

ARKANSAS SENATE
89th General Assembly - Regular Session, 2013
Amendment Form

Subtitle of Senate Bill No. 961

TO AMEND THE LAW CONCERNING CERTAIN ELECTION CRIMES.

Amendment No. 1 to Senate Bill No. 961

Amend Senate Bill No. 961 as originally introduced:

Delete everything after the enactment clause and substitute the following:

"SECTION 1. Arkansas Code Title 7, Chapter 1, is amended to add an additional section to read as follows:

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

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

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

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

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

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

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

(2) "Ballot or ballot related material" includes without limitation:

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

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

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

(D) An envelope that contains a ballot;

(E) An affidavit provided to the county clerk;

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

(G) An absentee ballot application; and

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

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



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

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

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator B. King

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Secretary