

State of Arkansas

As Engrossed: S4/8/25

95th General Assembly

## A Bill

Regular Session, 2025

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



1 hundred dollars (\$500) or more;

2 (E) The value of the property is five hundred dollars  
3 (\$500) or more and the theft occurred in an area declared to be under a state  
4 of emergency pursuant to proclamation by the President of the United States,  
5 the Governor, or the executive officer of a city or county; ~~or~~

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

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

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

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

17 (3) Class D felony if:

18 (A) The value of the property is five thousand dollars  
19 (\$5,000) or less but more than one thousand dollars (\$1,000);

20 (B) The property is a firearm valued at less than two  
21 thousand five hundred dollars (\$2,500);

22 (C) The property is a:

23 (i) Credit card or credit card account number; or

24 (ii) Debit card or debit card account number;

25 (D) The value of the property is at least one hundred  
26 dollars (\$100) or more but less than five hundred dollars (\$500) and the  
27 theft occurred in an area declared to be under a state of emergency pursuant  
28 to proclamation by the President of the United States, the Governor, or the  
29 executive officer of a city or county;

30 (E) The property is livestock and the value of the  
31 livestock is in excess of two hundred dollars (\$200);

32 (F) The property is an electric power line, gas line,  
33 water line, wire or fiber insulator, electric motor, or other similar  
34 apparatus connected to a farm shop, on-farm grain drying and storage complex,  
35 heating and cooling system, environmental control system, animal production  
36 facility, irrigation system, or dwelling;

1 (G) The property is a decorative or memorial item from a  
2 cemetery, graveyard, or a person's grave site and the offense is the actor's  
3 second or subsequent offense of theft of a decorative or memorial item from a  
4 cemetery, graveyard, or a person's grave site under this section;

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

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

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

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

16 ~~(J)~~(I) The value of the property is one thousand dollars  
17 (\$1,000) or less and the person has been previously convicted of a theft  
18 offense of any classification within ten (10) years of the current offense;  
19 or

20  
21 /s/Gazaway  
22  
23

24 **APPROVED: 4/17/25**  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36