

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

A Bill

SENATE BILL 509

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 services" 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;

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; or

32 (3) Fails to pay for all or part of the time in which the person
33 had control of the equipment that is leased, rented, or entrusted to the
34 person, whether part of the initial lease or rental period or not.

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



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

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

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

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

10 (2) Class C felony if the value of the equipment rental service
11 for the time between the expiration of the lease or rental period and the
12 return of the equipment, the damage to the equipment, or both, is less than
13 twenty-five thousand dollars (\$25,000) but more than five thousand dollars
14 (\$5,000);

15 (3) Class D felony if the value of the equipment rental service
16 for the time between the expiration of the lease or rental period and the
17 return of the equipment, the damage to the equipment, or both, is five
18 thousand dollars (\$5,000) or less but more than one thousand dollars
19 (\$1,000);

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

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

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