

1 State of Arkansas  
2 80th General Assembly  
3 Regular Session, 1995

# A Bill

HOUSE BILL 1102

4 By: Representatives M. Wilson and McJunkin

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## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED 5-36-103 TO  
9 INCREASE THE MINIMUM VALUE OF CERTAIN PROPERTY TO \$500 FOR  
10 FELONY THEFT; AND FOR OTHER PURPOSES."

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## Subtitle

12 "TO INCREASE THE MINIMUM VALUE OF  
13 CERTAIN PROPERTY TO \$500 FOR FELONY  
14 THEFT"  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Annotated 5-36-103 is amended to read as  
20 follows:

21 "5-36-103. Theft of property.

22 (a) A person commits theft of property if he:

23 (1) Knowingly takes or exercises unauthorized control over, or  
24 makes an unauthorized transfer of an interest in, the property of another  
25 person, with the purpose of depriving the owner thereof; or

26 (2) Knowingly obtains the property of another person, by  
27 deception or by threat, with the purpose of depriving the owner thereof.

28 (b)(1) Theft of property is a Class B felony if:

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

31 (B) The property is obtained by the threat of serious  
32 physical injury to any person or destruction of the occupiable structure of  
33 another; or

34 (C) The property is obtained by threat, and the actor  
35 stands in a confidential or fiduciary relationship to the person threatened.

1           (2) Theft of property is a Class C felony if:

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

4                   (B) The property is obtained by threat; or

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

7                   (D) The property is a credit card.

8           (3) Theft of property is a Class C felony if the property is  
9 livestock, and the value of the livestock is in excess of two hundred dollars  
10 (\$200).

11           (4) Theft of property is a Class A misdemeanor if:

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

14                   (B) The property has inherent, subjective, or idiosyncratic  
15 value to its owner or possessor even if the property has no market value or  
16 replacement cost."

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18           SECTION 2. All provisions of this act of a general and permanent  
19 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas  
20 Code Revision Commission shall incorporate the same in the Code.

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22           SECTION 3. If any provision of this act or the application thereof to  
23 any person or circumstance is held invalid, such invalidity shall not affect  
24 other provisions or applications of the act which can be given effect without  
25 the invalid provision or application, and to this end the provisions of this  
26 act are declared to be severable.

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28           SECTION 4. All laws and parts of laws in conflict with this act are  
29 hereby repealed.

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