

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
4

As Engrossed: H3/17/05

A Bill

HOUSE BILL 2100

5 By: Representative Rosenbaum
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For An Act To Be Entitled

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

12 AN ACT TO CLASSIFY THEFT OF ANHYDROUS
13 AMMONIA AS A CLASS B 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 ~~or~~

30 (D) The property is:

31 (i) Anhydrous ammonia in any form; or

32 (ii) A product containing any percentage of
33 anhydrous ammonia in any form.

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

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



- 1 (B) The property is obtained by threat; ~~or~~
- 2 (C) The property is a firearm valued at less than two
- 3 thousand five hundred dollars (\$2,500); or
- 4 (D) The property is a:
 - 5 (i) Credit card or credit card account number; or
 - 6 (ii) *Debit card or debit card account number.*
- 7 (3) Theft of property is a Class C felony if the property is
- 8 livestock, and the value of the livestock is in excess of two hundred dollars
- 9 (\$200).
- 10 (4)(A) Theft of property is a Class D felony if:
 - 11 (i) The value of the property is five hundred
 - 12 dollars (\$500) or less; and
 - 13 (ii) The property was unlawfully obtained during a
 - 14 criminal episode.
- 15 (B) For purposes of subdivision (b)(4)(A)(ii) of this
- 16 section, "criminal episode" means a series of thefts committed by the same
- 17 person on three (3) or more occasions within three (3) days.
- 18 (5) Theft of property is a Class A misdemeanor if:
 - 19 (A) The value of the property is five hundred dollars
 - 20 (\$500) or less; or
 - 21 (B) The property has inherent, subjective, or
 - 22 idiosyncratic value to its owner or possessor even if the property has no
 - 23 market value or replacement cost.

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25 /s/ Rosenbaum
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