

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

HOUSE BILL 1504

By: Representative Boyd

By: Senator M. Pitsch

For An Act To Be Entitled

AN ACT TO CLARIFY THE LAW CONCERNING PROHIBITED
ELECTIONEERING; TO PROVIDE A DEFINITION OF
ELECTIONEERING; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE LAW CONCERNING PROHIBITED
ELECTIONEERING; AND TO PROVIDE A
DEFINITION OF ELECTIONEERING.

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

SECTION 1. Arkansas Code § 7-1-103(a)(8), concerning misdemeanor offenses related to prohibited electioneering, is amended to read as follows:

(8)(A) ~~No~~ An election official acting in his or her official capacity shall not do any electioneering ~~on any:~~

(i) On election day or any day on which early voting is allowed. ~~Except as provided in subdivisions (a)(8)(B) and (C) of this section, no person shall hand out or distribute or offer to hand out or distribute any campaign literature or any literature regarding any candidate or issue on the ballot, solicit signatures on any petition, solicit contributions for any charitable or other purpose, or do any electioneering of any kind whatsoever in the;~~

(ii) In a building in which voting is taking place;
or ~~within~~

(iii) Within one hundred feet (100') of the primary exterior entrance used by voters to ~~the~~ a building containing the polling



~~place on election day in which voting is taking place.~~

(B) ~~During early voting days, no~~ On early voting days and election day a person shall ~~not hand out or distribute or offer to hand out or distribute any campaign literature or any literature regarding any candidate or issue on the ballot, solicit signatures on any petition, solicit contributions for any charitable or other purpose, or do any electioneering of any kind whatsoever~~ do any electioneering during early voting hours ~~in the:~~

(i) In a building or within in which voting is taking place;

(ii) Within one hundred feet (100') of the primary exterior entrance used by voters to the a building containing the early voting site nor engage in those activities with in which voting is taking place; or

(iii) With persons standing in line to vote whether within or without the courthouse.

~~(C) When the early voting occurs at a facility other than the county clerk's office, no person shall hand out or distribute or offer to hand out or distribute any campaign literature or any literature regarding any candidate or issue on the ballot, solicit signatures on any petition, solicit contributions for any charitable or other purpose, or do any electioneering of any kind whatsoever in the building or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the polling place;~~

(C)(i) As used in this subdivision (a)(8), "electioneering" means the display of or audible dissemination of information that advocates for or against any candidate, issue, or measure on a ballot.

(ii) "Electioneering" includes without limitation the following:

(a) Handing out, distributing, or offering to hand out or distribute campaign literature or literature regarding a candidate, issue, or measure on the ballot;

(b) Soliciting signatures on a petition;

(c) Soliciting contributions for a charitable or other purpose;

(d) Displaying a candidate's name, likeness,

or logo;

(e) Displaying a ballot measure's number, title, subject, or logo;

(f) Displaying or dissemination of buttons, hats, pencils, pens, shirts, signs, or stickers containing electioneering information; and

(g) Disseminating audible electioneering information.

(iii) "Electioneering" does not include:

(a) The presentation of a candidate's identification by the candidate under Arkansas Constitution, Amendment 51, §13; or

(b) The display of a ballot measure in the polling place as required under § 7-5-202.

APPROVED: 3/20/19