

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

As Engrossed: S2/6/97

# A Bill

SENATE BILL 85

4 By: Senators Lewellen, Brown, Edwards, Walker, Webb, and Hunter

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## For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 5-38-301 TO ADD  
9 CHURCH PROPERTY AND PUBLIC BUILDINGS TO THE DEFINITION OF  
10 ARSON; TO PROVIDE FOR A REWARD; AND FOR OTHER PURPOSES."

11

## Subtitle

12 "TO ADD CHURCH PROPERTY AND PUBLIC  
13 BUILDINGS TO THE DEFINITION OF ARSON AND  
14 PROVIDE FOR A REWARD"  
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17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. Arkansas Code Annotated § 5-38-301 is amended to read as  
20 follows:

21 "5-38-301. Arson.

22 (a) A person commits arson if he starts a fire or causes an explosion  
23 with the purpose of destroying or otherwise damaging:

24 (1) An occupiable structure or motor vehicle that is the property  
25 of another person; or

26 (2) Any property, whether his own or that of another person, for  
27 the purpose of collecting any insurance therefor; or

28 (3) Any property, whether his own or that of another person, if  
29 the act thereby negligently creates a risk of death or serious physical injury  
30 to any person; or

31 (4) A vital public facility; ~~or~~

32 (5) Any dedicated church property used as a place of worship  
33 exempt from taxes pursuant to Arkansas Code Annotated § 26-3-301; or

34 (6) Any public building or occupiable structure that is either  
35 owned or leased by the State or any of its political subdivisions.

36 ~~(b) Arson is a Class B felony if any property sustains less than twenty~~

1 ~~thousand dollars (\$20,000) worth of damage; a Class A felony if any property~~  
2 ~~sustains no less than twenty thousand dollars (\$20,000) nor more than one~~  
3 ~~hundred thousand dollars (\$100,000) worth of damage; and a Class Y felony if~~  
4 ~~any property sustains damage in excess of one hundred thousand dollars~~  
5 ~~(\$100,000).~~

6 (b)(1) Arson is a Class A misdemeanor if the property sustains less  
7 than five hundred dollars (\$500) worth of damage;

8 (2) Arson is a Class D felony if the property sustains at least five  
9 hundred dollars (\$500) but less than twenty-five hundred dollars (\$2500) worth  
10 of damages;

11 (3) Arson is a Class C felony if the property sustains at least twenty-  
12 five hundred dollars (\$2500) but less than five thousand dollars (\$5,000)  
13 worth of damages;

14 (4) Arson is a Class B felony if the property sustains at least five  
15 thousand dollars (\$5,000) but less than fifteen thousand dollars (\$15,000)  
16 worth of damages;

17 (5) Arson is a Class A felony if the property sustains at least fifteen  
18 thousand dollars (\$15,000) but less than one hundred thousand dollars  
19 (\$100,00) worth of damages; and

20 (6) Arson is a Class Y felony if the property sustains damage in an  
21 amount of at least one hundred thousand dollars (\$100,00).

22 (c) For purposes of this section, motor vehicle means every  
23 self-propelled device in, upon, or by which any person or property is, or may  
24 be, transported or drawn upon a street or highway.

25 (d)(1) The Governor, if deemed necessary, is authorized to offer a  
26 reward not to exceed fifty thousand dollars (\$50,000) for information leading  
27 to the apprehension, arrest, and conviction of a person or persons who have  
28 committed, attempted to commit, or conspired to commit a criminal offense  
29 under this section. The fifty thousand dollar (\$50,000) reward maximum  
30 imposed by this section shall apply only to State-appropriated funds. The  
31 Governor may increase the amount of any reward offered by use of funds from  
32 the Reward Pool Fund created in this section.

33 (2) When the Governor offers a reward pursuant to this section,  
34 the Governor may place any reasonable conditions upon collection of the reward  
35 as the Governor deems advisable or necessary.

36 (3) The Governor is authorized to establish and administer a

