

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

SENATE BILL 377

5 By: Senator K. Hammer
6 By: Representatives Gramlich, Wing
7

For An Act To Be Entitled

9 AN ACT TO AMEND THE LAW CONCERNING INITIATIVE
10 PETITIONS; TO CREATE A MISDEMEANOR OFFENSE CONCERNING
11 INITIATIVE PETITION SIGNATURES; TO ESTABLISH THE
12 DEFINITION OF A PAID PETITION BLOCKER; TO REGULATE
13 PAID PETITION BLOCKERS; AND FOR OTHER PURPOSES.
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Subtitle

17 TO AMEND THE LAW CONCERNING INITIATIVE
18 PETITIONS; TO CREATE A MISDEMEANOR
19 OFFENSE CONCERNING INITIATIVE PETITION
20 SIGNATURES; AND TO ESTABLISH THE
21 DEFINITION OF AND REGULATE PAID PETITION
22 BLOCKERS.
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25 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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27 SECTION 1. Arkansas Code Title 7, Chapter 9, Subchapter 1, is amended
28 to add an additional section to read as follows:

29 7-9-127. Interference with initiative petitions and proposed measures.

30 (a) Upon conviction, a person commits a Class A misdemeanor if the
31 person knowingly:

32 (1) Interferes with a name other than his or her own name on a
33 petition;

34 (2) Changes a name other than his or her own name on a petition;

35 (3) Erases or otherwise removes a name other than his or her own
36 name on a petition;



1 (4) Destroys a signature other than his or her own signature on
2 a petition;

3 (5) Pays a person any form of compensation in exchange for not
4 signing a petition as a petitioner;

5 (6) Accepts or pays money or anything of value for not obtaining
6 signatures on a petition when the person is included on the sponsor's list
7 filed with the Secretary of State under § 7-9-601;

8 (7) Misrepresents the purpose and effect of the petition or the
9 measure affected for the purpose of causing a person to not sign a petition
10 when acting as a canvasser; and

11 (8) Pays a person any form of compensation in exchange for
12 destroying a signature on a petition.

13 (b) A person may be charged with a Class A misdemeanor for each
14 violation under subsection (a) of this section.

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16 SECTION 2. Arkansas Code Title 7, Chapter 9, Subchapter 6, is amended
17 to add an additional section to read as follows:

18 7-9-602. Hiring of paid petition blockers – Definitions.

19 (a) As used in this section:

20 (1) "Disqualifying offense" means:

21 (A) A felony;

22 (B) A violation of the election laws;

23 (C) Fraud;

24 (D) Forgery;

25 (E) Counterfeiting;

26 (F) Identity theft;

27 (G) A crime of violence, including assault, battery, or
28 intimidation;

29 (H) Harassment;

30 (I) Terroristic threatening;

31 (J) A sex offense, including sexual harassment;

32 (K) A violation of the drug and narcotics laws;

33 (L) Breaking and entering;

34 (M) Trespassing;

35 (N) Destruction or damage of property;

36 (O) Vandalism;

1 (P) Arson; or

2 (Q) A crime of theft, including robbery, burglary, and
3 simple theft or larceny;

4 (2) "Paid petition blocker" means a person who is paid or with
5 whom there is an agreement to pay money or anything of value in exchange for
6 interfering with a paid canvasser's attempt to solicit or obtain a signature
7 on a petition or a paid canvasser's solicitation of a signature on a
8 petition; and

9 (3) "Petition-blocking sponsor" means a person, entity, or
10 person affiliated with an entity, who pays or who makes an agreement to pay
11 money or anything of value in exchange for interfering with a paid
12 canvasser's attempt to solicit or obtain a signature on a petition or a paid
13 canvasser's solicitation of a signature on a petition.

14 (b) A petition-blocking sponsor shall:

15 (1) Provide a complete list of all paid petition blockers' names
16 and current residential addresses to the Secretary of State;

17 (2) Update the list provided under subdivision (b)(1) of this
18 section if additional paid petition blockers are hired;

19 (c)(1) Upon submission of the petition-blocking sponsor's list of paid
20 petition blockers to the Secretary of State, the petition-blocking sponsor
21 shall certify to the Secretary of State that each paid petition blocker in
22 the petition-blocking sponsor's employ has no disqualifying offenses in
23 accordance with this section.

24 (2) To verify that there are no disqualifying offenses on record
25 for a paid petition blocker, a petition-blocking sponsor shall obtain, at the
26 petition-blocking sponsor's cost, from the Division of Arkansas State Police,
27 a current state criminal history and criminal record search on every paid
28 petition blocker to be registered with the Secretary of State.

29 (3) The criminal history and criminal record search required by
30 this section shall be obtained within thirty (30) days before the date that
31 the paid petition blocker begins interfering with the collection of
32 signatures.

33 (d) Before acting as a paid petition blocker, the prospective paid
34 petition blocker shall:

35 (1)(A) Be a citizen of the United States; and

36 (B) Be a resident of this state; and

1 (2) Submit in person or by mail to the petition-blocking
2 sponsor:

3 (A) The full name and any assumed name of the prospective
4 paid petition blocker;

5 (B) The current residence address of the prospective paid
6 petition blocker and the prospective paid petition blocker's permanent
7 domicile address if the prospective paid petition blocker's permanent
8 domicile address is different from the prospective paid petition blocker's
9 current residence address; and

10 (C) A signed statement taken under oath or solemn
11 affirmation stating that the prospective paid petition blocker has not
12 pleaded guilty or nolo contendere to or been found guilty of a disqualifying
13 offense in any state of the United States, the District of Columbia, Puerto
14 Rico, Guam, or any other United States protectorate.

15 (e) A petition-blocking sponsor shall maintain the information
16 required under this section for each paid petition blocker for three (3)
17 years after the general election.

18 (f) Upon conviction, a person commits a Class A misdemeanor if the
19 petition-blocking sponsor or paid petition blocker knowingly violates this
20 section.

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