

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.

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 2253

5 By: Representative Pennartz
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For An Act To Be Entitled

9 AN ACT TO AMEND THE PENALTY FOR TIMBER THEFT; AND
10 FOR OTHER PURPOSES.
11

Subtitle

12 TO AMEND THE PENALTY FOR TIMBER THEFT.
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16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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18 SECTION 1. Arkansas Code § 15-32-603 is amended to read as follows:
19 15-32-603. Offenses.

20 (a) A trustee commits the offense of timber theft if the trustee,
21 knowingly or with intent to defraud, directly or indirectly retains, uses,
22 disperses, or otherwise diverts trust money without first fully paying all of
23 the beneficiaries the purchase price for the timber.

24 (b) A trustee acts with intent to defraud if the trustee retains,
25 uses, disperses, or diverts trust money with the intent to deprive a
26 beneficiary of trust money.

27 (c) A trustee is presumed to have acted with intent to defraud if the
28 trustee does not pay all of the beneficiaries the purchase price for the
29 timber not later than the forty-fifth calendar day after the date the trustee
30 collects money for the timber.

31 (d) The offense of timber theft is a Class ~~D~~ C felony if the amount of
32 trust money retained, used, dispersed, or diverted before paying the
33 beneficiaries is five hundred dollars (\$500) or more and a Class A
34 misdemeanor if under five hundred dollars (\$500).
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