

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

SENATE BILL 176

5 By: Senator B. King
6

For An Act To Be Entitled

8 AN ACT TO PROTECT THE ELDERLY FROM DECEPTIVE
9 CANVASSING PRACTICES; TO PROHIBIT AN ADMINISTRATOR,
10 DIRECTOR, OR EMPLOYEE OF A NURSING HOME FACILITY FROM
11 GATHERING PETITION SIGNATURES FROM VULNERABLE
12 RESIDENTS; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 TO PROHIBIT DECEPTIVE CANVASSING
16 PRACTICES; AND TO PROHIBIT AN
17 ADMINISTRATOR, DIRECTOR, OR EMPLOYEE OF A
18 NURSING HOME FACILITY FROM GATHERING
19 PETITION SIGNATURES FROM VULNERABLE
20 RESIDENTS.
21
22
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
25

26 SECTION 1. Arkansas Code § 7-9-103(d), concerning signing of petition,
27 penalty for falsification, and notice of suspected forgery, is amended to
28 read as follows:

29 (d)(1) It is unlawful for an administrator, director, or employee of a
30 nursing home facility or long-term care facility to knowingly:

31 (A) Act as a paid or unpaid canvasser, sponsor, or agent
32 of a sponsor of a petition; and

33 (B) Obtain or attempt to obtain signatures from the
34 residents of the nursing home facility or long-term care facility that he or
35 she oversees or where he or she is employed.

36 (2) A person who violates subdivision (d)(1) of this section is



1 upon conviction guilty of an unclassified misdemeanor, and subject to the
2 discretion of the court shall be:

3 (A) Fined no less than one hundred dollars (\$100) per
4 violation and no more than two thousand five hundred dollars (\$2,500) per
5 violation; or

6 (B) Imprisoned for no less than one (1) year and no more
7 than five (5) years.

8 ~~(d)~~(e) When the official charged with verifying the signatures has
9 reasonable grounds to believe that one (1) or more signatures on a petition
10 is forged, excluding signatures apparently signed by one (1) spouse for
11 another, the official shall report the suspected forgery and basis for
12 suspecting forgery to:

13 (1) The Department of Arkansas State Police, in the case of a
14 statewide petition; or

15 (2) The prosecuting attorney of the county, in the case of a
16 local petition.

17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36