

ARKANSAS SENATE
83rd General Assembly - Regular Session, 2001
Amendment Form

Subtitle of Senate Bill No. 23

"AN ACT TO CREATE THE OFFENSE OF TIMBER THEFT."

Amendment No. 1 to Senate Bill No. 23.

Amend Senate Bill No. 23 as originally introduced:

Page 1, delete SECTION 1 in its entirety and substitute the following:

"SECTION 1. For purposes of this act:

(a) "Owner" means any person, partnership, corporation, unincorporated association, or other legal entity having any interest in any timber, any land upon which timber grows, or any land from which timber has been removed.

(b) "Secondary purchaser" means any person, partnership, corporation, unincorporated association, or other legal entity buying timber from a "timber purchaser".

(c) "Timber purchaser" means a person who purchases standing timber for harvest."

AND

Page 1, line 30, delete "more than five hundred dollars (\$500) of"

AND

Page 2, delete line 4 and substitute the following:

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

AND

Page 2, line 18, delete the period at the end of the line and substitute the following:

": or

(3) The trustee paid to the beneficiaries all trust money to which the beneficiaries were entitled not later than thirty (30) days after the date contractually agreed upon in writing."

AND

Immediately following SECTION 4, add an additional section to read as follows:
"SECTION 5. Secondary purchasers shall not be civilly or criminally liable for any act or omission of a timber purchaser which becomes timber theft by operation of this act."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator Beebe

KT/JB

JMB201

Secretary