, cable, information, or telecommunications service or tampering with cable television, cable, information, or telecommunications service, which offenses are punishable by imprisonment in the county jail for not more than six (6) months or by a fine not exceeding One Thousand Dollars (\$1,000.00), or both said fine and imprisonment. B. In any prosecution as set forth in subsection A of this section, the existence on the property and in the actual possession of the accused, of (1) any connection, wire, conductor, or any device whatsoever, which is connected in such a manner as would appear to permit the use of cable, information, or telecommunications service of any type or kind including but not limited to cable television, telephony, internet, and data transmission service without the same being reported for payment to and specifically authorized by the operator of the cable, information, or telecommunications service of any type or kind including but not limited to cable television, telephony, internet, and data transmission service or (2) the existence on the property and in the actual possession of the accused, in quantities or volumes suggesting possession for resale, of any device designed in whole or in part to facilitate the performance of any of the illegal acts

mentioned in subsection A of this section shall be prima facie evidence of intent to violate and of the violation of the provisions of subsection A of this section by the accused. C. Any person who violates the provisions of this section shall be liable to the franchised or otherwise duly licensed cable television system, information service provider, or other telecommunications service or equipment provider for the greater of the following amounts: 1. Two Thousand Five Hundred Dollars (\$2,500.00); or 2. Three times the amount of actual damages, if any, sustained by the plaintiff, plus reasonable attorneys fees. D. Any franchised or otherwise duly licensed cable television system, information service provider, or other telecommunications service or equipment provider may bring an action to enjoin and restrain any violation of the provisions of this section or an action of conversion, or both, and may in the same action seek damages as provided for in subsection C of this section. E. It is not a necessary prerequisite to an action pursuant to this section that the plaintiff has suffered, or be threatened with, actual damages. F. The provisions of this section shall not be construed or otherwise interpreted to prohibit an individual from owning or operating a device commonly known as a "satellite receiving dish" for the purpose of receiving and utilizing satellite-relayed television signals for his own use. Added by Laws 1978, c. 147, § 1. Amended by Laws 1983, c. 133, § 1, operative Oct. 1, 1983; Laws 2000, c. 128, § 1, eff. Nov. 1, 2000.

§21-1741. Title of act - Definitions - Violations - Penalties - Liability - Exclusions - Other laws. A. This act shall be known as and may be cited as the "Unlawful Use of a Recording Device Act". B. As used in the Unlawful Use of a Recording Device Act: 1. "Audiovisual recording function" means the capability of a device to record or transmit a motion picture or any part thereof by means of any technology now known or later developed; and 2. "Facility" does not include a personal residence. C. Any person, where a motion picture is being exhibited, who knowingly operates an audiovisual recording function of a device without the consent of the owner or lessee of the facility and of the licensor of the motion picture being exhibited shall be guilty of unlawful use of a recording device and shall be punished by imprisonment in the county jail for a term not to exceed one (1) year, by a fine not more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment. D. The owner or lessee of a facility where a motion picture is being exhibited, or the authorized agent or employee of said owner or lessee, or the licensor of the motion picture being exhibited or the licensor's agent or employee, who alerts law enforcement authorities of an alleged violation of this section shall not be liable in any civil action arising out of measures taken in good faith by said owner, lessee, licensor, agent or employee to detain, identify, or collect evidence from a person believed to have violated this section while awaiting the arrival of law enforcement authorities, unless the plaintiff can show by clear and convincing evidence that the measures were manifestly unreasonable or the period of detention was unreasonably long. E. This act shall not prevent any lawfully authorized investigative, law enforcement protective, or intelligence gathering employee or agent, of the state or federal government, from operating any audiovisual recording device in any facility where a motion picture is being exhibited, as part of lawfully authorized investigative, protective, law enforcement, or intelligence gathering activities. F. This act shall not apply to a person who operates an audiovisual recording function of a device in a retail establishment solely to demonstrate the use of that device for sales purposes. G. Nothing in this section shall be construed to prevent prosecution for any act of recording or transmitting under any other provision of law providing for greater penalty. Added by Laws 2004, c. 122, § 1, eff. July 1, 2004.

§21-1742.1. Definitions. As used in this act: 1. "Telephone record" means information retained by a telephone company that relates to the telephone number dialed by the customer or any other person using the telephone of the customer with the permission of the customer, or the incoming number of a

call directed to a customer or any other person using the telephone of the customer with the permission of the customer, or other data related to such calls typically contained on a customer telephone bill such as the time the call started and ended, the duration of the call, the time of day the call was made, and any charges applied. For purposes of this act, any information collected and retained by or on behalf of a customer utilizing a Caller I.D. or equivalent service, or other similar technology, does not constitute a telephone record; 2. "Telephone company" means any person that provides commercial telephone services to a customer, irrespective of the communications technology used to provide such service including, but not limited to, traditional wireline or cable telephone service; cellular, broadband PCS, or other wireless telephone service; microwave, satellite, or other terrestrial telephone service; and voice over Internet telephone service; 3. "Telephone" means any device used by a person for voice communications, in connection with the services of a telephone company, whether such voice communications are transmitted in analog, data, or any other form; 4. "Customer" means the person who subscribes to telephone service from a telephone company or in whose name such telephone service is listed; 5. "Person" means any individual, partnership, corporation, limited liability company, trust, estate, cooperative association, or other entity; and 6. "Procure" in regard to such a telephone record means to obtain by any means, whether electronically, in writing, or in oral form, with or without consideration. Added by Laws 2006, c. 147, § 1, eff. Nov. 1, 2006.

§21-1742.2. Unauthorized or fraudulent procurement, sale or receipt of telephone records. A. Whoever: 1. Knowingly procures, attempts to procure, solicits, or conspires with another to procure a telephone record of any resident of this state without the authorization of the customer to whom the record pertains or by fraudulent, deceptive, or false means; 2. Knowingly sells or attempts to sell a telephone record of any resident of this state without the authorization of the customer to whom the record pertains; or 3. Receives a telephone record of any resident of this state knowing that the record has been obtained without the authorization of the customer to whom the record pertains or by fraudulent, deceptive, or false means, shall be punished in accordance with the provisions of subsection B of this section and shall be liable for restitution in accordance with subsection C of this section. B. An offense under subsection A of this section is a felony and the punishment is: 1. Imprisonment for not more than five (5) years if the violation of subsection A of this section involves a single telephone record; 2. Imprisonment for not more than ten (10) years if the violation of subsection A of this section involves two to ten telephone records of a resident of this state; 3. Imprisonment for not more than twenty (20) years if the violation of subsection A of this section involves more than ten telephone records of a resident of this state; and 4. In all cases, forfeiture of any personal property used or intended to be used to commit the offense. C. A person found guilty of an offense under subsection A of this section, in addition to any other punishment, shall be ordered to make restitution for any financial loss sustained by the customer or any other person who suffered financial loss as the direct result of the offense. D. In a prosecution brought pursuant to subsection A of this section, the act of unauthorized or fraudulent procurement, sale, or receipt of telephone records shall be considered to have been committed in the county: 1. Where the customer whose telephone record is the subject of the prosecution resided at the time of the offense; or 2. In which any part of the offense took place, regardless of whether the defendant was ever actually present in the county. E. A prosecution pursuant to subsection A of this section shall not prevent prosecution pursuant to any other provision of law when the conduct also constitutes a violation of some other provision of law. F. Subsection A of this section shall not apply to any person acting pursuant to a valid court order, warrant, or subpoena. G. Each violation of subsection

A of this section shall be an unlawful practice pursuant to the provisions of the Oklahoma Consumer Protection Act. Added by Laws 2006, c. 147, § 2, eff. Nov. 1, 2006.

§21-1742.3. Limitation on applicability of act. No provision of this act shall be construed: 1. So as to prevent any action by a law enforcement agency, or any officer, employee, or agent of a law enforcement agency, to obtain telephone records in connection with the performance of the official duties of the agency; 2. To prohibit a telephone company from obtaining, using, disclosing, or permitting access to any telephone record, either directly or indirectly, through its agents: a. as otherwise authorized by law, b. with the lawful consent of the customer or subscriber, c. as may be reasonably incident to the rendition of the service or to the protection of the rights or property of the telephone company, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to such services, d. to a governmental entity, if the telephone company reasonably believes that an emergency involving immediate danger of death or serious physical injury to any person justifies disclosure of the information, or e. to the National Center for Missing and Exploited Children, in connection with a report submitted thereto under Section 227 of the Victims of Child Abuse Act of 1990; 3. To apply to or expand upon the obligations and duties of any telephone company to protect telephone records beyond those otherwise established by federal and state law or as set forth in Section 4 of this act; or 4. To create a cause of action against a telephone company, its agents and/or representatives, who reasonably and in good faith act pursuant to this act, notwithstanding any later determination that such action was not in fact authorized. Added by Laws 2006, c. 147, § 3, eff. Nov. 1, 2006.

§21-1742.4. Reasonable procedures to protect telephone records required. A. Telephony companies that maintain telephone records of a resident of this state shall establish reasonable procedures to protect against unauthorized or fraudulent disclosure of the records which could result in substantial harm or inconvenience to any customer. For purposes of this act, a telephone company's actions and procedures shall be deemed reasonable if the telephone company makes a good faith effort to comply with the provisions governing Customer Proprietary Network Information in 47 U.S.C., Section 222, and with regulations promulgated pursuant to that section by the Federal Communications Commission. B. No private right of action is authorized under this act. Added by Laws 2006, c. 147, § 4, eff. Nov. 1, 2006.

§21-1760. Malicious injury or destruction of property generally - Punishment - Damages. A. Every person who maliciously injures, defaces or destroys any real or personal property not his or her own, in cases other than such as are specified in Section 1761 et seq. of this title, is guilty of: 1. A misdemeanor, if the damage, defacement or destruction causes a loss which has an aggregate value of less than One Thousand Dollars (\$1,000.00); 2. A felony, if the damage, defacement or destruction causes a loss which has an aggregate value of One Thousand Dollars (\$1,000.00) or more; or 3. A felony, if the defendant has two or more prior convictions for an offense under this section, notwithstanding the value of loss caused by the damage, defacement or destruction. B. In addition to any other punishment prescribed by law for violations of subsection A of this section, he or she is liable in treble damages for the injury done, to be recovered in a civil action by the owner of such property or public officer having charge thereof. R.L.1910, § 2765. Amended by Laws 1989, c. 155, § 1, eff. Nov. 1, 1989; Laws 1997, c. 133, § 413, eff. July 1, 1999; Laws 2008, c. 55, § 1, eff. Nov. 1, 2008. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 413 from July 1, 1998, to July 1, 1999

§21-1767.1. Use or threat to use explosive, incendiary device, or simulated bomb to damage or injure persons or property. A. Any person who shall willfully or maliciously commit any of the following acts

shall be deemed guilty of a felony: 1. Place in, upon, under, against or near to any building, car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure, any explosive or incendiary device with unlawful intent to destroy, throw down, or injure, in whole or in part, such property, or conspire, aid, counsel or procure the destruction of any building, public or private, or any car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure; or 2. Place in, upon, under, against or near to any building, car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure, any explosive or incendiary device with intent to destroy, throw down, or injure in whole or in part, under circumstances that, if such intent were accomplished, human life or safety would be endangered thereby; or 3. By the explosion of any explosive or the igniting of any incendiary device destroy, throw down, or injure any property of another person, or cause injury to another person; or 4. Manufacture, sell, transport, or possess any explosive, the component parts of an explosive, an incendiary device, or simulated bomb with knowledge or intent that it or they will be used to unlawfully kill, injure or intimidate any person, or unlawfully damage any real or personal property; or 5. Place in, upon, under, against or near to any building, car, truck, aircraft, motor or other vehicle, vessel, railroad, railway car, or locomotive or structure, any foul, poisonous, offensive or injurious substance or compound, explosive, incendiary device, or simulated bomb with intent to wrongfully injure, molest or coerce another person or to injure or damage the property of another person; or 6. Injure, damage or attempt to damage by an explosive or incendiary device any person, persons, or property, whether real or personal; or 7. Make any threat or convey information known to be false, concerning an attempt or alleged attempt to kill, injure or intimidate any person or unlawfully damage any real or personal property by means of an explosive, incendiary device, or simulated bomb; or 8. Manufacture, sell, deliver, mail or send an explosive, incendiary device, or simulated bomb to another person; or 9. While committing or attempting to commit any felony, possess, display, or threaten to use any explosive, incendiary device, or simulated bomb. B. Nothing contained herein shall be construed to apply to, or repeal any laws pertaining to, the acts of mischief of juveniles involving no injurious firecrackers or devices commonly called "stink bombs". Added by Laws 1951, p. 61, § 1. Amended by Laws 1971, c. 121, § 1, emerg. eff. May 4, 1971; Laws 1991, c. 54, § 1, emerg. eff. April 10, 1991; Laws 1997, c. 133, § 415, eff. July 1, 1999; Laws 2003, c. 168, § 1, eff. July 1, 2003; Laws 2004, c. 275, § 8, eff. July 1, 2004; Laws 2005, c. 1, § 14, emerg. eff. March 15, 2005. NOTE: Laws 2004, c. 130, § 2 repealed by Laws 2005, c. 1, § 15, emerg. eff. March 15, 2005. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 415 from July 1, 1998, to July 1, 1999.

§21-1767.2. Violations of preceding section. Any person violating any of the provisions of Section 1767.1 of this title shall be deemed guilty of a felony, and upon conviction shall be punished by imprisonment in the State Penitentiary for not less than three (3) years nor more than ten (10) years, or by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or by both. If personal injury results, such person shall be punished by imprisonment in the State Penitentiary for not less than seven (7) years or life imprisonment. Added by Laws 1951, p. 62, § 2. Amended by Laws 1971, c. 121, § 2, emerg. eff. May 4, 1971; Laws 1997, c. 133, § 416, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 302, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 416 from July 1, 1998, to July 1, 1999.

§21-1767.3. Definitions. As used in Section 1767.1 of this title: 1. "Explosive" or "explosives" means any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion or which, although not its primary or common purpose, has been modified, manipulated,

altered, enhanced, or otherwise caused to function by explosion (that is, with substantial instantaneous release of gas, heat, debris, or concussive pressure or force, or any combination of such actions), unless such compound, mixture or device is otherwise specifically classified by the United States Department of Transportation. The term "explosive" or "explosives" shall include but not be limited to gunpowder, dynamite, any bomb, all materials as defined in paragraphs 1 and 2 of Section 121.1 of Title 63 of the Oklahoma Statutes, and all material which is classified as explosives by the United States Department of Transportation; 2. "Person" means any individual or individuals, firm, copartnership, corporation, company, association, joint stock association, and includes any trustee, receiver, assignee or personal representative thereof; 3. "Incendiary device" means any chemical compound, mixture or device, the primary purpose of which is to ignite on impact or as a result of chemical reaction such as a "Molotov cocktail" or "firebomb" which is ignited on impact, causing a mechanical reaction of the container's breaking and permitting the inflammable matter to spread or splatter and is ignited from the burning wick or hypergolic reaction of chemicals; 4. "Component parts" means separate parts which if assembled would form an explosive device. Component parts of an "incendiary device" shall consist of an inflammable material, a breakable container and a source of ignition; and 5. "Simulated bomb" means any device or object that by its design, construction, content, or characteristics appears to be, or to contain, an incendiary device, explosive, or explosives, as defined in this section, but is, in fact, an inoperative facsimile or imitation of such a device or explosive. Added by Laws 1971, c. 121, § 3, emerg. eff. May 4, 1971. Amended by Laws 1991, c. 54, § 2, emerg. eff. April 10, 1991; Laws 1992, c. 192, § 4, emerg. eff. May 11, 1992; Laws 2003, c. 168, § 2, eff. July 1, 2003; Laws 2004, c. 130, § 3, emerg. eff. April 20, 2004.

§21-1767.4. Tracing of telephone calls - Immunity. Any telephone company, its officers, agents or employees, when acting upon any request by the state or any governing body of a political subdivision thereof, which shall expressly include school districts, shall make reasonable effort to identify the telephone from which any telephone communication claimed to be prohibited by this act is being or has been made. If identification of such telephone is made, the telephone company, its officers, agents or employees shall provide to state law enforcement officials the location of such telephone. Any telephone company, its officers, agents or employees, in acting pursuant to this section of this act, shall be immune from any civil or criminal action or liability under this or any other state or local act, rule, regulation or ordinance. Added by Laws 1971, c. 121, § 4, emerg. eff. May 4, 1971.

§21-1768. Malicious injury to freehold - Carrying away earth, soil or stone. Every person who willfully commits any trespass by either: 1. Cutting down or destroying any kind of wood or timber, standing or growing upon the lands of another; or, driving or riding through, into, or across any cultivated hedge or tree row, or any grove of ornamental trees or orchard of fruit trees growing upon the land of another, or in any other manner injuring the same; or, 2. Carrying away any kind of wood or timber that has been cut down, and is lying on such lands; or, 3. Maliciously severing from the freehold any produce thereof, or anything attached thereto; or, 4. Digging, taking, or carrying away from any lot situated within the bounds of any incorporated city, without the license of the owner, or legal occupant thereof, any earth, soil or stone, being a part of the freehold, or severed therefrom at some previous time, under such circumstances as would render the trespass a larceny, if the thing so severed or carried away were personal property; or, 5. Digging, taking, or carrying away from any land in any incorporated city or town of this state, laid down on the map or plan of said city or town as a street or avenue, or otherwise established or recognized as a street or avenue, without the license of the mayor and common council or

other governing body of such city or town, or owner of the fee thereof, any earth, soil or stone under such circumstances as would render the trespass a larceny, if the thing so severed or carried away were personal property; is guilty of a misdemeanor. R.L.1910, § 2773.

§21-1773. Injuring fruit or ornamental trees. Every person who shall maliciously or mischievously, bruise, break or pull up, cut down, carry away, destroy, or in anywise injure any fruit or ornamental tree, shrub, vine or material for hedge, being, growing, or standing on the land of another, shall be punished by fine not exceeding One Hundred and not less than Ten Dollars (\$10.00), or by imprisonment in the county jail not exceeding thirty (30) days. R.L.1910, § 2778.

§21-1781. Letters, opening and reading - Publishing letters. Every person who willfully opens or reads, or causes to be read, any sealed letter not addressed to himself, without being authorized so to do, either by the writer of such letter or by the person to whom it is addressed, and every person who without like authority publishes any letter, knowing it to have been opened in violation of this section or any part thereof, is guilty of a misdemeanor. R.L.1910, § 2786.

§21-1782. Messages - Disclosing contents of. Any person who shall disclose the contents of any telegraphic dispatch or telephone message or communication, or any part thereof, addressed to or which he knows to be intended for another person without the permission of such person, except upon the lawful order of a court, or the judge thereof, with intent to cause injury, damage or disgrace to such other person, or which does in fact cause injury, damage or disgrace to such other person, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Fifty Dollars (\$50.00), nor more than Five Hundred Dollars(\$500.00), or by imprisonment in the county jail not less than thirty (30) days, nor more than one (1) year, or by both such imprisonment and fine. Provided, that nothing herein shall apply to public officers in the discharge of their duties. R.L.1910, § 2787; Laws 1923, c. 46, p. 58, § 2.

§21-1783. Secreting telegraphic dispatches. Every person who, having in his possession any telegraphic dispatch addressed to another, maliciously secretes, conceals or suppresses the same, is guilty of a misdemeanor. R.L.1910, § 2788.

§21-1784. Works of art or ornamental improvements, injuring. Every person who willfully injures, disfigures or destroys, not being the owner thereof, any monument work of art, or useful or ornamental improvement, within the limits of any town or city, or any shade tree or ornamental plant, growing therein, whether situated upon private ground, or on any street, sidewalk or public park or place, is guilty of a misdemeanor. R.L.1910, § 2789.

§21-1785. Works of literature or art in public place, injuring. Any person who maliciously cuts, tears, disfigures, soils, obliterates, breaks or destroys any book, map, chart, picture, engraving, statue, coin, model, apparatus, specimen or other work of literature or art, or object of curiosity deposited in any public library, gallery, museum, collection, fair or exhibition, shall be guilty of a felony punishable by imprisonment in the State Penitentiary for not exceeding three (3) years, or in a county jail not exceeding one (1) year. R.L. 1910, § 2790. Amended by Laws 1997, c. 133, § 419, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 305, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 419 from July 1, 1998, to July 1, 1999.

§21-1834. Chattels encumbered by mortgage, conditional sales contract or security agreement - Removal or destruction. Any mortgagor, conditional sales contract vendee, pledgor or debtor under a security agreement of personal property, or his or her legal representative, who, while such mortgage, security agreement or conditional sales contract remains in force and unsatisfied, conceals, sells or in any manner disposes of such property, or any part thereof, or removes such property, or any part thereof, beyond the limits of the county, or materially injures or willfully destroys such property, or any part thereof, without the written consent of the holder of such mortgage or conditional sales contract, secured party or pledgee under a security agreement shall, upon conviction, be guilty of a felony if the value of the property is One Thousand Dollars (\$1,000.00) or more and shall be punished by imprisonment in the custody of the Department of Corrections for a period not exceeding three (3) years or in the county jail not exceeding one (1) year, or by a fine of not to exceed Five Hundred Dollars (\$500.00). If the value of the property is less than One Thousand Dollars (\$1,000.00), the person shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one (1) year, or by a fine not exceeding Five Hundred Dollars (\$500.00). Provided, however, the writing containing the consent of the holder of the mortgage or conditional sales contract, secured party or pledgee under a security agreement, as before specified, shall be the only competent evidence of such consent, unless it appears that such writing has been lost or destroyed. R.L. 1910, § 2755. Amended by Laws 1957, p. 166, § 1; Laws 1965, c. 105, § 1; Laws 1997, c. 133, § 421, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 307, eff. July 1, 1999; Laws 2016, c. 221, § 20, eff. Nov. 1, 2016. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 421 from July 1, 1998, to July 1, 1999.

§21-1835. Trespass on posted property after being forbidden or without permission - Penalties - Exceptions. A. Whoever shall willfully or maliciously enter the garden, yard, pasture or field of another after being expressly forbidden to do so or without permission by the owner or lawful occupant thereof when such property is posted shall be deemed guilty of trespass and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Fifty Dollars (\$250.00); provided, that this provision shall not apply to registered land surveyors and registered professional engineers for the purpose of land surveying in the performance of their professional services; and, provided further, that anyone who willfully or maliciously enters any such garden, yard, pasture or field, and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or both such fine and imprisonment. For purposes of this section, "posted" means exhibiting signs to read as follows: "PROPERTY RESTRICTED"; "POSTED - KEEP OUT"; "KEEP OUT"; "NO TRESPASSING"; or similar signs which are displayed. Property that is fenced or not fenced must have such signs placed conspicuously and at all places where entry to the property is normally expected. B. No provisions of this act shall conflict with Section 5-202 or 6-304 of Title 29 of the Oklahoma Statutes. C. Whoever shall willfully enter the pecan grove of another without the prior consent of the owner or occupant thereof to so do shall be deemed guilty of trespass and upon conviction thereof shall be fined in any sum not to exceed Twenty-five Dollars (\$25.00); provided, that anyone who willfully enters any such pecan grove and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment. D. Whoever shall willfully or

maliciously enter upon property owned or managed by the Grand River Dam Authority without permission when such property is posted shall be deemed guilty of misdemeanor trespass and upon conviction thereof shall be fined in any sum not to exceed Two Hundred Fifty Dollars (\$250.00); provided, that this provision shall not apply to registered land surveyors and registered professional engineers for the purpose of land surveying in the performance of their professional services; and, provided further, that anyone who willfully or maliciously enters upon property owned or managed by the Grand River Dam Authority without permission and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of misdemeanor trespass, and upon conviction thereof shall be fined in any sum not less than Fifty Dollars (\$50.00) nor more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or both such fine and imprisonment. For purposes of this section, "posted" means exhibiting signs to read as follows: "PROPERTY RESTRICTED"; "POSTED - KEEP OUT"; "KEEP OUT"; "NO TRESPASSING"; or similar signs which are displayed. Property that is fenced or not fenced must have such signs placed conspicuously and at all places where entry to the property is normally expected. E. Notwithstanding the provisions of this section, the Governor's Mansion and its grounds and appurtenances shall not be required to be posted with signs warning against trespass. Any person who shall willfully or maliciously enter the grounds of the Governor's Mansion within the State Capitol Park, as defined in Section 1811.4 of Title 74 of the Oklahoma Statutes, except at a place where entry to the property is normally expected shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or by both fine and imprisonment. Added by Laws 1913, c. 51, p. 89, § 1. Amended by Laws 1923, c. 215, p. 377, § 1; Laws 1961, p. 234, § 1; Laws 1969, c. 229, § 1, emerg. eff. April 21, 1969; Laws 1983, c. 296, § 1, eff. Nov. 1, 1983; Laws 1999, c. 53, § 1, emerg. eff. April 5, 1999; Laws 2011, c. 251, § 1, eff. Nov. 1, 2011.

§21-1835.1. Entry or presence upon premises of place of business of persons convicted of certain crimes. A. Every person, partnership, corporation or other legal entity engaged in any public business, trade, or profession of any kind wherein merchandise, goods or services are offered for sale may forbid the entry or presence of any person upon the premises of the place of business, if the person has been convicted of a crime involving entry onto or criminal acts occurring upon any real property owned, leased, or under the control of such person, partnership, corporation or other legal entity. Such crimes shall include, but are not limited to, shoplifting, vandalism, and disturbing the peace while upon the premises of any place of business of the person, partnership, corporation, or other legal entity. B. In order to exercise the authority conferred by subsection A of this section, the owner or an agent of the owner of a public business, trade, or profession must notify the person whom the owner or agent desires to prohibit from such owner's place of business. C. No person shall willfully enter or remain upon the premises after being expressly forbidden to do so in the manner provided for in this section. Any person convicted of violating the provisions of this section, upon conviction, shall be guilty of trespass and shall be punished by a fine of not more than Two Hundred Fifty Dollars (\$250.00) or by confinement in the county jail for a term of not more than thirty (30) days, or by both such fine and imprisonment. D. The provisions of this act shall not preclude any other remedy allowed by law. Laws 1989, c. 246, § 1, eff. Nov. 1, 1989.

§21-1835.2. Trespass upon private land primarily devoted to farming, ranching, or forestry - Exceptions - Affirmative defense. A. Notwithstanding the provisions of Section 1835 of this title, the following

provisions apply to private land that is primarily devoted to farming, ranching, or forestry purposes: 1. Except as provided in this section, whoever willfully enters private land of another that is primarily devoted to farming, ranching, or forestry purposes without permission by the surface owner, surface lessee, hunting lessee, or lawful occupant thereof shall be deemed guilty of trespass and, upon conviction thereof, shall be fined in any sum not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), and in addition, the court shall order restitution for actual damages incurred. Persons convicted of a second or subsequent offense under this paragraph shall be guilty of a misdemeanor and shall be punished by a fine in any sum not less than One Thousand Five Hundred Dollars (\$1,500.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment, and in addition, the court shall order restitution for actual damages incurred; 2. This provision shall not apply to peace officers as defined in Section 99 of this title or any federal, state, or local government employees engaged in the performance of their duties, or to any firefighters, emergency medical personnel, or public utility employees engaged in addressing an emergency that presents an imminent danger to health, safety, or the environment in the performance of their duties, or to parties engaged in oil and gas operations, which shall include, without limitation, exploration, drilling, production and sales activities, under authority of mineral ownership, an oil and gas lease, seismic agreement or permit, gas gathering, purchase, transportation, or treating contracts, Corporation Commission order, or other lawful authority from persons entitled to give the same. The provisions of this section shall not prohibit railroad employees and emergency equipment from entering such land to restore rail service following an accident, derailment or natural disaster; nor the entrance of utility employees or contractors while acting in the scope of their employment; nor employees or contractors of valid easement or license holders while acting in the scope of their employment; 3. The following persons may enter such land of another unless forbidden to do so, either orally or in writing, by the owner or lawful occupier thereof: registered land surveyors and registered professional engineers for the purpose of land surveying in the performance of their professional services, persons making a delivery, selling a product or service, conducting a survey or poll, working on behalf of a candidate for political office, or who otherwise have a legitimate reason for entering and who, immediately upon entering, seek to conduct such business; and 4. Anyone who willfully or maliciously enters any such land of another and therein commits or attempts to commit waste, theft, or damage shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in any sum not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment, and in addition, the court shall order restitution for actual damages incurred. Persons convicted of a second or subsequent offense under this paragraph shall be guilty of a misdemeanor and shall be punished by a fine in any sum not less than Seven Hundred Dollars (\$700.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00), or by confinement in the county jail for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment, and in addition, the court shall order restitution for actual damages. B. This section shall not be construed to prohibit acts that are permitted pursuant to Section 5-202 or 6-304 of Title 29 of the Oklahoma Statutes. C. 1. It shall be an affirmative defense to prosecution under paragraph 1 of subsection A of this section that the accused had express or implied permission or legal authority to be on the property. 2. If an accused reasonably believed he or she was upon property for which they had permission to be upon, it shall be an affirmative defense to prosecution under paragraph 1 of subsection A of this section that the accused

had with him or her, on his or her person, written permission from the surface owner, surface lessee, hunting lessee, or lawful occupant to be upon such person's land while the accused was upon any adjoining property. This defense shall not be available to the accused if: a. the accused has previously pled guilty, nolo contendere, or has been convicted of any act of trespass or has been found civilly liable of any act of trespass, or b. the accused, while the accused was upon the adjoining property, does not have with him or her, on his or her person, the written permission specified in this paragraph. Added by Laws 2006, c. 268, § 4, eff. Nov. 1, 2006. Amended by Laws 2008, c. 85, § 1, eff. Nov. 1, 2008; Laws 2009, c. 458, § 2, emerg. eff. June 2, 2009; Laws 2011, c. 142, § 1, eff. Nov. 1, 2011; Laws 2012, c. 11, § 3, emerg. eff. April 4, 2012. NOTE: Laws 2011, c. 39, § 1 repealed by Laws 2012, c. 11, § 4, emerg. eff. April 4, 2012.

§21-1836. Filing purported conveyance without color of title - Instruments clouding title to restricted Indian lands. Any person, firm or officer, representative, or agent of any firm or corporation, who shall execute and deliver, or who shall file for record or cause to be recorded in the office of any county clerk of any county in this state, any deed or other instrument in writing purporting to convey any right, title, or interest, or right to possession in and to any real estate situated in such county, to which the grantor, or grantors, therein did not have and hold a bona fide color of title, and any such person who shall file or cause to be filed for record in such office any such deed or other instrument which clouds the title of any real estate allotted to any member of one of the Five Civilized Tribes, or to the Osage Tribe of Indians, as a homestead, prior to the removal of the restrictions thereon by operation of law, or otherwise, knowing the land conveyed to be restricted homestead lands, shall be deemed guilty of a misdemeanor, and, upon conviction shall be punished by fine not to exceed One Hundred Dollars (\$100.00), and by imprisonment in the county jail for a period not to exceed thirty (30) days. Laws 1913, c. 78, p. 124, § 1; Laws 1945, p. 96, § 1.

§21-1836.1. Deed or conveyance removing cloud to be executed by violator. Any person, firm, or officer, representative, or agent of any firm or corporation, who has at any time violated the provisions of the above section shall, upon the written request of any person who has and holds any right, title, or interest in such real estate, immediately execute and deliver such deed or conveyance as may be requisite to remove from the record the cloud on the right, title, and interest of such owner to the title and possession of said real estate. Laws 1945, p. 96, § 2.

§21-1836.2. Failure to comply with demand a tort. Any person, firm, or officer, representative, or agent of any firm or corporation, together with such firm or corporation, failing to comply with such demand to remove the said cloud upon the right to title and possession, shall be deemed to be guilty of a tort, and shall be held to respond in damages to the owner of any right, title, interest or right to possession of the real estate involved in a suit to quiet the title to said real estate in the amount of the cost, reasonable attorney's fees, and other damage suffered on account of the said tort. Laws 1945, p. 97, § 3. D

§21-1951. Short title. This act shall be known and may be cited as the "Oklahoma Computer Crimes Act". Added by Laws 1984, c. 70, § 1, emerg. eff. March 29, 1984. §21-1952. Definitions. As used in the Oklahoma Computer Crimes Act: 1. "Access" means to approach, gain entry to, instruct, communicate with, store data in, retrieve data from or otherwise use the logical, arithmetical, memory or other resources of a computer, computer system or computer network; 2. "Computer" means an electronic device which performs work using programmed instruction having one or more of the capabilities of storage, logic, arithmetic or communication. The term includes input, output, processing, storage,

software and communication facilities which are connected or related to a device in a system or network; 3. "Computer network" means the interconnection of terminals by communication modes with a computer, or a complex consisting of two or more interconnected computers; 4. "Computer program" means a set or series of instructions or statements and related data which when executed in actual or modified form directs or is intended to direct the functioning of a computer system in a manner designed to perform certain operations; 5. "Computer software" means one or more computer programs, procedures and associated documentation used in the operation of a computer system; 6. "Computer system" means a set of related, connected or unconnected, computer equipment, devices including support devices, one or more of which contain computer programs, electronic instructions, input data, and output data, that performs functions including, but not limited to, logic, arithmetic, data storage and retrieval, communication, and control and software. "Computer system" does not include calculators which are not programmable and are not capable of being connected to or used to access other computers, computer networks, computer systems or support devices; 7. "Data" means a representation of information, knowledge, facts, concepts, computer software, computer programs or instructions. Data may be in any form, in storage media, or as stored in the memory of the computer or in transit or presented on a display device; 8. "Property" means any tangible or intangible item of value and includes, but is not limited to, financial instruments, geophysical data or the interpretation of that data, information, computer software, computer programs, electronically-produced data and computer-produced or stored data, supporting documentation, computer software in either machine or human readable form, electronic impulses, confidential, copyrighted or proprietary information, private identification codes or numbers which permit access to a computer by authorized computer users or generate billings to consumers for purchase of goods and services, including but not limited to credit card transactions and telecommunications services or permit electronic fund transfers and any other tangible or intangible item of value; 9. "Services" includes, but is not limited to, computer time, data processing and storage functions and other uses of a computer, computer system or computer network to perform useful work; 10. "Supporting documentation" includes, but is not limited to, all documentation in any form used in the construction, design, classification, implementation, use or modification of computer software, computer programs or data; and 11. "Victim expenditure" means any expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program or data was or was not altered, deleted, disrupted, damaged or destroyed by the access. Added by Laws 1984, c. 70, § 2, emerg. eff. March 29, 1984. Amended by Laws 1989, c. 151, § 1, eff. Nov. 1, 1989.

§21-1953. Prohibited acts. A. It shall be unlawful to: 1. Willfully, and without authorization, gain or attempt to gain access to and damage, modify, alter, delete, destroy, copy, make use of, disclose or take possession of a computer, computer system, computer network or any other property; 2. Use a computer, computer system, computer network or any other property as hereinbefore defined for the purpose of devising or executing a scheme or artifice with the intent to defraud, deceive, extort or for the purpose of controlling or obtaining money, property, services or other thing of value by means of a false or fraudulent pretense or representation; 3. Willfully exceed the limits of authorization and damage, modify, alter, destroy, copy, delete, disclose or take possession of a computer, computer system, computer network or any other property; 4. Willfully and without authorization, gain or attempt to gain access to a computer, computer system, computer network or any other property; 5. Willfully and without authorization use or cause to be used computer services; 6. Willfully and without authorization disrupt or cause the disruption of computer services or deny or cause the denial of access or other

computer services to an authorized user of a computer, computer system or computer network; 7. Willfully and without authorization provide or assist in providing a means of accessing a computer, computer system or computer network in violation of this section; 8. Willfully use a computer, computer system, or computer network to annoy, abuse, threaten, or harass another person; and 9. Willfully use a computer, computer system, or computer network to put another person in fear of physical harm or death. B. Any person convicted of violating paragraph 1, 2, 3, 6, 7 or 9 of subsection A of this section shall be guilty of a felony punishable as provided in Section 1955 of this title. C. Any person convicted of violating paragraph 4, 5 or 8 of subsection A of this section shall be guilty of a misdemeanor. D. Nothing in the Oklahoma Computer Crimes Act shall be construed to prohibit the monitoring of computer usage of, or the denial of computer or Internet access to, a child by a parent, legal guardian, legal custodian, or foster parent. As used in this subsection, "child" shall mean any person less than eighteen (18) years of age. Added by Laws 1984, c. 70, § 3, emerg. eff. March 29, 1984. Amended by Laws 1989, c. 151, § 2, eff. Nov. 1, 1989; Laws 1997, c. 133, § 427, eff. July 1, 1999; Laws 2000, c. 105, § 1, eff. Nov. 1, 2000; Laws 2002, c. 97, § 2, emerg. eff. April 17, 2002; Laws 2013, c. 66, § 1, eff. Nov. 1, 2013. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 427 from July 1, 1998, to July 1, 1999.

§21-1954. Certain acts as prima facie evidence of violation of act. Proof that any person has accessed, damaged, disrupted, deleted, modified, altered, destroyed, caused to be accessed, copied, disclosed or taken possession of a computer, computer system, computer network or any other property, or has attempted to perform any of these enumerated acts without authorization or exceeding the limits of authorization, shall be prima facie evidence of the willful violation of the Oklahoma Computer Crimes Act. Added by Laws 1984, c. 70, § 4, emerg. eff. March 29, 1984. Amended by Laws 1989, c. 151, § 3, eff. Nov. 1, 1989.

§21-1955. Penalties - Civil actions. A. Upon conviction of a felony under the provisions of the Oklahoma Computer Crimes Act, punishment shall be by a fine of not less than Five Thousand Dollars (\$5,000.00) and not more than One Hundred Thousand Dollars (\$100,000.00), or by confinement in the State Penitentiary for a term of not more than ten (10) years, or by both such fine and imprisonment. B. Upon conviction of a misdemeanor under the provisions of the Oklahoma Computer Crimes Act, punishment shall be by a fine of not more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the county jail not to exceed thirty (30) days, or by both such fine and imprisonment. C. In addition to any other civil remedy available, the owner or lessee of the computer, computer system, computer network, computer program or data may bring a civil action against any person convicted of a violation of the Oklahoma Computer Crimes Act for compensatory damages, including any victim expenditure reasonably and necessarily incurred by the owner or lessee to verify that a computer system, computer network, computer program or data was or was not altered, damaged, deleted, disrupted or destroyed by the access. In any action brought pursuant to this subsection the court may award reasonable attorneys fees to the prevailing party. Added by Laws 1984, c. 70, § 5, emerg. eff. March 29, 1984. Amended by Laws 1989, c. 151, § 4, eff. Nov. 1, 1989; Laws 1997, c. 133, § 428, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 312, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 428 from July 1, 1998, to July 1, 1999.

§21-1957. Access of computer, computer system or computer network in one jurisdiction from another jurisdiction - Bringing of action. For purposes of bringing a civil or a criminal action pursuant to the Oklahoma Computer Crimes Act, a person who causes, by any means, the access of a computer,

computer system or computer network in one jurisdiction from another jurisdiction is deemed to have personally accessed the computer, computer system or computer network in each jurisdiction. Added by Laws 1989, c. 151, § 5, eff. Nov. 1, 1989. Amended by Laws 2002, c. 97, § 3, emerg. eff. April 17, 2002.

§21-1958. Access to computers, computer systems and computer networks prohibited for certain purposes - Penalty. No person shall communicate with, store data in, or retrieve data from a computer system or computer network for the purpose of using such access to violate any of the provisions of the Oklahoma Statutes. Any person convicted of violating the provisions of this section shall be guilty of a felony punishable by imprisonment in the State Penitentiary for a term of not more than five (5) years, or by a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine. Added by Laws 1986, c. 26, § 1, eff. Nov. 1, 1986. Renumbered from § 1124 of this title by Laws 1989, c. 151, § 6, eff. Nov. 1, 1989. Amended by Laws 1997, c. 133, § 429, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 313, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 429 from July 1, 1998, to July 1, 1999.

§21-1959. Subpoenas prior to commencement of proceedings – Noncompliance – Misdemeanor. A. When any person has engaged in, is engaged in, or is attempting or conspiring to engage in any conduct constituting a violation of any of the provisions of Section 1953 of Title 21 of the Oklahoma Statutes, the Oklahoma Attorney General or any district attorney in Oklahoma may conduct an investigation of the activity. On approval of the district judge, the Attorney General or district attorney, in accordance with the provisions of Section 258 of Title 22 of the Oklahoma Statutes and pursuant to the provisions of the Oklahoma Computer Crimes Act, is authorized before the commencement of any civil or criminal proceeding to subpoena witnesses, compel their attendance, examine them under oath, or require the production of any business papers or records by subpoena duces tecum. Evidence collected pursuant to this section shall not be admissible in any civil proceeding. B. Any business papers and records subpoenaed by the Attorney General or district attorney shall be available for examination by the person who produced the material or by any duly authorized representative of the person. Transcripts of oral testimony shall be available for examination by the person who produced such testimony and their counsel. Except as otherwise provided for in this section, no business papers, records, or transcripts or oral testimony, or copies of it, subpoenaed by the Attorney General or district attorney shall be available for examination by an individual other than another law enforcement official without the consent of the person who produced the business papers, records or transcript. C. All persons served with a subpoena by the Attorney General or district attorney pursuant to the provisions of the Oklahoma Computer Crimes Act shall be paid the same fees and mileage as paid witnesses in the courts of this state. D. No person shall, with intent to avoid, evade, prevent, or obstruct compliance in whole or in part by any person with any duly served subpoena of the Attorney General or district attorney pursuant to the provisions of this section, knowingly remove from any place, conceal, withhold, destroy, mutilate, alter, or by any other means falsify any business papers or records that are the subject of the subpoena duces tecum. E. Any person violating the provisions of this section shall be guilty, upon conviction, of a misdemeanor. Added by Laws 2003, c. 98, § 1, eff. Nov. 1, 2003.

§21-1975. Definitions. A. As used in this act: 1. "Sound recording" and "article" means a phonograph record, disc, tape, film, audio or video cassette, compact video disc, or other material now known or later developed on which sounds or images are or can be recorded or otherwise stored; 2. "Owner" means the owner of the master sound recording and, with respect to Section 4 of this act, shall mean the owner of the rights to record or authorize the recording of any performance not yet fixed in a

tangible medium of expression; 3. "Manufacturer" means the entity authorizing the duplication of the specific recording in question, but shall not include the manufacturer of the cartridge or casing which encloses the recording or the manufacturer of the recording medium; 4. "Counterfeit label" means an identifying label, markings serving the purpose of a label, or container that appears to be genuine but is not genuine; 5. "Audiovisual work" means a series of related images intended to be shown through the use of mechanical or electronic devices, together with accompanying sounds, if any; and 6. "Motion picture" means an audiovisual work consisting of a series of images which, when shown in succession, impart an impression of motion together with accompanying sounds, if any. B. This act shall not apply to player piano tapes or rolls or the sound occasioned by the use thereof on player pianos, nor shall this act apply to any person engaged in radio, cable television, or television broadcasting who transfers, or causes to be transferred, any such sounds, other than from the sound track of a motion picture, intended for, or in connection with broadcast or telecast transmission or related uses, or for archival purposes. Added by Laws 1991, c. 82, § 1, emerg. eff. April 18, 1991.

§21-1976. Unlawful reproduction for sale of sound recording or audiovisual work - Exemptions - Penalties. A. It shall be unlawful for any person to knowingly reproduce for sale any sound recording produced without the written consent of the owner of the original recording, provided, however, that this section shall only apply to sound recordings initially fixed prior to February 15, 1972, and shall not apply to motion pictures or other audiovisual works. B. A violation of this section involving less than one hundred articles shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). C. A violation of this section involving one hundred or more articles shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a term not to exceed five (5) years, or both such fine and imprisonment. D. A second or subsequent conviction for a violation of this section shall constitute a felony and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by imprisonment in the State Penitentiary for a term not less than two (2) years nor more than five (5) years, or both such fine and imprisonment. Added by Laws 1991, c. 82, § 2, emerg. eff. April 18, 1991. Amended by Laws 1997, c. 133, § 430, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 314, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 430 from July 1, 1998, to July 1, 1999.

§21-1977. Unlawful sale or offer for sale of sound recording - Penalties. A. It shall be unlawful for any person to knowingly sell or offer for sale any sound recording that has been produced or reproduced in violation of the provisions of Sections 1975 through 1981 of this title, knowing, or having reasonable grounds to know, that the sounds or images thereon have been produced or reproduced without the consent of the owner. B. A violation of this section involving less than one hundred articles shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). C. A violation of this section involving one hundred or more articles shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a term not more than five (5) years, or both such fine and imprisonment. D. A second or subsequent conviction for a violation of this section shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00), or by imprisonment in the State Penitentiary for a term not less than two (2) years nor more than five (5) years, or both such fine and imprisonment. Added by Laws 1991, c. 82, § 3, emerg. eff. April 18, 1991. Amended by Laws 1997, c. 133, § 431, eff. July 1, 1999; Laws

1999, 1st Ex.Sess., c. 5, § 315, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 431 from July 1, 1998, to July 1, 1999.

§21-1978. Unlawful transfer of article or sound recording or performance for unauthorized sale - Penalties. A. It shall be unlawful for any person to knowingly and without the written consent of the owner, transfer or cause to be transferred to any article or sound recording or otherwise reproduce for sale, any performance, whether live before an audience or transmitted by wire or through the air by radio or television, with the intent to sell or cause to be sold for profit or used to promote the sale of any article or product. B. A violation of this section involving less than one hundred articles shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). C. A violation of this section involving one hundred or more articles shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a term not more than five (5) years, or both such fine and imprisonment. D. A second or subsequent conviction for a violation of this section shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00) or by imprisonment in the State Penitentiary for a term not less than two (2) years nor more than five (5) years, or both such fine and imprisonment. Added by Laws 1991, c. 82, § 4, emerg. eff. April 18, 1991. Amended by Laws 1997, c. 133, § 432, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 316, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 432 from July 1, 1998, to July 1, 1999.

§21-1979. Advertisement, rental, sale, resale, distribution or circulation of article without actual true name and address of manufacturer - Penalties. A. It shall be unlawful for any person to advertise, or offer for rental, sale, resale, distribution or circulation, or rent, sell, resell, distribute or circulate, or cause to be sold, resold, distributed or circulated, or possess for such purposes any article, which does not clearly and conspicuously display thereon in clearly readable print the actual true name and address of the manufacturer thereof. B. A violation of this section involving less than seven articles upon which motion pictures or other audiovisual works are recorded or less than one hundred other articles or sound recordings, shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). C. A violation of this section involving seven or more articles upon which motion pictures or other audiovisual works are recorded or one hundred or more other articles or sound recordings, shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a term not more than five (5) years, or both such fine and imprisonment. D. A second or subsequent conviction for a violation of this section shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00) or by imprisonment in the State Penitentiary for a term not less than two (2) years nor more than five (5) years, or both such fine and imprisonment. Added by Laws 1991, c. 82, § 5, emerg. eff. April 18, 1991. Amended by Laws 1997, c. 133, § 433, eff. July 1, 1999; Laws 1999, 1st Ex. Sess., c. 5, § 317, eff. July 1, 1999; Laws 2007, c. 4, § 1, eff. Nov. 1, 2007. NOTE: Laws 1998, 1st Ex. Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 433 from July 1, 1998, to July 1, 1999.

§21-1980. Counterfeit labels - Penalties. A. It shall be unlawful for any person to make, manufacture, sell, distribute, offer for sale, issue or place in circulation or knowingly have in his possession for purposes of commercial advantage or private financial gain, a counterfeit label affixed or designed to be affixed to a phonorecord, a copy of a motion picture or other audiovisual work, recording or article. B. A violation of

this section involving less than seven articles upon which motion pictures or other audiovisual works are recorded or less than one hundred other articles or sound recordings, shall constitute a misdemeanor, and shall, upon conviction, be punishable by a fine not to exceed Five Thousand Dollars (\$5,000.00). C. A violation of this section involving seven or more articles upon which motion pictures or other audiovisual works are recorded or one hundred or more other articles or sound recordings, shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed Fifty Thousand Dollars (\$50,000.00), or by imprisonment in the State Penitentiary for a term not more than five (5) years, or both such fine and imprisonment. D. A second or subsequent conviction for a violation of this section shall constitute a felony, and shall, upon conviction, be punishable by a fine not to exceed One Hundred Thousand Dollars (\$100,000.00) or by imprisonment in the State Penitentiary for a term not less than two (2) years nor more than five (5) years, or both such fine and imprisonment. Added by Laws 1991, c. 82, § 6, emerg. eff. April 18, 1991. Amended by Laws 1997, c. 133, § 434, eff. July 1, 1999; Laws 1999, 1st Ex.Sess., c. 5, § 318, eff. July 1, 1999. NOTE: Laws 1998, 1st Ex.Sess., c. 2, § 23 amended the effective date of Laws 1997, c. 133, § 434 from July 1, 1998, to July 1, 1999.

§21-1981. Confiscation, preservation and disposition of sound recording or article and implements, devices and equipment used in unauthorized manufacture. A. If a person is convicted of any violation of this act, the court in its judgment of conviction shall order the forfeiture and destruction or other disposition of any sound recording or article which does not conform to the requirements of this act and all implements, devices and equipment used or intended to be used in the manufacture of such sound recordings or articles. The court may enter an order preserving any such articles or items for use in other cases or pending the final determination of an appeal. B. It shall be the duty of all law enforcement officers, upon discovery, to confiscate all recordings and articles that do not conform to the requirements of this act. The nonconforming recordings and articles shall be delivered to the district attorney of the county in which the confiscation was made, who shall, by court order, destroy or otherwise dispose of such recordings and articles. This section shall apply to any nonconforming recording or article, regardless of the knowledge or intent of the person in possession. C. The penalties provided in this act are not exclusive and are in addition to any other penalties provided by law. Added by Laws 1991, c. 82, § 7, emerg. eff. April 18, 1991.

§21-1990. Short title. This act shall be known and may be cited as the “Trademark AntiCounterfeiting Act”. Added by Laws 1999, c. 54, § 1, eff. July 1, 1999. §21-1990.1. Definitions. For the purposes of this act: 1. “Counterfeit mark” means: a. any unauthorized reproduction or copy of intellectual property, and b. intellectual property that is affixed to any item that is knowingly sold, offered for sale, manufactured or distributed or to any identifying services offered or rendered without the authority of the intellectual property owner; 2. “Intellectual property” means any trademark, service mark, trade name, label, term, device, design or word that is adopted or used by a person to identify that person’s goods or services; and 3. “Retail value” means: a. for items that bear a counterfeit mark and that are components of a finished product, the counterfeiter’s regular selling price of the finished product on or in which the component would be utilized, or b. for all other items that bear a counterfeit mark or services that are identified by a counterfeit mark, the counterfeiter’s regular selling price for those items or services. Added by Laws 1999, c. 54, § 2, eff. July 1, 1999.

§21-1990.2. Use, possession, distribution, manufacture, etc. of item bearing counterfeit mark – Penalties – Seizure and forfeiture – Civil actions – Damages and attorney fees. A. Except as provided in subsections B and C of this section, a person who knowingly and with intent to sell or distribute, uses, displays,

advertises, distributes, offers for sale, sells or possesses any item that bears a counterfeit mark or any service that is identified by a counterfeit mark shall, upon conviction, be guilty of a misdemeanor punishable by imprisonment in the county jail not exceeding one (1) year or by a fine not exceeding One Thousand Dollars (\$1,000.00) or by both such fine and imprisonment. B. Any person who commits any prohibited act proscribed in subsection A of this section shall, upon conviction, be guilty of a Schedule G felony punishable as provided in the state's sentencing matrix, or by a fine of not more than the retail value of such items or services or both such fine and imprisonment, if either: 1. The person has one previous conviction under any provision of this section; or 2. At least one of the following exists: a. the violation involves more than one hundred but fewer than one thousand items that bear the counterfeit mark, or b. the total retail value of all of the items or services that bear or are identified by the counterfeit mark is more than One Thousand Dollars (\$1,000.00) but less than Ten Thousand Dollars (\$10,000.00). C. Any person who knowingly manufactures or produces with intent to sell or distribute any item that bears a counterfeit mark or any service that is identified by a counterfeit mark shall, upon conviction, be guilty of a Schedule F felony punishable as provided in the state's sentencing matrix, or by a fine not exceeding three times the retail value of such items or services, or by both such fine and imprisonment. D. Any person who commits any prohibited act proscribed by subsection A of this section shall, upon conviction, be guilty of a Schedule E felony punishable as provided in the state's sentencing matrix, or by a fine not exceeding three times the retail value of such items or services, or by both such fine and imprisonment if either: 1. The person has two or more previous convictions under this section; or 2. At least one of the following exists: a. the violation involves at least one thousand items that bear the counterfeit mark, or b. the total retail value of all of the items or services that bear or are identified by the counterfeit mark is at least Ten Thousand Dollars (\$10,000.00). E. For purposes of this section, any person who knowingly has possession, custody or control of at least twenty-six items that bear a counterfeit mark is presumed to possess the items with intent to sell or distribute the items. F. In any criminal proceeding in which a person is convicted of a violation of any provision of this section, the court may order the convicted person to pay restitution to the intellectual property owner in addition to any other provision allowed by law. G. The investigating law enforcement officer may seize any item that bears a counterfeit mark and all other personal property that is employed or used in connection with a violation of this section, including any items, objects, tools, machines, equipment, instrumentalities or vehicles. All personal property seized pursuant to this section shall be subject to forfeiture according to Section 1738 of Title 21 of the Oklahoma Statutes. H. After a forfeiture has been ordered by the district court, a law enforcement officer shall destroy all seized items that bear a counterfeit mark; however, if the counterfeit mark is removed from the seized items, the intellectual property owner may recommend to the court that the seized items be donated to a charitable organization. I. Any certificate of registration of any intellectual property pursuant to state or federal law is prima facie evidence of the facts stated in the certificate of registration and may be used at trial. J. In addition to other remedies allowed by law, an intellectual property owner who sustains a loss as a result of any violation of this section may file a civil action against the defendant for recovery of up to treble damages and the costs of the suit including reasonable attorney fees. K. The remedies provided in this section are cumulative to all other civil and criminal remedies provided by law. L. For the purposes of this section, the quantity or retail value of items or services includes the aggregate quantity or retail value of all items that the defendant manufactures, uses, displays, advertises, distributes, offers for sale, sells or possesses and that bear a counterfeit mark or that are identified by a counterfeit mark. Added by Laws 1999, c. 54, § 3, eff. July 1, 1999.

§21-1993. Tampering with or disabling security or surveillance camera or security system. A. It shall be unlawful for any unauthorized person to refocus, reposition, cover, manipulate, disconnect, or otherwise tamper with or disable a security or surveillance camera or security system. Any person violating the provisions of this subsection shall be guilty, upon conviction, of a misdemeanor punishable by a fine of not more than Five Thousand Dollars (\$5,000.00). B. It shall be unlawful for any person to use, refocus, reposition, cover, manipulate, disconnect, or otherwise tamper with or disable a security or surveillance camera or security system for the purpose of avoiding detection when committing, attempting to commit, or aiding another person to commit or attempt to commit any misdemeanor. Any person violating the provisions of this section shall be guilty, upon conviction, of a misdemeanor punishable by imprisonment for not more than one year in the county jail, or a fine of not more than Five Thousand Dollars (\$5,000.00), or by both such imprisonment and fine. C. It shall be unlawful for any person to use, refocus, reposition, cover, manipulate, disconnect, or otherwise tamper with or disable a security or surveillance camera or security system for the purpose of avoiding detection when committing, attempting to commit, or aiding another person to commit or attempt to commit any felony. Any person violating the provisions of this section shall be guilty, upon conviction, of a felony, punishable by imprisonment for not more than five (5) years, or a fine of not more than Ten Thousand Dollars (\$10,000.00), or by both such imprisonment and fine. Added by Laws 2002, c. 234, § 1, eff. July 1, 2002. Amended by Laws 2003, c. 99, § 1, eff. Nov. 1, 2003.

§21-2001. Unlawful proceeds - Transactions with counsel - Bank transactions - Criminal and civil penalties. A. It is unlawful for any person knowingly or intentionally to receive or acquire proceeds and to conceal such proceeds, or engage in transactions involving such proceeds, known to be derived from a specified unlawful activity, as defined in subsection F of this section. This subsection does not apply to any transaction between an individual and the counsel of the individual necessary to preserve the right to representation of the individual, as guaranteed by the Oklahoma Constitution and by the Sixth Amendment of the United States Constitution. However, this exception does not create any presumption against or prohibition of the right of the state to seek and obtain forfeiture of any proceeds derived from a violation of the Oklahoma Statutes. B. It is unlawful for any person knowingly or intentionally to give, sell, transfer, trade, invest, conceal, transport, or maintain an interest in or otherwise make available anything of value which that person knows is intended to be used for the purpose of committing or furthering the commission of a specified unlawful activity, as defined in subsection F of this section. C. It is unlawful for any person knowingly or intentionally to direct, plan, organize, initiate, finance, manage, supervise, or facilitate the transportation or transfer of proceeds known to be derived from a specified unlawful activity, as defined in subsection F of this section. D. It is unlawful for any person knowingly or intentionally to conduct a financial transaction involving proceeds derived from a specified unlawful activity, as defined in subsection F of this section, when the transaction is designed in whole or in part to conceal or disguise the nature, location, source, ownership, or control of the proceeds known to be derived from a violation of the Oklahoma Statutes, or to avoid a transaction reporting requirement under state or federal law. E. Notwithstanding any other provision of this section, it shall be lawful for an organization engaged in the business of banking to receive deposits and payments, to pay checks and other withdrawals, and to process any other financial transaction for its customers in the ordinary course of business if it has no actual knowledge of any violation of the Oklahoma Statutes by that customer. If an organization engaged in the business of banking, acting in good faith and without actual knowledge of any violation of the Oklahoma Statutes by its customer, acquires a security interest or statutory lien with respect to a customer's funds, that customer's funds which are subject to the security interest or lien

shall not be subject to forfeiture action, to the extent of the amount of that customer's indebtedness to the banking organization. F. For purposes of this section, "specified unlawful activity" means an act or omission, including any initiatory, preparatory, or completed offense or omission that is punishable as a misdemeanor or felony under the laws of Oklahoma, or if the act occurred outside Oklahoma would be punishable as a misdemeanor or felony under the laws of the state in which it occurred and under the laws of Oklahoma. G. Any person convicted of violating any of the provisions of this section is guilty of: 1. A misdemeanor, if the violation involves Two Thousand Five Hundred Dollars (\$2,500.00) or less; 2. A felony, punishable by imprisonment for not more than two (2) years if the violation involves more than Two Thousand Five Hundred Dollars (\$2,500.00), but not more than Ten Thousand Dollars (\$10,000.00); 3. A felony, punishable by imprisonment for not less than two (2) years and not more than ten (10) years if the violation involves more than Ten Thousand Dollars (\$10,000.00), but not more than Fifty Thousand Dollars (\$50,000.00); or 4. A felony, punishable by imprisonment for not less than five (5) years and not more than twenty (20) years if the violation involves more than Fifty Thousand Dollars (\$50,000.00). H. In addition to any criminal penalty, a person who violates any provision of this section shall be subject to a civil penalty of three (3) times the value of the property involved in the transaction. The civil penalty provided in this subsection shall be split evenly between the prosecuting agency and the investigating law enforcement agency. Added by Laws 2002, c. 381, § 2, eff. July 1, 2002. Amended by Laws 2014, c. 409, § 1.

§21-2002. Seizures - Forfeiture or release - Hearing - Bona fide claims - Liens - Attorney fees - Proceeds of sale - Common carriers. A. Any commissioned peace officer of this state is authorized to seize any currency, negotiable instrument, monetary instrument, equipment or property used or involved in, used to facilitate, delivered from or traceable to a violation of Section 2001 of this title. The seized item may be held as evidence until a forfeiture has been declared or a release ordered. Forfeiture actions under this section may be brought by the district attorney or Attorney General in the proper county of venue as petitioner; provided, in the event the district attorney or Attorney General elects not to file such action, or fails to file such action within ninety (90) days of the date of the seizure of the item, the item shall be returned to the owner. B. Notice of seizure and intended forfeiture proceeding shall be filed in the office of the clerk of the district court for the county wherein the item is seized and shall be given all owners and parties in interest. C. Notice shall be given according to one of the following methods: 1. Upon each owner, lienholder, or party in interest whose name and address is known, served in the manner of service of process in civil cases prescribed by Section 2004 of Title 12 of the Oklahoma Statutes; or 2. Upon all other owners, whose addresses are unknown, but who are believed to have an interest in the property by one publication in a newspaper of general circulation in the county where the seizure was made. D. Within sixty (60) days after the mailing or publication of the notice, the owner of the property and any other party in interest or claimant may file a verified answer and claim to the item described in the notice of seizure and of the intended forfeiture proceeding. E. If at the end of sixty (60) days after the notice has been mailed or published there is no verified answer on file, the court shall hear evidence upon the fact of the unlawful use and may order the item forfeited to the state, if such fact is proven. F. If a verified answer is filed, the forfeiture proceeding shall be set for hearing. G. Proceedings under this section shall be special proceedings. H. At the hearing the petitioner shall prove by a preponderance of the evidence that property was used in the attempt or commission of an act specified in subsection A of this section with knowledge by the owner of the item. I. The claimant of any right, title, or interest in the item may prove the lien, mortgage, or conditional sales contract to be bona fide and that the right, title, or interest created by the item was created without any knowledge or reason to believe that the item

was being, or was to be, used for the purpose charged. J. In the event of such proof, the court may order the item released to the bona fide or innocent owner, lienholder, mortgagee, or vendor if the amount due such person is equal to, or in excess of, the value of the item as of the date of the seizure, it being the intention of this section to forfeit only the right, title, or interest of the purchaser. K. If the amount due to such person is less than the value of the item, or if no bona fide claim is established, the item may be forfeited to the state and may be sold pursuant to judgment of the court, as on sale upon execution, and as provided in Section 2-508 of Title 63 of the Oklahoma Statutes, except as otherwise provided for by law. L. A seized item taken or detained pursuant to this section shall not be repleviable, but shall be deemed to be in the custody of the petitioner or in the custody of the law enforcement agency. The petitioner shall release the seized item to the owner of the item if it is determined that the owner had no knowledge of the illegal use of the item or if there is insufficient evidence to sustain the burden of showing illegal use of the item. If the owner of the property stipulates to the forfeiture and waives the hearing, the petitioner may determine if the value of the item is equal to or less than the outstanding lien. If such lien exceeds the value of the item, the item may be released to the lienholder. A seized item which has not been released by the petitioner shall be subject to the orders and decrees of the court or the official having jurisdiction thereof. M. Attorney fees shall not be assessed against the state or the petitioner for any actions or proceeding pursuant to this section. N. The proceeds of the sale of any property shall be distributed as follows, in the order indicated: 1. To the bona fide or innocent purchaser, conditional sales vendor, or mortgagee of the item, if any, up to the amount of the interest of that person in the property, when the court declaring the forfeiture orders a distribution to such person; 2. To the payment of the actual reasonable expenses of preserving the item; 3. To the victim of the crime to compensate the victim for any loss incurred as a result of the act for which the item was forfeited; and 4. The balance to a revolving fund in the office of the county treasurer of the county wherein the property was seized, to be distributed as follows: one-half (1/2) to the investigating law enforcement agency and one-half (1/2) to the district attorney to be used to defray any lawful expenses of the office of the district attorney. If the petitioner is not the district attorney, then the one-half (1/2) which would have been designated to that office shall be distributed to the petitioner. O. If the court finds that the item was not used in the attempt or commission of an act specified in subsection A of this section and was not an item subject to forfeiture pursuant to subsection B of this section, the court shall order the item released to the owner as the right, title, or interest as determined by the court. P. No vehicle, airplane, or vessel used by a person as a common carrier in the transaction of business as a common carrier shall be forfeited pursuant to the provisions of this section unless it shall be proven that the owner or other person in charge of such conveyance was a consenting party or privy to the attempt or commission of an act specified in subsection A or B of this section. No item shall be forfeited pursuant to the provisions of this section by reason of any act or omission established by the owner thereof to have been committed or omitted without the knowledge or consent of such owner, and by any person other than such owner while the item was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States or of any state. Q. Whenever any item is forfeited pursuant to this section, the district court having jurisdiction of the proceeding may order that the forfeited item may be retained for its official use by the state, county, or municipal law enforcement agency which seized the item. Added by Laws 2002, c. 381, § 3, eff. July 1, 2002. Amended by Laws 2011, c. 132, § 2, eff. Nov. 1, 2011; Laws 2014, c. 409, § 2.