

State of Arkansas

95th General Assembly
Regular Session, 2025

A Bill

SENATE BILL 300

By: Senator Gilmore
By: Representative Beaty Jr.

For An Act To Be Entitled

AN ACT TO CREATE THE CRIMINAL OFFENSE OF ORGANIZED
RETAIL THEFT; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE CRIMINAL OFFENSE OF
ORGANIZED RETAIL THEFT.

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. Organized retail theft.

(a) As used in this section:

(1) "Consumer goods" means moveable goods for sale at retail
that are used or bought for use primarily for personal, family, or household
purposes; and

(2) "Value" means the actual retail price of the property at the
time and place of the offense.

(b) A person commits the offense of organized retail theft if:

(1) The person, acting in concert with one (1) or more other
persons, knowingly:

(A) Commits theft of property under § 5-36-103(a) and the
property is consumer goods;

(B) Organizes, supervises, finances, directs, solicits, or
otherwise aids in the commission of theft of property under § 5-36-103(a) and
the property is consumer goods;



1 (C) Removes, destroys, deactivates, or evades any
2 component of an antishoplifting or inventory control device to prevent the
3 activation of that device to facilitate the commission of theft of property
4 under § 5-36-103(a) and the property is consumer goods;

5 (D) Remains unlawfully inside a retail establishment after
6 business hours to facilitate the commission of theft of property under § 5-
7 36-103(a) and the property is consumer goods;

8 (E) Uses a wireless telecommunication device or other
9 digital or electronic device to facilitate the commission of theft of
10 property under § 5-36-103(a) and the property is consumer goods; or

11 (F) Uses a rental or stolen motor vehicle or vehicle of
12 another in the course of committing theft of property under § 5-36-103(a) and
13 the property is consumer goods; and

14 (2)(A) The value of the property or aggregate value of property
15 stolen within one hundred twenty (120) days is more than one thousand dollars
16 (\$1,000).

17 (B) The unaltered price tag or other marking on property,
18 or identified photographs thereof, or bills of lading or shipping manifests,
19 is prima facie evidence of value and ownership of the property.

20 (c) Organized retail theft is a:

21 (1) Class B felony if:

22 (A) The value of the property is twenty-five thousand
23 dollars (\$25,000) or more; or

24 (B) The aggregate value of property stolen within one
25 hundred twenty (120) days is twenty-five thousand dollars (\$25,000) or more;

26 (2) Class C felony if:

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

29 (B) The aggregate value of property stolen within one
30 hundred twenty (120) days is less than twenty-five thousand dollars (\$25,000)
31 but more than five thousand dollars (\$5,000); or

32 (3) Class D felony if:

33 (A) The value of the property is less than five thousand
34 dollars (\$5,000) but more than one thousand dollars (\$1,000); or

35 (B) The aggregate value of property stolen within one
36 hundred twenty (120) days is less than five thousand dollars (\$5,000) but

1 more than one thousand dollars (\$1,000).

2 (d) If an organized retail theft takes place in more than one (1)
3 judicial district, the instances of organized retail theft may be aggregated
4 and charged in the circuit court of any judicial district in which one (1) or
5 more instances occurred and each judicial district shall have concurrent
6 jurisdiction.

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9 **APPROVED: 3/18/25**
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