

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 693 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

A Bill

HOUSE BILL 2361

5 By: Representative Reynolds
6
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For An Act To Be Entitled

9 AN ACT TO CLASSIFY THEFT OF BUILDING MATERIAL
10 FROM A PERMITTED CONSTRUCTION SITE AS A CLASS B
11 FELONY; AND FOR OTHER PURPOSES.
12

Subtitle

13 TO CLASSIFY THEFT OF BUILDING MATERIAL
14 FROM A PERMITTED CONSTRUCTION SITE AS A
15 CLASS B FELONY.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 5-36-103(b), concerning the classifications
22 of the offense of theft of property, is amended to read as follows:

23 (b) Theft of property is a:

24 (1) Class B felony if:

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

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

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

32 ~~or~~

33 (D) The property is:

34 (i) Anhydrous ammonia in any form; or

35 (ii) A product containing any percentage of



1 anhydrous ammonia in any form; or

2 (E)(i) The property is building material obtained from a
3 permitted construction site and the value of the building material is five
4 hundred dollars (\$500) or more.

5 (ii) As used in subdivision (b)(E)(i) of this
6 section:

7 (a) "Building material" means lumber, a
8 construction tool, a window, a door, copper tubing or wire, or any other
9 material or good used in the construction or rebuilding of a building or a
10 structure; and

11 (b) "Permitted construction site" means the
12 site of construction, alteration, painting, or repair of a building or a
13 structure for which a building permit has been issued by a city of the first
14 class, a city of the second class, an incorporated town, or a county;

15 (2) Class C felony if:

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

18 (B) The property is obtained by threat;

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

21 (D) The property is a:

22 (i) Credit card or credit card account number; or

23 (ii) Debit card or debit card account number; or

24 (E) The property is livestock and the value of the
25 livestock is in excess of two hundred dollars (\$200);

26 (3)(A) Class D felony if:

27 (i) The value of the property is five hundred
28 dollars (\$500) or less; and

29 (ii) The property was unlawfully obtained during a
30 criminal episode.

31 (B) As used in subdivision (b)(3)(A)(ii) of this section,
32 "criminal episode" means a series of thefts committed by the same person on
33 three (3) or more occasions within three (3) days; or

34 (4) Class A misdemeanor if:

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

1 (B) The property has inherent, subjective, or
2 idiosyncratic value to its owner or possessor even if the property has no
3 market value or replacement cost.

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5 APPROVED: 3/30/2007
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