



ARKANSAS SENTENCING COMMISSION

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Impact Assessment for SB237 Sponsored by Senator A. Clark

Subtitle CONCERNING VEHICLES, BOATS, OR FARMING EQUIPMENT WITH A REMOVED, DAMAGED, MUTILATED, OR DEFACED SERIAL NUMBER OR VEHICLE IDENTIFICATION NUMBER.

Impact Summary¹ Minimal. While the proposed bill increases the penalties for various courses of conduct by which a person can commit offenses concerning the removal or alteration of serial numbers or vehicle identification numbers, there have been fewer than ten (10) reported convictions for the existing offenses within the past three years. For this reason, the projected impact of the proposed bill is minimal.

Change from Current Law² Amends various provisions of the Arkansas Code Annotated regarding removal or alteration of serial numbers or vehicle identification numbers. Under the current statutes, the penalty for first conviction of the following offenses is a Class A misdemeanor:

- A.C.A. § 5-37-521. Farm implements – Removal or alteration of serial number.
- A.C.A. § 27-14-2212. Mutilation of serial numbers.; and
a subsequent violation of the following offenses constitutes a Class D felony:
- A.C.A. § 27-14-2210. Vehicles or engines without manufacturer’s numbers.
- A.C.A. § 27-101-703. Boating equipment without identification numbers.

Under the proposed bill, these offenses constitute a Class D felony regardless of the number of prior convictions.

Impact Information The proposed bill increases the penalty for offenses for which there is a low number of reported convictions for the offenses as currently written. Since there are no new courses of conduct in the proposed bill, it is unlikely to result in a meaningful increase in convictions. For this reason, the projected impact of the proposed bill is projected to have a minimal impact on correctional resources.

The Administrative Office of the Courts (AOC) reports that for the three (3) year period beginning on 1/1/2020 and ending on 12/31/2022, there was one (1) misdemeanor conviction for A.C.A. § 27-14-2210, Vehicles or

¹ This impact assessment was prepared 2/21/2023 8:32 AM by the staff of the Arkansas Sentencing Commission pursuant to A. C. A. § 16-90-802(d)(6) with data supplied by the Arkansas Department of Corrections and the Administrative Office of the Courts. A micro-simulation model may be used for bills which have the potential for significant impact on correctional resources. The following designations will be used: “minimal” = less than 10 offenders per year will be affected; “medium” = would require budgetary increases for ADC inmate costs; and “major” = would require budgetary increases for ADC inmate costs and construction costs for additional beds.

² Standard punishment ranges:

Class Y	10-40 years or life	Class C	3-10 years; up to \$10,000	Class A	Up to 1 year; up to \$2,500
Class A	6-30 years; up to \$15,000	Class D	0-6 years; up to \$10,000	Class B	Up to 90 days; up to \$1,000
Class B	5-20 years; up to \$15,000	Unclassified	As specified in statute	Class C	Up to 30 days; up to \$500

engines without manufacturer's numbers., and zero (0) convictions for A.C.A. § 5-37-521, Farm implements – Removal or alteration of serial number, A.C.A. § 27-14-2212. Mutilation of serial numbers, and A.C.A. § 27-101-703, Boating equipment without identification numbers. It is important to note that misdemeanors are often disposed of in District Court, and that not all District courts report data to the AOC. For this reason, the number of misdemeanor convictions may be higher than reported. The Division of Correction (ADC) reports that there are currently zero (0) offenders serving a term of incarceration for the aforementioned offenses.