

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

SENATE BILL 954

4  
5 By: Senator Laverty  
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## For An Act To Be Entitled

8  
9 AN ACT TO PROVIDE ENHANCED PENALTIES TO PROTECT  
10 PERSONS OVER SIXTY-FIVE (65) YEARS OF AGE FROM  
11 THEFT OF PROPERTY BY FAMILY OR HOUSEHOLD MEMBERS;  
12 AND FOR OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT TO PROVIDE ENHANCED PENALTIES TO  
16 PROTECT PERSONS OVER SIXTY-FIVE (65)  
17 YEARS OF AGE FROM THEFT OF PROPERTY BY  
18 FAMILY OR HOUSEHOLD MEMBERS.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 5-36-103, pertaining to the offense of  
24 theft of property, is amended to add an additional subsection to read as  
25 follows:

26 (d)(1)(A) Any person who violates any provision of subsection (a) of  
27 this section shall be subject to enhanced penalties if the owner of the  
28 property was over sixty-five (65) years of age and the person's family or  
29 household member.

30 (B) As used in this subsection (d), "family or household  
31 member" means a parent or persons related within the fourth degree of  
32 consanguinity or affinity.

33 (2) Upon conviction of the person, the classification and  
34 penalty range shall be increased by one (1) classification.

35 (3) The enhanced penalties of subdivision (d)(2) of this section  
36 shall not be imposed if the person establishes by a preponderance of the



1 evidence that the person has made a full and complete payment of restitution  
2 to the owner of the property.

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