

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 1941

4  
5 By: Representatives Wilson and Booker

## For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 5-36-103, 104, AND 106,  
10 PERTAINING TO THEFT OFFENSES; AND FOR OTHER PURPOSES."

## Subtitle

13 "AMEND ARKANSAS CODE PERTAINING TO THEFT  
14 OFFENSES."

16 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

18 SECTION 1. Arkansas Code 5-36-103(b) is amended to read as follows:

19 "(b)(1) Theft of property is a Class ~~B~~ C felony if:

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

22 (B) The property is obtained by the threat of serious physical  
23 injury to any person or destruction of the occupiable structure of  
24 another; or

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

27 (2) Theft of property is a Class ~~C~~ D felony if:

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

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

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

33 (D) The property is a credit card.

34 (3) Theft of property is a Class ~~C~~ D felony if the property is  
35 livestock, and the value of the livestock is in excess of two hundred  
36 dollars (\$200).

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

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

4 (B) The property has inherent, subjective, or idiosyncratic  
 5 value to its owner or possessor even if the property has no market  
 6 value or replacement cost."  
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8 SECTION 2. Arkansas Code 5-36-104(c) is amended to read as follows:

9 "(c)(1) Theft of services is a Class ~~B~~ C felony if:

10 (A) The value of the services is two thousand five hundred  
 11 dollars (\$2,500) or more; or

12 (B) The services are obtained by the threat of serious physical  
 13 injury to any person or destruction of the occupiable structure of  
 14 another; or

15 (C) The services are obtained by threat, and the actor stands  
 16 in a confidential or fiduciary relationship to the person threatened.

17 (2) Theft of services is a Class ~~C~~ D felony if:

18 (A) The value of the services is less than two thousand five  
 19 hundred dollars (\$2,500) but more than ~~two hundred dollars (\$200)~~ five hundred  
 20 dollars (\$500); or

21 (B) The services are obtained by threat.

22 (3) Otherwise, theft of services is a Class A misdemeanor."  
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24 SECTION 3. Arkansas Code 5-36-106(e) is amended to read as follows:

25 "(e)(1) Theft by receiving is a Class ~~B~~ C felony if the value of the  
 26 property is two thousand five hundred dollars (\$2,500) or more.

27 (2) Theft by receiving is a Class ~~C~~ D felony if:

28 (A) The value of the property is less than two thousand five  
 29 hundred dollars (\$2,500) but more than ~~two hundred dollars (\$200)~~ five hundred  
 30 dollars (\$500); or

31 (B) The property is a credit card; or

32 (C) The property is a firearm valued at less than two thousand  
 33 five hundred dollars (\$2,500).

34 (3) Otherwise, theft by receiving is a Class A misdemeanor."  
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36 SECTION 4. All provisions of this act of a general and permanent nature

1 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
2 Revision Commission shall incorporate the same in the Code.

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4 SECTION 5. If any provision of this act or the application thereof to  
5 any person or circumstance is held invalid, such invalidity shall not affect  
6 other provisions or applications of the act which can be given effect without  
7 the invalid provision or application, and to this end the provisions of this  
8 act are declared to be severable.

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10 SECTION 6. All laws and parts of laws in conflict with this act are  
11 hereby repealed.

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