Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1	State of Arkansas	As Engrossed: \$1/11/01 \$1/25/01	
2	83rd General Assembly	A Bill	Act 157 of 2001
3	Regular Session, 2001 SENATE BILL 8		
4			
5	By: Senators Faris, Gwatne	ey, J. Jeffress, B. Johnson, Horn, Gullett, Wilkins,	T. Smith, Hill
6	By: Representatives Adams	s, Mack, Prater, R. Smith, Rodgers	
7			
8			
9	For An Act To Be Entitled		
10	AN ACT TO AMEND ARKANSAS CODE 5-36-103 CONCERNING		
11	THEFT OF CERTAIN PROPERTY DURING PERIODS OF EMERGENCY;		
12	AND FOR (OTHER PURPOSES.	
13			
14		Subtitle	
15	AN	ACT CONCERNING THEFT OF CERTAIN	
16	PR0	PERTY DURING PERIODS OF EMERGENCY.	
17			
18			
19	BE IT ENACTED BY THE	GENERAL ASSEMBLY OF THE STATE OF ARK	CANSAS:
20			
21	SECTION 1. Ark	kansas Code 5-36-103, concerning thef	t of property, is
22	amended to add an additional subsection to read as follows:		
23	(c)(1) Upon the proclamation of a state of emergency by the President		
24	of the United States	or the Governor, or upon the declara	ition of a local
25	emergency by the exec	cutive officer of any city or county	and for a period of
26	thirty (30) days foll	owing that declaration, the penalty	for theft of property
27	shall be enhanced if	the property is:	
28	<u>(A)</u>) A generator intended for use by:	
29		<u>(i) A public facility;</u>	
30		(ii) A nursing home or hospital;	
31		<u>(iii) An airport;</u>	
32		(iv) A public safety device;	
33		(v) A communication tower or faci	lity;
34		(vi) A public utility;	
35		(vii) A water system or sewer syste	<u>em;</u>
36		(viii)A public safety agency: or	

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1	<u>(ix) Other facilities or uses providing a vital</u>		
2	service; or		
3	(B) Any other equipment used in the transmission of electric		
4	power or telephone service.		
5	(2) For the purpose of this subsection (c):		
6	(A) "Public safety agency" means an agency of the State of		
7	Arkansas or a functional division of a political subdivision which provides		
8	fire fighting and rescue, natural or man-caused disaster or major emergency		
9	response, law enforcement, and ambulance or emergency medical services; and		
10	(B) "Public safety device" includes but shall not be limited		
11	to a traffic signaling device or railroad crossing device.		
12	(3) The penalty shall be enhanced as follows:		
13	(A) The fine for the offense shall be at least five thousand		
14	dollars (\$5,000) and not more than fifty thousand dollars (\$50,000). The fine		
15	shall be mandatory; and		
16	(B) The offense is a Class D felony if it would have been a		
17	Class A misdemeanor.		
18	/s/ Fari s		
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21	APPROVED: 2/8/2001		
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