1 State of Arkansas As Engrossed: S2/6/97		
2 81st General Assembly A Bill		
3 Regular Session, 1997	SENATE BILL	85
4 By: Senators Lewellen, Brown, Edwards, Walker, Webb, and Hunter		
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7 For An Act To Be Entitled		
8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED $^{\hat{\theta}}$	5-38-301 TO ADD	
9 CHURCH PROPERTY AND PUBLIC BUILDINGS TO TH	E DEFINITION OF	
0 ARSON; TO PROVIDE FOR A REWARD; AND FOR OT	HER PURPOSES."	
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2 Subtitle		
3 "TO ADD CHURCH PROPERTY AND PUBL	IC	
4 BUILDINGS TO THE DEFINITION OF A	RSON AND	
5 PROVIDE FOR A REWARD"		
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7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STAT	E OF ARKANSAS:	
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2 2 3 4 4 5 6 6 7 8 8 9 0 1 2 3 3 4 5 6 6 7 8 8 9 0 1 2 3 3 4 4 5 6 6 7 8 8 9 0 1 2 3 3 4 4 6 6 7 8 8 9 0 1 2 3 3 4 8 6 7 8 8 9 9 0 1 2 3 3 4 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8 8	Regular Session, 1997  By: Senators Lewellen, Brown, Edwards, Walker, Webb, and Hunter  For An Act To Be Entitled  "AN ACT TO AMEND ARKANSAS CODE ANNOTATED & CHURCH PROPERTY AND PUBLIC BUILDINGS TO THE ARSON; TO PROVIDE FOR A REWARD; AND FOR OTE BUILDINGS TO THE BUILDINGS TO THE BUILDINGS TO THE DEFINITION OF A PROVIDE FOR A REWARD."  BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE SECTION 1. Arkansas Code Annotated & 5-38-3 follows:  "5-38-301. Arson.  (a) A person commits arson if he starts a finith the purpose of destroying or otherwise damage (1) An occupiable structure or motor of another person; or  (2) Any property, whether his own or the purpose of collecting any insurance therefor;  (3) Any property, whether his own or the act thereby negligently creates a risk of deat to any person; or  (4) A vital public facility—; or  (5) Any dedicated church property use exempt from taxes pursuant to Arkansas Code Annotation (6) Any public building or occupiable owned or leased by the State or any of its political control of the political councils.	Regular Session, 1997  SENATE BILL  By: Senators Lowellon, Brown, Edwards, Walker, Webb, and Hunter  For An Act To Be Entitled  "AN ACT TO AMEND ARKANSAS CODE ANNOTATED & 5-38-301 TO ADD CHURCH PROPERTY AND PUBLIC BUILDINGS TO THE DEFINITION OF ARSON; TO PROVIDE FOR A REWARD; AND FOR OTHER PURPOSES."  Subtitle  "TO ADD CHURCH PROPERTY AND PUBLIC BUILDINGS TO THE DEFINITION OF ARSON AND PROVIDE FOR A REWARD"  BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  SECTION 1. Arkansas Code Annotated \$ 5-38-301 is amended to read as follows:  "5-38-301. Arson.  (a) A person commits arson if he starts a fire or causes an explosion with the purpose of destroying or otherwise damaging:  (1) An occupiable structure or motor vehicle that is the proper of another person; or  (2) Any property, whether his own or that of another person, for the purpose of collecting any insurance therefor; or  (3) Any property, whether his own or that of another person, if the act thereby negligently creates a risk of death or serious physical injut to any person; or  (4) A vital public facility—; or  (5) Any dedicated church property used as a place of worship exempt from taxes pursuant to Arkansas Code Annotated \$ 26-3-301; or  (6) Any public building or occupiable structure that is either owned or leased by the State or any of its political subdivisions.

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1 thousand dollars (\$20,000) worth of damage; a Class A felony if any property

- 2 sustains no less than twenty thousand dollars (\$20,000) nor more than one
- 3 hundred thousand dollars (\$100,000) worth of damage; and a Class Y felony if
- 4 any property sustains damage in excess of one hundred thousand dollars
- 5 <del>(\$100,000).</del>
- 6 (b)(1) Arson is a Class A misdemeanor if the property sustains less
- 7 than five hundred dollars (\$500) worth of damage;
- 8 (2) Arson is a Class D felony if the property sustains at least five
- 9 hundred dollars (\$500) but less than twenty-five hundred dollars (\$2500) worth
- 10 of damages;
- 11 (3) Arson is a Class C felony if the property sustains at least twenty-
- 12 five hundred dollars (\$2500) but less than five thousand dollars (\$5,000)
- 13 worth of damages;
- 14 (4) Arson is a Class B felony if the property sustains at least five
- 15 thousand dollars (\$5,000) but less than fifteen thousand dollars (\$15,000)
- 16 worth of damages;
- 17 (5) Arson is a Class A felony if the property sustains at least fifteen
- 18 thousand dollars (\$15,000) but less than one hundred thousand dollars
- 19 (\$100,00) worth of damages; and
- 20 (6) Arson is a Class Y felony if the property sustains damage in an
- 21 amount of at least one hundred thousand dollars (\$100,00).
- 22 (c) For purposes of this section, motor vehicle means every
- 23 self-propelled device in, upon, or by which any person or property is, or may
- 24 be, transported or drawn upon a street or highway.
- 25 (d)(1) The Governor, if deemed necessary, is authorized to offer a
- 26 reward not to exceed fifty thousand dollars (\$50,000) for information leading
- 27 to the apprehension, arrest, and conviction of a person or persons who have
- 28 committed, attempted to commit, or conspired to commit a criminal offense
- 29 under this section. The fifty thousand dollar (\$50,000) reward maximum
- 30 imposed by this section shall apply only to State-appropriated funds. The
- 31 Governor may increase the amount of any reward offered by use of funds from
- 32 the Reward Pool Fund created in this section.
- 33 (2) When the Governor offers a reward pursuant to this section,
- 34 the Governor may place any reasonable conditions upon collection of the reward
- 35 as the Governor deems advisable or necessary.
- 36 (3) The Governor is authorized to establish and administer a

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1 Reward Pool Fund. All monetary donations or gifts made by private citizens

- 2 and corporations for the purpose of offering a reward or enhancing a
- 3 State-funded reward offered for information leading to the apprehension,
- 4 arrest, and conviction of a person or persons who have committed, attempted to
- 5 commit, or conspired to commit a criminal offense under this statute shall be
- 6 deposited in such fund. The Governor shall have the sole discretion to
- 7 determine if and how much of such fund shall be offered in a particular
- 8 criminal case. However, if the donor places any lawful restrictions or
- 9 instructions on use of the donation at the time it is given, such restrictions
- 10 or instructions shall be honored.
- 11 (4) Any person completing the requirements to be eligible for the
- 12 reward shall be entitled to the reward offered by the Governor, and the
- 13 Governor shall certify the amount of the reward to the Auditor of State, who
- 14 shall issue his warrant on the State Treasury therefor, to be paid out of any
- 15 money appropriated or deposited into a Reward Pool Fund. "

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18 SECTION 2. All provisions of this act of a general and permanent nature

19 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

20 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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31 /s/Lewellen

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