

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

ACT 518 OF 1997
HOUSE BILL 1739

4
5 By: Representative Booker
6
7

For An Act To Be Entitled

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9 "AN ACT TO AMEND THE THEFT OF SERVICES STATUTE TO INCREASE
10 FROM TWO HUNDRED DOLLARS (\$200) TO FIVE HUNDRED DOLLARS
11 (\$500) THE VALUE OF PROPERTY WHICH WILL RESULT IN FELONY
12 PUNISHMENT; TO AMEND THE THEFT OF PROPERTY MISLAID OR
13 DELIVERED BY MISTAKE STATUTE TO INCREASE FROM ONE HUNDRED
14 DOLLARS (\$100) TO FIVE HUNDRED DOLLARS (\$500) THE MINIMUM
15 VALUE OF PROPERTY NECESSARY TO MAKE THE CRIME PUNISHABLE
16 AS A CLASS B MISDEMEANOR; AND FOR OTHER PURPOSES."

Subtitle

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19 "AN ACT TO AMEND THE THEFT OF SERVICES
20 STATUTE TO INCREASE THE VALUE OF
21 PROPERTY WHICH WILL RESULT IN FELONY
22 PUNISHMENT; TO AMEND THE THEFT OF
23 PROPERTY MISLAID OR DELIVERED BY MISTAKE
24 STATUTE."
25

26 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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28 SECTION 1. Arkansas Code 5-36-104(c)(2) is amended to read as follows:

29 "(2) Theft of services is a Class C felony if:

30 (A) The value of the services is less than two thousand five
31 hundred dollars (\$2,500) but more than ~~two hundred dollars (\$200)~~ five hundred
32 dollars (\$500); or

33 (B) The services are obtained by threat."
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35 SECTION 2. Arkansas Code 5-36-105(b)(2) is amended to read as follows:

36 "(2) Theft of property lost, mislaid, or delivered by mistake is a

1 Class B misdemeanor if:

2 (A) The value of the property is less than one thousand dollars
 3 (\$1,000) but more than ~~one hundred dollars (\$100)~~ five hundred dollars (\$500);
 4 or

5 (B) The property is a credit card."
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7 SECTION 3. All provisions of this act of a general and permanent nature
 8 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
 9 Revision Commission shall incorporate the same in the Code.
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11 SECTION 4. If any provision of this act or the application thereof to
 12 any person or circumstance is held invalid, such invalidity shall not affect
 13 other provisions or applications of the act which can be given effect without
 14 the invalid provision or application, and to this end the provisions of this
 15 act are declared to be severable.
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17 SECTION 5. All laws and parts of laws in conflict with this act are
 18 hereby repealed.
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20 SECTION 6. EMERGENCY. It is found and determined by the General
 21 Assembly of the State of Arkansas that the monetary threshold for a Class C
 22 felony theft of services and a Class B misdemeanor theft of property, lost,
 23 misaid, or delivered by mistake is over twenty (20) years old and needs to be
 24 increased to reflect todays circumstances; that this act increases that
 25 threshold to a more reasonable amount; that until this act is passed the
 26 possible punishment for the crimes is unreasonable; and that this act should
 27 therefore be given effect as soon as possible. Therefore an emergency is
 28 declared to exist and this act being immediately necessary for the
 29 preservation of the public peace, health and safety shall become effective on
 30 the date of its approval by the Governor. If the bill is neither approved nor
 31 vetoed by the Governor, it shall become effective on the expiration of the
 32 period of time during which the Governor may veto the bill. If the bill is
 33 vetoed by the Governor and the veto is overridden, it shall become effective
 34 on the date the last house overrides the veto.
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