

State of Arkansas
95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 509

By: Senator G. Stubblefield

For An Act To Be Entitled

AN ACT TO CREATE THE OFFENSE OF THEFT OF EQUIPMENT
RENTAL SERVICES; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE OFFENSE OF THEFT OF
EQUIPMENT RENTAL SERVICES.

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

SECTION 1. Arkansas Code Title 5, Chapter 36, Subchapter 1, is amended to add an additional section to read as follows:

5-36-127. Theft of Equipment Rental Services.

(a) As used in this section, "equipment rental services" means the commercial service of providing equipment for rent or lease.

(b) A person commits the offense of theft of equipment rental services if he or she knowingly:

(1) After the expiration of a lease or rental period, exercises unauthorized control or otherwise deprives the lessor or renter of equipment that is leased, rented, or entrusted to the person;

(2) Causes damage to equipment that is leased, rented, or entrusted to the person such that the equipment is not in a condition to be provided for rent or lease without repair; or

(3) Fails to pay for all or part of the time in which the person had control of the equipment that is leased, rented, or entrusted to the person, whether part of the initial lease or rental period or not.

(c) It is a defense to prosecution under this section that the person compensated the lessor or renter of the equipment for:



(1) The value of the equipment rental service for the time between the expiration of the lease or rental period and the return of the equipment to the lessor or renter; and

(2) The value of any damage to the equipment.

(d) A violation of this section is a:

(1) Class B felony if the value of the equipment rental service for the time between the expiration of the lease or rental period and the return of the equipment, the damage to the equipment, or both, is twenty-five thousand dollars (\$25,000) or more;

(2) Class C felony if the value of the equipment rental service for the time between the expiration of the lease or rental period and the return of the equipment, the damage to the equipment, or both, is less than twenty-five thousand dollars (\$25,000) but more than five thousand dollars (\$5,000);

(3) Class D felony if the value of the equipment rental service for the time between the expiration of the lease or rental period and the return of the equipment, the damage to the equipment, or both, is five thousand dollars (\$5,000) or less but more than one thousand dollars (\$1,000);

(4) Class A misdemeanor if the value of the equipment rental service for the time between the expiration of the lease or rental period and the return of the equipment, the damage to the equipment, or both, is one thousand dollars (\$1,000) or less.

(e) In addition to any other sentence authorized by law, the court shall order a person convicted of theft of rental services to pay restitution to the lessor or renter of the equipment for the value of the equipment rental service for the time between the expiration of the lease or rental period and the return of the equipment and any damage to the equipment.