

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

SENATE BILL 485

By: Senators J. Payton, Gilmore

By: Representative Holcomb

## For An Act To Be Entitled

AN ACT TO AMEND ACTS 2023, NO. 264; TO AMEND THE LAW CONCERNING THE OFFENSES OF THEFT OF A CATALYTIC CONVERTER AND UNAUTHORIZED POSSESSION OF A CATALYTIC CONVERTER; AND FOR OTHER PURPOSES.

## Subtitle

TO AMEND ACTS 2023, NO. 264; AND TO AMEND THE LAW CONCERNING THE OFFENSES OF THEFT OF A CATALYTIC CONVERTER AND UNAUTHORIZED POSSESSION OF A CATALYTIC CONVERTER.

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

SECTION 1. Arkansas Code § 5-36-126(a)(2)(B), concerning the offenses of theft of a catalytic converter and unauthorized possession of a catalytic converter, as enacted by Acts 2023, No. 264, is amended to read as follows:

(B) Vehicle identification number, the last eight (8) digits of the vehicle identification number, or a stock number within an electronic database associated with a single vehicle identification number of the motor vehicle the catalytic converter was removed from.

SECTION 2. Arkansas Code § 5-36-126(d) and (e), concerning the offenses of theft of a catalytic converter and unauthorized possession of a catalytic converter, as enacted by Acts 2023, No. 264, are repealed.

~~(d) There is a presumption that a person is possessing the catalytic converter in the ordinary course of the person's business if the person~~



~~engages in any of the following businesses:~~

- ~~(1) An automotive wrecking and salvage yard;~~
- ~~(2) A scrap metal recycler;~~
- ~~(3) A licensed vehicle dealer or licensed vehicle converter;~~
- ~~(4) A licensed salvage vehicle dealer;~~
- ~~(5) A licensed vehicle storage facility;~~
- ~~(6) A garage or shop that is engaged in the business of~~

~~repairing motor vehicles;~~

- ~~(7) A towing company;~~
- ~~(8) A used automotive parts recycler;~~
- ~~(9) A person who holds a vehicle dealer number;~~
- ~~(10) A motor vehicle demolisher;~~
- ~~(11) A for-hire carrier, including without limitation a person~~

~~who provides services such as mail, freight, or package delivery by air, water, rail, or surface transportation;~~

~~(12) A person located out of state and regulated by another state in the performance of a business activity under subdivisions (d)(1)-(11) of this section; or~~

~~(13) An employee of or independent contractor providing services to a person described in subdivisions (d)(1)-(11) of this section and who possesses the catalytic converter when acting within the course and scope of the person's employment or independent contractor services.~~

~~(e) The presumption established under subsection (d) of this section does not apply to a person who knows that the catalytic converter was unlawfully removed from a motor vehicle or otherwise unlawfully obtained.~~

**APPROVED: 4/11/23**