

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 2100

4
5 By: Representative Rosenbaum

For An Act To Be Entitled

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9 AN ACT TO CLASSIFY THEFT OF ANHYDROUS AMMONIA AS
10 A CLASS C FELONY; AND FOR OTHER PURPOSES.

Subtitle

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13 AN ACT TO CLASSIFY THEFT OF ANHYDROUS
14 AMMONIA AS A CLASS C FELONY.

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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 § 5-36-103(b), pertaining to classifications
20 of the offense of theft of property, is amended to read as follows:

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

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

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

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

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

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

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

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

35 (D) The property is a:

36 (i) Credit card or credit card account number; or



1 (ii) Debit card or debit card account number- ; or

2 (E) The property is:

3 (i) Anhydrous ammonia in any form; or

4 (ii) A product containing any percentage of
5 anhydrous ammonia in any form.

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

9 (4)(A) Theft of property is a Class D felony if:

10 (i) The value of the property is five hundred
11 dollars (\$500) or less; and

12 (ii) The property was unlawfully obtained during a
13 criminal episode.

14 (B) For purposes of subdivision (b)(4)(A)(ii) of this
15 section, "criminal episode" means a series of thefts committed by the same
16 person on three (3) or more occasions within three (3) days.

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

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

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

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