

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

*As Engrossed: H1/31/01*

83rd General Assembly

## A Bill

Regular Session, 2001

HOUSE BILL 1157

By: Representatives Files, *Carson, Altes*

By: *Senator DeLay*

### For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS CODE 5-36-103 TO MAKE THEFT  
OF AMMONIA USED TO MANUFACTURE METHAMPHETAMINE A CLASS  
B FELONY; AND FOR OTHER PURPOSES.

### Subtitle

AN ACT TO AMEND ARKANSAS CODE 5-36-103  
TO MAKE THEFT OF AMMONIA USED TO  
MANUFACTURE METHAMPHETAMINE A CLASS B  
FELONY.

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

SECTION 1. Arkansas Code 5-36-103 is amended to read as follows:  
5-36-103. Theft of property.

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

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

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

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

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

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

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

(D) The property is ammonia which is transported or stored in a container of a type which no nationally recognized testing laboratory does, or will undertake to accept, certify, list, label, or determine to be safe; or

(E) The property is ammonia which is used or will be used to manufacture, produce, process or prepare methamphetamine in violation of the Uniform Controlled Substances Act.

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

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

(B) The property is obtained by threat; or

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

(D) The property is a credit card or credit card account number.

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

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

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

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

/s/ Files, et al.