

§ 5-36-105. Theft of property lost, mislaid, or delivered by mistake.

(a) A person commits theft of property lost, mislaid, or delivered by mistake if the person;

(1) Comes into control of property of another person;

(2) Retains or disposes of the property when the person knows the property to have been lost, mislaid, or delivered under a mistake as to the identity of the recipient or as to the nature or amount of the property; and

(3) With the purpose of depriving any person having an interest in the property, the person fails to take a reasonable measure to restore the property to a person entitled to it.

(b) Theft of property lost, mislaid, or delivered by mistake is a:

(1) Class D felony if the value of the property is one thousand dollars (\$1,000.00) or more;

(2) Class B misdemeanor if:

(A) The value of the property is less than one thousand dollars (\$1,000.00) but more than five hundred dollars (\$500); or

(B) The property is a:

(i) Credit card or credit card account number; or

(ii) Debit card or debit card account number; or

(3) Class C misdemeanor if otherwise committed.

History. Acts 1975, No. 280, § 2205; A.S.A. 1947, § 41-2205; Acts 1997, No. 516, § 2; 1997, No. 518, § 2; 2003, No. 838, § 2.