

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 630 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

As Engrossed: H3/9/07

A Bill

HOUSE BILL 2337

4
5 By: Representative Lowery
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8 **For An Act To Be Entitled**

9 AN ACT TO CREATE THE OFFENSE OF THEFT OF SCRAP
10 METAL; AND FOR OTHER PURPOSES.
11

12 **Subtitle**

13 TO CREATE THE OFFENSE OF THEFT OF SCRAP
14 METAL.
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16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 5, Chapter 36, Subchapter 1 is amended
20 to add an additional section to read as follows:

21 5-36-123. Theft of scrap metal.

22 (a) A person commits theft of scrap metal if he or she commits theft of
23 property under § 5-36-103(a) and the property is scrap metal.

24 (b) Except as provided in subsection (c) of this section, the
25 classification and penalty range for theft of scrap metal is the same as
26 theft of property under § 5-36-103(b).

27 (c) Upon conviction of a person for theft of scrap metal, the
28 classification and penalty range in § 5-36-103(b) shall be increased one (1)
29 classification if:

30 (1) The person caused incidental damage to the owner of the scrap
31 metal or the property of the owner of the scrap metal while committing the
32 theft of scrap metal and the costs of incidental damage was more than two
33 hundred fifty dollars (\$250); or

34 (2) The person transported the scrap metal across state lines to
35 sell or dispose of the scrap metal.



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(d) As used in this section:

(1) Costs of incidental damage means the total amount of money damages suffered by an owner of scrap metal as a direct result of the theft of the scrap metal, including lost income, lost profits, and costs of repair or replacement of property damage;

(2) Incidental damage means loss of income, loss of profit, or property damage; or

(3) Scrap metal means copper, copper alloy, copper utility wire, any bronze, or any aluminum as described in § 17-44-101 et seq.

/s/ Lowery

APPROVED: 3/28/2007