

State of Arkansas  
89th General Assembly  
Regular Session, 2013

As Engrossed: S3/19/13  
**A Bill**

SENATE BILL 961

By: Senator B. King

### For An Act To Be Entitled

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

#### Subtitle

TO AMEND THE LAW CONCERNING CERTAIN  
ELECTION CRIMES.

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

*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).

/s/B. King

**APPROVED: 04/16/2013**