

State of Arkansas  
87th General Assembly  
Regular Session, 2009

# A Bill

HOUSE BILL 2044

By: Representative Glidewell

## For An Act To Be Entitled

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

## Subtitle

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

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

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

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

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

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

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



1 ~~misdemeanor if under five hundred dollars (\$500)~~ two thousand five hundred  
2 dollars (\$2500) 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 two thousand five hundred dollars (\$2500), but  
6 more than five hundred dollars (\$500).

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