

1 State of Arkansas
2 90th General Assembly
3 Regular Session, 2015
4

A Bill

SENATE BILL 852

5 By: Senator Elliott
6 By: Representative Tucker
7

For An Act To Be Entitled

9 AN ACT CONCERNING THE CRIMINAL OFFENSE OF ABUSE OF
10 PUBLIC TRUST; AND FOR OTHER PURPOSES.
11

Subtitle

14 CONCERNING THE CRIMINAL OFFENSE OF ABUSE
15 OF PUBLIC TRUST.
16
17

18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
19

20 SECTION 1. Arkansas Code § 5-52-101 is amended to read as follows:
21 5-52-101. Abuse of public trust.

22 (a) A person commits the offense of abuse of public trust if the
23 person:

24 (1) Solicits, accepts, or agrees to accept on behalf of any
25 person, political party, or other organization any benefit from another
26 person upon an agreement or understanding that the other person will or may
27 be appointed a public servant or designated or nominated as a candidate for
28 public office;

29 (2) Offers, confers, or agrees to confer any benefit and the
30 receipt of the benefit is prohibited by this section;

31 (3) Solicits, accepts, or agrees to accept any benefit as
32 compensation or consideration for having as a public servant given a
33 decision, opinion, recommendation, or vote favorable to another person or for
34 having otherwise exercised his or her discretion in favor of another person;
35 or

36 (4) Offers, confers, or agrees to confer any benefit upon a



1 public servant and the receipt of the benefit is prohibited by this section.

2 (b) It is not a defense to a prosecution under this section that the
3 decision, opinion, recommendation, vote, or use of discretion, except for the
4 benefit, was otherwise proper.

5 (c) Abuse of public trust is a:

6 (1) Class B felony if the value of the benefit is twenty-five
7 thousand dollars (\$25,000) or more;

8 (2) Class C felony if the value of the benefit is five thousand
9 dollars (\$5,000) or more but less than twenty-five thousand dollars
10 (\$25,000); or

11 (3) Class D felony if the value of the benefit is less than five
12 thousand dollars (\$5,000).

13
14
15 **APPROVED: 04/08/2015**
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36