

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 84th General Assembly  
3 Regular Session, 2003  
4

*As Engrossed: S3/17/03 S4/9/03*

# A Bill

Act 1458 of 2003  
HOUSE BILL 1608

5 By: Representative Clemons  
6 *By: Senator Wilkins*  
7

## For An Act To Be Entitled

10 AN ACT TO PENALIZE AN INDIVIDUAL FOR PREVENTING A  
11 PERSON FROM VOTING OR ATTEMPTING TO PREVENT A  
12 PERSON FROM VOTING AT A POLLING SITE; AND FOR  
13 OTHER PURPOSES.  
14

### Subtitle

15 AN ACT TO PENALIZE AN INDIVIDUAL FOR  
16 PREVENTING OR ATTEMPTING TO PREVENT A  
17 PERSON FROM VOTING AT A POLLING SITE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code § 7-1-104(a) is amended to read as follows:

24 (a) The following offenses shall be deemed felonies punishable as  
25 provided in this section:

26 (1) No person shall falsely make or fraudulently destroy any  
27 certificate of nominations or any part thereof, file any certificate of  
28 nominations knowing the certificate or any part thereof to be false, ~~supress~~  
29 suppress any nomination which has been filed or any part thereof, or forge or  
30 falsely write the name or initials of any election official on any ballot;

31 (2) No public official or other person shall in any manner  
32 willfully or corruptly permit any person not entitled to register for the  
33 purpose of voting to register, nor shall a public official or other person  
34 forge or attempt to forge a registration;

35 (3) No person shall vote in any election in the state unless the  
36 person is a qualified elector of this state and has registered to vote in the



1 manner provided by law;

2 (4) It shall be unlawful for any person to offer, accept,  
3 receive, or pay any person any money, goods, wares, or merchandise or solicit  
4 any money, goods, wares, or merchandise for the purpose of influencing his or  
5 her vote during the progress of any election in this state;

6 (5) It shall be unlawful for any person to make any threat or  
7 attempt to intimidate any elector or the family, business, or profession of  
8 ~~the elector, and it shall be unlawful to attempt to prevent any qualified~~  
9 ~~elector from voting at any election;~~

10 (6) It shall be unlawful for any person to prevent or to  
11 interfere with any qualified elector from voting at any election, or to  
12 attempt to prevent or interfere with any qualified elector from voting at any  
13 election, provided that this subdivision shall not prohibit good faith  
14 challenges of ballots or voters according to law by election officials,  
15 candidates or authorized representatives of candidates, political parties, or  
16 ballot issues.

17 ~~(6)~~(7) It shall be unlawful for any person to attend any polling  
18 site on election day and hand out or give away any campaign cards, placards,  
19 or other articles for the purpose of influencing the electors to vote for any  
20 candidate, except in the manner now provided by law;

21 ~~(7)~~(8) No person shall tamper with a voting machine or  
22 fraudulently affect or attempt to affect its results;

23 ~~(8)~~(9) No person may cast a ballot in more than one (1) party  
24 primary election on the same day in this state or for candidates for more  
25 than one (1) political party;

26 ~~(9)~~(10) No person shall vote in any election more than one (1)  
27 vote;

28 ~~(10)~~(11) No person shall vote or attempt to vote other than his  
29 or her legal ballot;

30 ~~(11)~~(12) No election official shall knowingly permit any person  
31 to vote other than his or her legal ballot in any election;

32 ~~(12)~~(13) No election official or other person shall fraudulently  
33 permit any person to vote illegally, refuse the vote of any qualified  
34 elector, or cast up or make a false return of any election;

35 ~~(13)~~(14) No election official or other person shall willfully  
36 make a false count of any election ballots or falsely or fraudulently certify

1 the returns of any election;

2 ~~(14)~~(15) No person shall fraudulently change, alter, or  
3 obliterate the poll books or books of any election or break any seals upon  
4 any ballot box, voting machine, or stub box, except as authorized by law;

5 ~~(15)~~(16) No person shall contrive, alter, forge, counterfeit,  
6 detain, mutilate, steal, secrete, or destroy any election returns or election  
7 materials for the purpose of hindering or preventing or falsely reporting a  
8 tabulation or check of the returns; and

9 ~~(16)~~(17) Any person who violates the provisions of § 7-5-702 or  
10 who shall disclose how any voter may have voted unless compelled to do so in  
11 a judicial proceeding shall be deemed guilty of a Class D felony and punished  
12 as provided in this section.

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*/s/ Clemons*

**APPROVED: 4/16/2003**