

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 485

5 By: Senators J. Payton, Gilmore
6 By: Representative Holcomb
7

For An Act To Be Entitled

9 AN ACT TO AMEND ACTS 2023, NO. 264; TO AMEND THE LAW
10 CONCERNING THE OFFENSES OF THEFT OF A CATALYTIC
11 CONVERTER AND UNAUTHORIZED POSSESSION OF A CATALYTIC
12 CONVERTER; AND FOR OTHER PURPOSES.
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Subtitle

15 TO AMEND ACTS 2023, NO. 264; AND TO AMEND
16 THE LAW CONCERNING THE OFFENSES OF THEFT
17 OF A CATALYTIC CONVERTER AND UNAUTHORIZED
18 POSSESSION OF A CATALYTIC CONVERTER.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. Arkansas Code § 5-36-126(a)(2)(B), concerning the offenses
25 of theft of a catalytic converter and unauthorized possession of a catalytic
26 converter, as enacted by Acts 2023, No. 264, is amended to read as follows:

27 (B) Vehicle identification number, the last eight (8)
28 digits of the vehicle identification number, or a stock number within an
29 electronic database associated with a single vehicle identification number
30 of the motor vehicle the catalytic converter was removed from.
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32 SECTION 2. Arkansas Code § 5-36-126(d) and (e), concerning the
33 offenses of theft of a catalytic converter and unauthorized possession of a
34 catalytic converter, as enacted by Acts 2023, No. 264, are repealed.

35 ~~(d) There is a presumption that a person is possessing the catalytic~~
36 ~~converter in the ordinary course of the person's business if the person~~



1 ~~engages in any of the following businesses:~~

2 ~~(1) An automotive wrecking and salvage yard;~~

3 ~~(2) A scrap metal recycler;~~

4 ~~(3) A licensed vehicle dealer or licensed vehicle converter;~~

5 ~~(4) A licensed salvage vehicle dealer;~~

6 ~~(5) A licensed vehicle storage facility;~~

7 ~~(6) A garage or shop that is engaged in the business of~~
8 ~~repairing motor vehicles;~~

9 ~~(7) A towing company;~~

10 ~~(8) A used automotive parts recycler;~~

11 ~~(9) A person who holds a vehicle dealer number;~~

12 ~~(10) A motor vehicle demolisher;~~

13 ~~(11) A for-hire carrier, including without limitation a person~~
14 ~~who provides services such as mail, freight, or package delivery by air,~~
15 ~~water, rail, or surface transportation;~~

16 ~~(12) A person located out of state and regulated by another~~
17 ~~state in the performance of a business activity under subdivisions (d)(1)-~~
18 ~~(11) of this section; or~~

19 ~~(13) An employee of or independent contractor providing services~~
20 ~~to a person described in subdivisions (d)(1)-(11) of this section and who~~
21 ~~possesses the catalytic converter when acting within the course and scope of~~
22 ~~the person's employment or independent contractor services.~~

23 ~~(e) The presumption established under subsection (d) of this section~~
24 ~~does not apply to a person who knows that the catalytic converter was~~
25 ~~unlawfully removed from a motor vehicle or otherwise unlawfully obtained.~~

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28 **APPROVED: 4/11/23**
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