

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1391

5 By: Representative Hammer
6 By: Senator J. Hutchinson
7

For An Act To Be Entitled

9 AN ACT TO ENHANCE THE PENALTIES FOR THEFT OF COPPER;
10 AND FOR OTHER PURPOSES.
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Subtitle

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13 TO ENHANCE THE PENALTIES FOR THEFT OF
14 COPPER.
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18 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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20 SECTION 1. Arkansas Code § 5-36-106(e), regarding the crime of theft
21 by receiving, is amended to read as follows:

22 (e) Theft by receiving is a:

23 (1) Class B felony if the value of the property is two thousand
24 five hundred dollars (\$2,500) or more;

25 (2) Class C felony if:

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

28 (B) The property is a:

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

30 (ii) Debit card or debit card account number; or

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

33 (3) Class D felony if the property is copper, copper alloy, or
34 copper utility wire; or

35 ~~(3)~~(4) Class A misdemeanor if otherwise committed.
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1 SECTION 2. Arkansas Code § 5-36-123(c), regarding the theft of scrap
2 metal, is amended to read as follows:

3 (c) Upon conviction of a person for theft of scrap metal, the
4 classification and penalty range in § 5-36-103(b) shall be increased one (1)
5 classification if:

6 (1) The person caused incidental damage to the owner of the
7 scrap metal or the property of the owner of the scrap metal while committing
8 the theft of scrap metal and the costs of incidental damage was more than two
9 hundred fifty dollars (\$250); ~~or~~

10 (2) The person transported the scrap metal across state lines to
11 sell or dispose of the scrap metal; or

12 (3) The scrap metal was copper, copper alloy, or copper utility
13 wire.