

By: Representatives Clark and Barclay

"AN ACT TO AMEND TITLE 5, CHAPTER 38, SUBCHAPTER 2 OF THE ARKANSAS CODE OF 1987 TO INCREASE THE PENALTY FOR SECOND DEGREE CRIMINAL MISCHIEF FOR DAMAGE OF \$2,500 OR MORE; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code 5-38-204 is hereby amended to read as follows:
"5-38-204. Criminal mischief in the second degree.

(a) A person commits criminal mischief in the second degree if he:

(1) Recklessly destroys or damages any property of another; or
(2) Purposely tampers with any property of another, thereby causing substantial inconvenience to the owner or some other person.

(b) (1) Criminal mischief in the second degree is a Class D felony if the amount of actual damage is two thousand five hundred dollars (\$2,500) or more.

(2) Criminal mischief in the second degree is a Class A misdemeanor if the amount of actual damage is one thousand dollars (\$1,000) but less than two thousand five hundred dollars (\$2,500).

(3) Otherwise, it is a Class B misdemeanor."

SECTION 2. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 3. All laws and parts of laws in conflict with this act are hereby repealed.

APPROVED: March 21, 1989
