

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative Flanagin**

A BILL ACT 719 OF 1991
HOUSE BILL 1413

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 7-9-103 CONCERNING
9 PENALTIES FOR UNLAWFULLY SIGNING AN INITIATIVE OR
10 REFERENDUM PETITION OR THE MISREPRESENTATION OF THE
11 PETITION; TO AMEND ARKANSAS CODE 7-9-108(c) TO REQUIRE THE
12 INSTRUCTIONS TO CANVASSERS ON PENALTIES TO BE PRINTED IN
13 LARGE TYPE; AND FOR OTHER PURPOSES."

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15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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17 SECTION 1. Arkansas Code 7-9-103 is amended to read as follows:

18 "7-9-103. Signing of petition - Penalty for falsification.

19 (a) (1) Any person who is a qualified elector of the State of Arkansas
20 may sign an initiative or referendum petition in his own proper handwriting
21 and not otherwise, to order an initiative or referendum vote upon a proposed
22 measure, or referred act.

23 (2) Any person who is an elector of any municipality of this
24 state may sign any petition for the referendum of any ordinance passed by the
25 council of the municipality.

26 (b) A person shall be deemed guilty of a *Class A misdemeanor* if the
27 person:

28 (1) Signs any name other than his or her own to any petition;

29 (2) Knowingly signs his or her name more than once to any
30 petition;

31 (3) Knowingly signs a petition when he or she is not legally
32 entitled to sign it; or

33 (4) Knowingly and falsely misrepresents the purpose and effect of
34 the petition or the measure affected, for the purpose of causing anyone to
35 sign a petition."

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1 SECTION 2. Arkansas Code 7-9-108(c) is amended to read as follows:

2 "(c) Preceding every petition, there shall be set out in bold face
3 type, over the signature of the Attorney General, any instructions to
4 canvassers and signers as may appear proper and beneficial, informing them of
5 the privileges granted by the Constitution and of the penalties imposed for
6 violations of this act. The instructions on penalties shall be in larger type
7 than the other instructions."
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9 SECTION 3. All provisions of this act of a general and permanent nature
10 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
11 Revision Commission shall incorporate the same in the Code.
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13 SECTION 4. If any provision of this Act or the application thereof to
14 any person or circumstance is held invalid, such invalidity shall not affect
15 other provisions or applications of the Act which can be given effect without
16 the invalid provision or application, and to this end the provisions of this
17 Act are declared to be severable.
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19 SECTION 5. All laws or parts of laws in conflict with this act are
20 hereby repealed.

21 /s/ Pat Flanagan
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23 APPROVED: 3-25-91
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