

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 87th General Assembly
3 Regular Session, 2009
4

As Engrossed: H3/12/09

A Bill

HOUSE BILL 2044

5 By: Representative Glidewell
6
7

For An Act To Be Entitled

9 AN ACT TO AMEND ARKANSAS CODE § 15-32-603 TO
10 INCREASE THE PENALTY FOR THE OFFENSE OF TIMBER
11 THEFT BY A TRUSTEE; AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO AMEND ARKANSAS CODE § 15-32-
14 603 TO INCREASE THE PENALTY FOR THE
15 OFFENSE OF TIMBER THEFT BY A TRUSTEE.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 15-32-603 is amended to read as follows:
22 15-32-603. Offenses.

23 (a) A trustee commits the offense of timber theft if the trustee,
24 knowingly or with intent to defraud, directly or indirectly retains, uses,
25 disperses, or otherwise diverts trust money without first fully paying all of
26 the beneficiaries the purchase price for the timber.

27 (b) A trustee acts with intent to defraud if the trustee retains,
28 uses, disperses, or diverts trust money with the intent to deprive a
29 beneficiary of trust money.

30 (c) A trustee is presumed to have acted with intent to defraud if the
31 trustee does not pay all of the beneficiaries the purchase price for the
32 timber not later than the forty-fifth calendar day after the date the trustee
33 collects money for the timber.

34 (d)(1) *The offense of timber theft is a Class B ~~Class D~~ felony if the*
35 *amount of trust money retained, used, dispersed, or diverted before paying*
36 *the beneficiaries is ~~five hundred dollars (\$500) or more and a Class A~~*



1 ~~misdemeanor if under five hundred dollars (\$500)~~ thirty thousand dollars
2 (\$30,000) or more.

3 (2) The offense of timber theft is a Class C felony if the
4 amount of trust money retained, used, dispersed, or diverted before paying
5 the beneficiaries is less than thirty thousand dollars (\$30,000), but ten
6 thousand dollars (\$10,000) or more.

7 (3) The offense of timber theft is a Class D felony if the
8 amount of trust money retained, used, dispersed, or diverted before paying
9 the beneficiaries is less than ten thousand dollars (\$10,000), but more than
10 five hundred dollars (\$500).

11 (4) The offense of timber theft is a Class A misdemeanor if the
12 amount of trust money retained, used, dispersed, or diverted before paying
13 the beneficiaries is five hundred dollars (\$500) or less.

14
15 /s/ Glidewell
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36