

State of Arkansas  
90th General Assembly  
Regular Session, 2015

# A Bill

SENATE BILL 852

By: Senator Elliott  
By: Representative Tucker

## For An Act To Be Entitled

AN ACT CONCERNING THE CRIMINAL OFFENSE OF ABUSE OF  
PUBLIC TRUST; AND FOR OTHER PURPOSES.

### Subtitle

CONCERNING THE CRIMINAL OFFENSE OF ABUSE  
OF PUBLIC TRUST.

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

SECTION 1. Arkansas Code § 5-52-101 is amended to read as follows:  
5-52-101. Abuse of public trust.

(a) A person commits the offense of abuse of public trust if the  
person:

(1) Solicits, accepts, or agrees to accept on behalf of any  
person, political party, or other organization any benefit from another  
person upon an agreement or understanding that the other person will or may  
be appointed a public servant or designated or nominated as a candidate for  
public office;

(2) Offers, confers, or agrees to confer any benefit and the  
receipt of the benefit is prohibited by this section;

(3) Solicits, accepts, or agrees to accept any benefit as  
compensation or consideration for having as a public servant given a  
decision, opinion, recommendation, or vote favorable to another person or for  
having otherwise exercised his or her discretion in favor of another person;  
or

(4) Offers, confers, or agrees to confer any benefit upon a



public servant and the receipt of the benefit is prohibited by this section.

(b) It is not a defense to a prosecution under this section that the decision, opinion, recommendation, vote, or use of discretion, except for the benefit, was otherwise proper.

(c) Abuse of public trust is a:

(1) Class B felony if the value of the benefit is twenty-five thousand dollars (\$25,000) or more;

(2) Class C felony if the value of the benefit is five thousand dollars (\$5,000) or more but less than twenty-five thousand dollars (\$25,000); or

(3) Class D felony if the value of the benefit is less than five thousand dollars (\$5,000).

**APPROVED: 04/08/2015**