

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.
10

Subtitle

11 TO AMEND THE LAW CONCERNING CERTAIN
12 ELECTION CRIMES.
13

14
15
16
17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
18

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).

19
20 /s/B. King
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36