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

	on one anguage would be deleted from process and officer anguage would be added to process and	
1	State of Arkansas As Engrossed: S2/6/97 S3/4/97	
2	81st General Assembly ACT 921 OF 19) 97
3	Regular Session, 1997 SENATE BILL	85
4	By: Senators Lewellen, Brown, Edwards, Walker, Webb, and Hunter	
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6		
7	For An Act To Be Entitled	
8	"AN ACT TO AMEND ARKANSAS CODE ANNOTATED & 5-38-301 TO ADD	
9	CHURCH PROPERTY AND PUBLIC BUILDINGS TO THE DEFINITION OF	
10	ARSON; TO PROVIDE FOR A REWARD; AND FOR OTHER PURPOSES."	
11		
12	Subtitle	
13	"TO ADD CHURCH PROPERTY AND PUBLIC	
14	BUILDINGS TO THE DEFINITION OF ARSON AND	
15	PROVIDE FOR A REWARD"	
16		
17	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
18		
19	SECTION 1. Arkansas Code Annotated $^{\rm h}$ 5-38-301 is amended to read as	
20	follows:	
21	"5-38-301. Arson.	
22	(a) A person commits arson if he starts a fire or causes an explosion	L
23	with the purpose of destroying or otherwise damaging:	
24	(1) An occupiable structure or motor vehicle that is the proper	ty
25	of another person; or	
26	(2) Any property, whether his own or that of another person, fo	r
27	the purpose of collecting any insurance therefor; or	
28	(3) Any property, whether his own or that of another person, if	
29	the act thereby negligently creates a risk of death or serious physical inju	.ry
30	to any person; or	
31	(4) A vital public facility-; or	
32	(5) Any dedicated church property used as a place of worship	
33	exempt from taxes pursuant to Arkansas Code Annotated 8 26-3-301; or	
34	(6) Any public building or occupiable structure that is either	
35	owned or leased by the State or any of its political subdivisions.	
36	(b) Arson is a Class B felony if any property sustains less than twen	ty

- 1 thousand dollars (\$20,000) worth of damage; a Class A felony if any property
- 2 sustains no less than twenty thousand dollars (\$20,000) nor more than one
- 3 hundred thousand dollars (\$100,000) worth of damage; and a Class Y felony if
- 4 any property sustains damage in excess of one hundred thousand dollars
- 5 (\$100,000).
- 6 (b)(1) Arson is a Class A misdemeanor if the property sustains less
- 7 than five hundred dollars (\$500) worth of damage;
- 8 (2) Arson is a Class D felony if the property sustains at least five
- 9 hundred dollars (\$500) but less than twenty-five hundred dollars (\$2500) worth
- 10 of damages;
- 11 (3) Arson is a Class C felony if the property sustains at least twenty-
- 12 five hundred dollars (\$2500) but less than five thousand dollars (\$5,000)
- 13 worth of damages;
- 14 (4) Arson is a Class B felony if the property sustains at least five
- 15 thousand dollars (\$5,000) but less than fifteen thousand dollars (\$15,000)
- 16 worth of damages;
- 17 (5) Arson is a Class A felony if the property sustains at least fifteen
- 18 thousand dollars (\$15,000) but less than one hundred thousand dollars
- 19 (\$100,000) worth of damages; and
- 20 (6) Arson is a Class Y felony if the property sustains damage in an
- 21 amount of at least one hundred thousand dollars (\$100,000).
- 22 (c) For purposes of this section, motor vehicle means every
- 23 self-propelled device in, upon, or by which any person or property is, or may
- 24 be, transported or drawn upon a street or highway.
- 25 (d)(1) The Governor, if deemed necessary, is authorized to offer a
- 26 reward not to exceed fifty thousand dollars (\$50,000) for information leading
- 27 to the apprehension, arrest, and conviction of a person or persons who have
- 28 committed, attempted to commit, or conspired to commit a criminal offense
- 29 under this section. The fifty thousand dollar (\$50,000) reward maximum
- 30 imposed by this section shall apply only to State-appropriated funds. The
- 31 Governor may increase the amount of any reward offered by use of funds from
- 32 the Reward Pool Fund created in this section.
- 33 (2) When the Governor offers a reward pursuant to this section,
- 34 the Governor may place any reasonable conditions upon collection of the reward
- 35 as the Governor deems advisable or necessary.
- 36 (3) The Governor is authorized to establish and administer a

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1 Reward Pool Fund. All monetary donations or gifts made by private citizens 2 and corporations for the purpose of offering a reward or enhancing a 3 State-funded reward offered for information leading to the apprehension, 4 arrest, and conviction of a person or persons who have committed, attempted to 5 commit, or conspired to commit a criminal offense under this statute shall be 6 deposited in such fund. The Governor shall have the sole discretion to 7 determine if and how much of such fund shall be offered in a particular 8 criminal case. However, if the donor places any lawful restrictions or 9 instructions on use of the donation at the time it is given, such restrictions 10 or instructions shall be honored. 11 (4) Any person completing the requirements to be eligible for the 12 reward shall be entitled to the reward offered by the Governor, and the 13 Governor shall certify the amount of the reward to the Auditor of State, who 14 shall issue his warrant on the State Treasury therefor, to be paid out of any 15 money appropriated or deposited into a Reward Pool Fund. " 16 17 1 8 SECTION 2. All provisions of this act of a general and permanent nature 19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code 20 Revision Commission shall incorporate the same in the Code. 21 22 SECTION 3. If any provision of this act or the application thereof to 23 any person or circumstance is held invalid, such invalidity shall not affect 24 other provisions or applications of the act which can be given effect without 25 the invalid provision or application, and to this end the provisions of this 26 act are declared to be severable. 27 2.8 SECTION 4. All laws and parts of laws in conflict with this act are 29 hereby repealed. 30 31 /s/Lewellen 32 33 APPROVED: 3-28-97