

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019

A Bill

SENATE BILL 254

4
5 By: Senator Irvin

For An Act To Be Entitled

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7
8 AN ACT CONCERNING THE OFFENSE OF IMPROPER USE OF THE
9 STATE SEAL; TO PROHIBIT THE USE OF THE STATE SEAL IN
10 A CAMPAIGN; AND FOR OTHER PURPOSES.

Subtitle

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14 CONCERNING THE OFFENSE OF IMPROPER USE OF
15 THE STATE SEAL; AND TO PROHIBIT THE USE
16 OF THE STATE SEAL IN A CAMPAIGN.

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

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21 SECTION 1. Arkansas Code § 5-54-133 is amended to read as follows:
22 5-54-133. Improper use of or altering the state seal.

23 (a) As used in this section, ~~“state seal”~~:

24 (1) "Campaign" means:

25 (A) A campaign of a candidate for public office;

26 (B) Efforts to support or oppose a candidate for elected
27 office; or

28 (C) Efforts to support or oppose a ballot measure except
29 as provided in § 7-1-111;

30 (2) "Electronic campaign material" includes without limitation
31 the following item used in a campaign:

32 (A) An advertisement;

33 (B) A commercial;

34 (C) A photograph;

35 (D) An electronic communication; and

36 (E) A social media post;



1 (3) "Printed campaign material" includes without limitation the
2 following item used in a campaign:

- 3 (A) A sign;
- 4 (B) Literature;
- 5 (C) An advertisement; and
- 6 (D) A wearable item; and

7 (4) "State seal" means the Seal of the State of Arkansas
8 described in § 1-4-108(a).

9 (b) A person commits improper use of or altering the state seal if the
10 person knowingly uses the state seal or an altered version of the state seal;

11 (1) ~~in~~ In a private, nongovernmental written communication to
12 another person with the purpose to injure, defraud, harass, intimidate, or
13 coerce the other person, and the actor:

- 14 ~~(1)~~(A) Assumes a false identity;
- 15 ~~(2)~~(B) Pretends to be a representative of a state or local
16 agency;
- 17 ~~(3)~~(C) Pretends to be an officer or employee of the
18 government; or
- 19 ~~(4)~~(D) Attempts to collect a debt the actor contends is
20 owed to the actor or another person or organization; or

21 (2) On printed campaign material or electronic campaign material
22 in a manner that would lead a reasonable person to believe that the printed
23 campaign material or electronic campaign material delivered to, disseminated
24 to, or otherwise seen by the person is an official document of the State of
25 Arkansas.

26 (c) Improper use of or altering the state seal is a Class A
27 misdemeanor.

28 (d) A prosecution under this section does not preclude a prosecution
29 or civil action under § 4-88-101 et seq.

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