

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1389

5 By: Representative C. Fite  
6 By: Senator J. Cooper  
7

## For An Act To Be Entitled

9 AN ACT TO AMEND STATUTES CONCERNING THEFT OF  
10 PROPERTY; TO CLARIFY THAT A BACKUP DEEP CYCLE BATTERY  
11 IS UTILITY PROPERTY; AND FOR OTHER PURPOSES.  
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## Subtitle

15 TO AMEND STATUTES CONCERNING THEFT OF  
16 PROPERTY; AND TO CLARIFY THAT A BACKUP  
17 DEEP CYCLE BATTERY IS UTILITY PROPERTY.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code § 5-36-103(b)(1)(E)(ii)(b), concerning theft  
23 of utility property, is amended to read as follows:

24 (b) "Utility property" means any component  
25 that is reasonably necessary to provide utility services, including without  
26 limitation any wire, pole, facility, machinery, tool, equipment, cable,  
27 insulator, switch, signal, duct, fiber optic cable, conduit, plant, work,  
28 system, backup deep cycle battery or other power supply, substation,  
29 transmission or distribution structure, line, street lighting fixture,  
30 generating plant, equipment, pipe, main, transformer, underground line, gas  
31 compressor, meter, or any other building or structure or part of a building  
32 or structure that a utility uses in the production or use of its services;  
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34 SECTION 2. Arkansas Code § 5-38-206(a), concerning knowingly damaging  
35 wires and other fixtures of a telephone, cable, and electric company, is  
36 amended to read as follows:



1 (a) It is unlawful for a person to knowingly damage, destroy, or pull  
2 down:

3 (1) A telephone, cable communications, or electric power  
4 transmission pedestal or pole owned or operated by a telephone, cable, or  
5 electric power company;

6 (2) A telephone, cable communications, or electric power line,  
7 wire, fiber insulator, power supply transformer, transmission, or other  
8 apparatus, equipment, or fixture, including without limitation a backup deep  
9 cycle battery or other power supply, used in the transmission of telephone,  
10 cable communications, or electric power owned or operated by a telephone,  
11 cable, or electric power company; or

12 (3) Equipment related to wireless communications that are  
13 regulated by the Federal Communications Commission.

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16 **APPROVED: 3/5/19**  
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