

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: S4/8/25

## A Bill

HOUSE BILL 1779

By: Representative Gazaway

By: Senator Gilmore

### For An Act To Be Entitled

AN ACT TO AMEND THE LAW RELATED TO THEFT OF PROPERTY;  
TO ENHANCE THE OFFENSE CLASSIFICATION FOR THE THEFT  
OF A POSTAL PACKAGE DELIVERED TO A PERSON'S RESIDENCE  
AND LEFT WITHIN THE CURTILAGE OF THE RESIDENCE; AND  
FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE LAW RELATED TO THEFT OF  
PROPERTY; AND ENHANCE THE OFFENSE  
CLASSIFICATION FOR THE THEFT OF A POSTAL  
PACKAGE DELIVERED TO A PERSON'S  
RESIDENCE AND LEFT WITHIN THE CURTILAGE  
OF THE RESIDENCE.

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

SECTION 1. Arkansas Code § 5-36-103(b)(2) and (3), concerning the types of theft of property that constitute a Class C felony and a Class D felony, are amended to read as follows:

(2) Class C felony if:

(A) The value of the property is less than twenty-five thousand dollars (\$25,000) but more than five thousand dollars (\$5,000);

(B) The property is obtained by threat;

(C) The property is a firearm valued at two thousand five hundred dollars (\$2,500) or more;

(D) The property is building material obtained from a permitted construction site and the value of the building material is five



hundred dollars (\$500) or more;

(E) The value of the property is five hundred dollars (\$500) or more 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; ~~or~~

(F) The property is oil and gas equipment, the value of the property is five thousand dollars (\$5,000) or less but more than one thousand dollars (\$1,000), and the person:

(i) Caused more than two hundred fifty dollars (\$250) in incidental damage to the owner of the oil and gas equipment during the commission of the offense; or

(ii) Transported the oil and gas equipment across state lines to sell or dispose of the oil and gas equipment; or

(G) The property is a postal package removed from the curtilage of a residential occupiable structure or from a delivery vehicle at any point throughout the delivery route;

(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);

(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;

(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;

(H) The property is oil and gas equipment and the value of the oil and gas equipment is one thousand dollars (\$1,000) or less, and the person:

(i) Caused more than two hundred fifty dollars (\$250) in incidental damage to the owner of the oil and gas equipment during the commission of the offense; or

(ii) Transported the oil and gas equipment across state lines to sell or dispose of the oil and gas equipment;

~~(I) The property is a postal package removed from the curtilage of a residential occupiable structure or from a delivery vehicle at any point throughout the delivery route; or~~

~~(J)~~(I) The value of the property is one thousand dollars (\$1,000) or less and the person has been previously convicted of a theft offense of any classification within ten (10) years of the current offense; or

*/s/Gazaway*