A Bill

For An Act To Be Entitled

AN ACT TO IMPOSE A CRIMINAL PENALTY FOR THEFT OF
DECORATIVE OR MEMORIAL ITEMS FROM A CEMETERY OR GRAVE
SITE; AND FOR OTHER PURPOSES.

Subtitle

TO IMPOSE A CRIMINAL PENALTY FOR THEFT OF
DECORATIVE OR MEMORIAL ITEMS FROM A
CEMETERY OR GRAVE SITE.

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

SECTION 1. Arkansas Code § 5-36-103(b)(3) and (4), concerning the
offense of theft of property, are amended to read as follows:
   (3) Class D felony if:
       (A) The value of the property is five thousand dollars
       ($5,000) or less but more than one thousand dollars ($1,000);
       (B) The property is a firearm valued at less than two
       thousand five hundred dollars ($2,500);
       (C) The property is a:
           (i) Credit card or credit card account number; or
           (ii) Debit card or debit card account number;
       (D) The value of the property is at least one hundred
dollars ($100) or more but less than five hundred dollars ($500) and the
theft occurred in an area declared to be under a state of emergency pursuant
to proclamation by the President of the United States, the Governor, or the
executive officer of a city or county;
       (E) The property is livestock and the value of the
livestock is in excess of two hundred dollars ($200); or

(F) The property is an electric power line, gas line, water line, wire or fiber insulator, electric motor, or other similar apparatus connected to a farm shop, on-farm grain drying and storage complex, heating and cooling system, environmental control system, animal production facility, irrigation system, or dwelling; or

(G) The property is a decorative or memorial item from a cemetery, graveyard, or a person's grave site and the offense is the actor's second or subsequent offense of theft of a decorative or memorial item from a cemetery, graveyard, or a person's grave site under this section;

(4) Class A misdemeanor if:

(A) The value of the property is one thousand dollars ($1,000) or less; or

(B) The property has inherent, subjective, or idiosyncratic value to its owner or possessor even if the property has no market value or replacement cost; or

(C) The property is a decorative or memorial item from a cemetery, graveyard, or a person's grave site.

/s/ Beck

APPROVED: 3/18/19