

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

# A Bill

SENATE BILL 477

5 By: Senator G. Stubblefield  
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## For An Act To Be Entitled

8 AN ACT TO CREATE THE OFFENSE OF THEFT OF EQUIPMENT  
9 RENTAL SERVICES; AND FOR OTHER PURPOSES.  
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## Subtitle

12 TO CREATE THE OFFENSE OF THEFT OF  
13 EQUIPMENT RENTAL SERVICES.  
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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 Title 5, Chapter 36, Subchapter 1, is amended  
20 to add an additional section to read as follows:

21 5-36-127. Theft of Equipment Rental Services.

22 (a) As used in this section, "equipment rental service" means the  
23 commercial service of providing equipment for rent or lease.

24 (b) A person commits the offense of theft of equipment rental services  
25 if he or she knowingly:

26 (1) After the expiration of a lease or rental period, exercises  
27 unauthorized control or otherwise deprives the lessor or renter of equipment  
28 that is leased, rented, or entrusted to the person; or

29 (2) Causes damage to equipment that is leased, rented, or  
30 entrusted to the person such that the equipment is not in a condition to be  
31 provided for rent or lease without repair.

32 (c) It is a defense to prosecution under this section that the person  
33 compensated the lessor or renter of the equipment for:

34 (1) The value of the equipment rental service for the time  
35 between the expiration of the lease or rental period and the return of the  
36 equipment to the lessor or renter; and



1           (2) The value of any damage to the equipment.

2           (d) A violation of this section is a:

3           (1) Class B felony if the value of the equipment rental service  
4 for the time between the expiration of the lease or rental period and the  
5 return of the equipment, the damage to the equipment, or both, is twenty-five  
6 thousand dollars (\$25,000) or more;

7           (2) Class C felony if the value of the equipment rental service  
8 for the time between the expiration of the lease or rental period and the  
9 return of the equipment, the damage to the equipment, or both, is less than  
10 twenty-five thousand dollars (\$25,000) but more than five thousand dollars  
11 (\$5,000);

12           (3) Class D felony if the value of the equipment rental service  
13 for the time between the expiration of the lease or rental period and the  
14 return of the equipment, the damage to the equipment, or both, is five  
15 thousand dollars (\$5,000) or less but more than one thousand dollars  
16 (\$1,000);

17           (4) Class A misdemeanor if the value of the equipment rental  
18 service for the time between the expiration of the lease or rental period and  
19 the return of the equipment, the damage to the equipment, or both, is one  
20 thousand dollars (\$1,000) or less.

21           (e) In addition to any other sentence authorized by law, the court  
22 shall order a person convicted of theft of rental services to pay restitution  
23 to the lessor or renter of the equipment for the value of the equipment  
24 rental service for the time between the expiration of the lease or rental  
25 period and the return of the equipment and any damage to the equipment.

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