

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025
4

A Bill

SENATE BILL 300

5 By: Senator Gilmore
6 By: Representative Beaty Jr.
7

For An Act To Be Entitled

9 AN ACT TO CREATE THE CRIMINAL OFFENSE OF ORGANIZED
10 RETAIL THEFT; AND FOR OTHER PURPOSES.
11

Subtitle

14 TO CREATE THE CRIMINAL OFFENSE OF
15 ORGANIZED RETAIL THEFT.
16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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19 SECTION 1. Arkansas Code Title 5, Chapter 36, Subchapter 1, is amended
20 to add an additional section to read as follows:

21 5-36-127. Organized retail theft.

22 (a) As used in this section:

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

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

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

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

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

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

36 (C) Removes, destroys, deactivates, or evades any



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

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

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

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

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

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

19 (c) Organized retail theft is a:

20 (1) Class B felony if:

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

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

25 (2) Class C felony if:

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

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

31 (3) Class D felony if:

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

34 (B) The aggregate value of property stolen within one
35 hundred twenty (120) days is less than five thousand dollars (\$5,000) but
36 more than one thousand dollars (\$1,000).

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

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