State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 611

By: Senator G. Leding

For An Act To Be Entitled

AN ACT TO CLARIFY THE LAW CONCERNING INFORMATION REPORTED BY PAID CANVASSERS; AND FOR OTHER PURPOSES.

Subtitle

TO CLARIFY THE LAW CONCERNING INFORMATION REPORTED BY PAID CANVASSERS.

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

SECTION 1. Arkansas Code § 3-8-802(a)(2)(B), concerning lists of paid canvassers, is amended to read as follows:

(B)(i) Provide a complete list of all paid canvassers' names and ~~current residential addresses~~ <u>permanent domicile address</u> to the county clerk.

(ii) If additional paid canvassers agree to solicit signatures on behalf of a sponsor after the complete list is provided, the sponsor shall provide an updated list of all paid canvassers' names and ~~current residential addresses~~ <u>permanent domicile address</u> to the county clerk.

SECTION 2. Arkansas Code § 3-8-802(b)(2), concerning lists of paid canvassers, is amended to read as follows:

(2) The ~~current residence address of the person and the~~ person's permanent domicile address ~~if the person's permanent domicile address is different from the person's current residence address~~;

SECTION 3. Arkansas Code § 3-8-807(b)(1), concerning the information provided on a paid canvasser's affidavit, is amended to read as follows:

(1) The canvasser's ~~current residence~~ permanent domicile address appearing on the verification is correct;

SECTION 4. Arkansas Code § 3-8-808(a), concerning the form of a paid canvasser verification, is amended to read as follows:

(a) Each petition containing signatures shall be verified in substantially the following form by the canvasser's affidavit thereon as a part thereof:

"State of Arkansas

County of _____

I, (print name of canvasser), being duly sworn, state that each of the foregoing persons signed his or her own name to this sheet of the petition in my presence. To the best of my knowledge and belief, each signature is genuine and each signer is a registered voter of _____County, or City or Incorporated Town of _____. At all times during the circulation of this signature sheet, an exact copy of the popular name, ballot title, and text was attached to the signature sheet. My ~~current residence~~ permanent domicile address is correctly stated below.

Signature_____

~~Residence~~ Permanent Domicile Address _____

Indicate one: _____Paid Canvasser _____Volunteer/Unpaid Canvasser

Subscribed and sworn to before me this ____ day of _____, 20__

Signature_____

Clerk, Notary, Judge, or J.P.

Seal _____ ".

SECTION 5. Arkansas Code § 7-9-108(b), concerning requirements for petition parts that are circulated by paid canvassers, is amended to read as follows:

(b) Each part of a petition shall have attached thereto the affidavit of the canvasser to the effect that the canvasser's ~~current residence~~ permanent domicile address appearing on the verification is correct, that all signatures appearing on the petition part were made in the presence of the affiant, and that to the best of the affiant's knowledge and belief each signature is genuine and each person signing is a registered voter.

SECTION 6. Arkansas Code § 7-9-109(a) as amended by Act 376 of 2019, concerning the form of a paid canvasser affidavit, is amended to read as follows:

(a) Each petition containing signatures shall be verified in substantially the following form by the canvasser's affidavit thereon as a part thereof:

"State of Arkansas

County of _____

I, (print name of canvasser) , being duly sworn, state that each of the foregoing persons signed his or her own name to this sheet of the petition in my presence. To the best of my knowledge and belief, each signature is genuine and each signer is a registered voter of the State of Arkansas, _____County, or City or Incorporated Town of _____. At all times during the circulation of this signature sheet, an exact copy of the popular name, ballot title, and text was attached to the signature sheet. My ~~current residence~~ permanent domicile address is correctly stated below.

Signature_____

~~Current residence~~ Permanent Domicile Address _____

Indicate one: _____Paid Canvasser _____Volunteer/Unpaid Canvasser

Subscribed and sworn to before me this ____ day of _____, 20__

Signature_____

Clerk, Notary, Judge, or J.P.

Seal _____ ".

SECTION 7. Arkansas Code § 7-9-126(b)(2), concerning the counting of signatures on a petition part, is amended to read as follows:

(2) The petition lacks the signature, printed name, and ~~residence~~ permanent domicile address of the canvasser or is signed by more than one (1) canvasser;

SECTION 8. Arkansas Code § 7-9-601(a), concerning the sponsor's responsibilities in the hiring and training of paid canvassers, is amended to read as follows:

(a)(1) A person shall not provide money or anything of value to another person for obtaining signatures on a statewide initiative or referendum petition unless the person receiving the money or item of value

meets the requirements of this section.

(2) Before a signature is solicited by a paid canvasser the sponsor shall:

(A) Provide the paid canvasser with a copy of the most recent edition of the Secretary of State's initiatives and referenda handbook;

(B) Explain the Arkansas law applicable to obtaining signatures on an initiative or referendum petition to the canvasser; and

(C)(i) Provide a complete list of all paid canvassers' names and ~~current residential addresses~~ the permanent domicile address of each paid canvasser to the Secretary of State.

(ii) If additional paid canvassers agree to solicit signatures on behalf of a sponsor after the complete list is provided, the sponsor shall provide an updated list of all paid canvassers' names and ~~current residential addresses~~ the permanent domicile address of each paid canvasser to the Secretary of State.

(3) Upon filing the petition with the Secretary of State, the sponsor shall submit to the Secretary of State a:

(A) Final list of the names and ~~current residential addresses~~ permanent domicile address of each paid canvasser; and

(B) Signature card for each paid canvasser.

SECTION 9. Arkansas Code § 7-9-601(d)(2) as amended by Act 376 of 2019, concerning disclosures by paid canvassers, is amended to read as follows:

(2) The ~~current residence address of the person and the~~ person's permanent domicile address ~~if the person's permanent domicile address is different from the person's current residence address~~;