

1 **State of Arkansas**
2 **80th General Assembly**
3 **Regular Session, 1995**

A Bill

ACT 277 OF 1995
HOUSE BILL 1102

4 **By: Representatives M. Wilson and McJunkin**

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For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 5-36-103 TO
9 INCREASE THE MINIMUM VALUE OF CERTAIN PROPERTY TO \$500 FOR
10 FELONY THEFT; AND FOR OTHER PURPOSES."

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Subtitle

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

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19 SECTION 1. Arkansas Code Annotated 5-36-103 is amended to read as
20 follows:

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"5-36-103. Theft of property.

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(a) A person commits theft of property if he:

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(1) Knowingly takes or exercises unauthorized control over, or
makes an unauthorized transfer of an interest in, the property of another
person, with the purpose of depriving the owner thereof; or

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(2) Knowingly obtains the property of another person, by
deception or by threat, with the purpose of depriving the owner thereof.

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(b) (1) Theft of property is a Class B felony if:

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(A) The value of the property is two thousand five hundred
dollars (\$2,500) or more; or

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(B) The property is obtained by the threat of serious
physical injury to any person or destruction of the occupiable structure of
another; or

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(C) The property is obtained by threat, and the actor
stands in a confidential or fiduciary relationship to the person threatened.

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(2) Theft of property is a Class C felony if:

1 (A) The value of the property is less than two thousand
2 five hundred dollars (\$2,500) but more than five hundred dollars (\$500); or

3 (B) The property is obtained by threat; or

4 (C) The property is a firearm valued at less than two
5 thousand five hundred dollars (\$2,500); or

6 (D) The property is a credit card.

7 (3) Theft of property is a Class C felony if the property is
8 livestock, and the value of the livestock is in excess of two hundred dollars
9 (\$200).

10 (4) Theft of property is a Class A misdemeanor if:

11 (A) The value of the property is five hundred dollars
12 (\$500) or less; or

13 (B) The property has inherent, subjective, or idiosyncratic value
14 to its owner or possessor even if the property has no market value or
15 replacement cost."

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

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21 SECTION 3. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable.

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27 SECTION 4. All laws and parts of laws in conflict with this act are
28 hereby repealed.

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30 APPROVED: 2-13-95

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