



Legislation Details (With Text)

File #: O-1819-31 **Version:** 1 **Name:** Petit Larceny Ordinance
Type: Ordinance **Status:** Passed
File created: 1/15/2019 **In control:** City Council
On agenda: 2/12/2019 **Final action:** 2/12/2019
Title: CONSIDERATION OF ORDINANCE O-1819-31 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 15-109 OF CHAPTER 15 OF THE CODE OF THE CITY OF NORMAN TO INCREASE THE MONETARY THRESHOLD IN THE DEFINITION OF PETIT LARCENY FROM NOT IN EXCESS OF FIVE HUNDRED DOLLARS (\$500.00) TO LESS THAN ONE THOUSAND DOLLARS (\$1,000.00) TO BE CONSISTENT WITH STATE LAW; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Text File, 2. O-1819-31, 3. O-181-31 Annotated

Date	Ver.	Action By	Action	Result
2/12/2019	1	City Council		
2/12/2019	1	City Council		
1/22/2019	1	City Council		

CONSIDERATION OF ORDINANCE O-1819-31 UPON SECOND AND FINAL READING: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 15-109 OF CHAPTER 15 OF THE CODE OF THE CITY OF NORMAN TO INCREASE THE MONETARY THRESHOLD IN THE DEFINITION OF PETIT LARCENY FROM NOT IN EXCESS OF FIVE HUNDRED DOLLARS (\$500.00) TO LESS THAN ONE THOUSAND DOLLARS (\$1,000.00) TO BE CONSISTENT WITH STATE LAW; AND PROVIDING FOR THE SEVERABILITY THEREOF.

BACKGROUND: Section 15-109 of Chapter 15 of the Code of the City of Norman defines “petit larceny” as “the taking of personal property of a value not in excess of five hundred dollars (\$500.00), such taking being accomplished by fraud or stealth, and with the intent to deprive another thereof, and when the property is not taken from the person of another.” Recent changes in state law amended the monetary threshold requirements in the definitions of grand larceny and petit larceny. This Ordinance increases the monetary threshold in the definition contained in Section 15-109 to make it consistent with these statutory changes.

DISCUSSION: The Oklahoma Smart Criminal Justice Reform Act, passed by Oklahoma voters in November, 2016, as State Questions 780 and 781, effective July 1, 2017, included an amendment to 21 O.S. § 1704, changing the definition of grand larceny from larceny committed when the property not taken from the person of another is of value exceeding five hundred dollars (\$500.00) to property not taken from the person of another when the property is of value exceeding one thousand dollars (\$1,000.00). Petit larceny was defined as larceny committed when the property not taken from the person of another is of a value of one thousand dollars (\$1,000.00) or less.

House Bill 2281, effective on November 1, 2018, amended the definitions of grand larceny and petit larceny again, defining grand larceny as larceny committed when the property is not taken from the person of another and when the property taken is of a value of one thousand dollars (\$1,000.00) or greater, and defining petit larceny as larceny committed when the property is not taken from the person of another and when the property is of a value less than one thousand dollars (\$1,000.00).

This Ordinance amends § 15-109 to increase the monetary threshold in the City’s definition of petit larceny from not in excess of five hundred dollars (\$500.00) to less than one thousand dollars (\$1,000.00) to be consistent with these

statutory changes.

RECOMMENDATION: Staff recommends approval of Ordinance O-1819-31 upon Second and Final Reading.