

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: S3/19/13

A Bill

SENATE BILL 961

5 By: Senator B. King
6

For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING CERTAIN ELECTION
9 CRIMES; AND FOR OTHER PURPOSES.

Subtitle

12 TO AMEND THE LAW CONCERNING CERTAIN
13 ELECTION CRIMES.
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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 7, Chapter 1, is amended to add an*
20 *additional section to read as follows:*

21 *7-1-111. Destruction of a ballot or ballot materials – Prohibited.*

22 *(a) A person shall not knowingly destroy a ballot or ballot related*
23 *material required to be preserved by law until after:*

24 *(1) Two (2) years after the certification of the results of the*
25 *election; and*

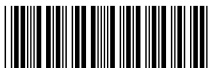
26 *(2) The county board of election commissioners has entered an*
27 *order, created a record to be maintained, and filed the order for destruction*
28 *of the ballot or ballot related material.*

29 *(b)(1) As used in this section "ballot or ballot related material"*
30 *means a ballot or other form that is:*

31 *(A) Provided to a person representing himself or herself*
32 *as the voter or his or her agent by a county clerk, member of a county board*
33 *of election commissioners, or poll worker; and*

34 *(B) Returned by the person representing himself or herself*
35 *as a voter or his or her agent for the purpose of voting in an election.*

36 *(2) "Ballot or ballot related material" includes without*



1 limitation:

2 (A) A ballot that has been completed, cast, abandoned, or
3 spoiled;

4 (B) A ballot stub or certificate from a ballot that has
5 been completed, cast, abandoned, or spoiled;

6 (C) A voter statement that has been submitted to the
7 county clerk;

8 (D) An envelope that contains a ballot;

9 (E) An affidavit provided to the county clerk;

10 (F) An absentee ballot list maintained under § 7-5-416;

11 (G) An absentee ballot application; and

12 (H) A list of applications for an absentee ballot under §
13 7-5-408.

14 (c) A person who is convicted under this section is guilty of an
15 unclassified felony and shall:

16 (1) Be sentenced to a term of no less than one (1) year and no
17 more than six (6) years; and

18 (2) Pay a fine of up to ten thousand dollars (\$10,000).

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20 /s/B. King

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23 **APPROVED: 04/16/2013**

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