

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 1529 of the Regular Session

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

As Engrossed: H3/25/05

**A Bill**

HOUSE BILL 1284

5 By: Representative Harris  
6  
7

**For An Act To Be Entitled**

9 AN ACT TO EXPAND THE CRIMINAL OFFENSE OF ARSON TO  
10 INCLUDE FIRES OR EXPLOSIONS CAUSED IN THE COURSE  
11 OF AND IN FURTHERANCE OF A FELONY; AND FOR OTHER  
12 PURPOSES.  
13

**Subtitle**

15 AN ACT TO EXPAND THE CRIMINAL OFFENSE OF  
16 ARSON TO INCLUDE FIRES OR EXPLOSIONS  
17 CAUSED IN THE COURSE OF AND IN  
18 FURTHERANCE OF A FELONY.  
19  
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 5-38-301(a), concerning the criminal  
24 offense of arson, is amended to read as follows:

25 (a) A person commits arson if he or she:

26 (1) starts Starts a fire or causes an explosion with the purpose  
27 of destroying or otherwise damaging:

28 ~~(1)(A)~~ An occupiable structure or motor vehicle that is  
29 the property of another person; or

30 ~~(2)(B)~~ Any property, whether his or her own or that of  
31 another person, for the purpose of collecting any insurance therefor; or

32 ~~(3)(C)~~ Any property, whether his or her own or that of  
33 another person, if the act thereby negligently creates a risk of death or  
34 serious physical injury to any person; or

35 ~~(4)(D)~~ A vital public facility; or



1                   ~~(5)~~(E) Any dedicated church property used as a place of  
2 worship exempt from taxes pursuant to § 26-3-301; or

3                   ~~(6)~~(F) Any public building or occupiable structure that is  
4 either owned or leased by the state or any of its political subdivisions; or

5                   (2) Recklessly causes a fire or an explosion in the course of  
6 and in furtherance of a felony or in immediate flight after committing a  
7 felony which results in destroying or otherwise damaging:

8                   (A) Any occupiable structure or motor vehicle;

9                   (B) Any property, if the fire or explosion creates a risk  
10 of death or serious physical injury to any person;

11                   (C) A vital public facility;

12                   (D) Any dedicated church property used as a place of  
13 worship exempt from taxes pursuant to § 26-3-301; or

14                   (E) Any public building or occupiable structure that is  
15 either owned or leased by the state or any if its political subdivisions.

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17   */s/ Harris*

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20   *APPROVED: 4/05/2005*

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