

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
95th General Assembly  
Regular Session, 2025

As Engrossed: S2/20/25 S2/26/25

## A Bill

SENATE BILL 212

By: Senator K. Hammer

By: Representative Underwood

### For An Act To Be Entitled

AN ACT TO CREATE THE DOCUMENT VALIDITY DIVISION; TO  
DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

### Subtitle

TO CREATE THE DOCUMENT VALIDITY  
DIVISION; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code Title 7, Chapter 4, is amended to add an additional subchapter to read as follows:

#### Subchapter 4 – Document Validity Division

##### 7-4-401. Document Validity Division.

(a) There is created within the office of the Secretary of State the Document Validity Division.

(b) The Secretary of State may designate members of his or her staff as record validity investigators, who shall investigate documents and activities related to the validity and truthfulness of records submitted to the office of the Secretary of State under Arkansas Code, Title 7, Chapters 5 or 9.

(c) The Document Validity Division shall be a law enforcement agency of the office of the Secretary of State appointed by the Secretary of State from his or her employees to investigate the validity of documents filed with the Secretary of State under Arkansas Code, Title 7, Chapters 5 or 9.



7-4-402. Investigations.

(a) The Secretary of State or a document validity investigator may conduct an investigation to determine whether a document submitted to the Secretary of State under Arkansas Code, Title 7, Chapters 5 or 9, is false or fraudulent.

(b) An investigation under this subchapter may include without limitation:

- (1) Administering oaths;
- (2) Issuing subpoenas;
- (3) Compelling witness attendance;
- (4) Collecting evidence; and
- (5) Requiring the production of any books, papers,

correspondence, memorandum, agreements, or other documents or records that are relevant or material to the inquiry.

(c) If an individual fails to comply with a subpoena request issued by the Secretary of State or a document validity investigator under subsection (b) of this section, the Secretary of State may request an order from a court of appropriate jurisdiction to enforce the subpoena.

(d) A document determined by the division to contain fraud or falsity by a preponderance of the evidence shall be declared null and void for any legal purpose overseen by the Secretary of State.

(e) The division may refer any findings of fraud or falsity under this subchapter to the Attorney General's office for further investigation and action.

SECTION 2. DO NOT CODIFY. SEVERABILITY. The provisions of this act are declared to be severable and the invalidity of any provision of this act shall not affect other provisions of the act which can be given effect without the invalid provision.

SECTION 3. DO NOT CODIFY. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the process for citizens to propose initiated acts and amendments to the Arkansas Constitution is critical to a well-functioning democracy in this state; that it is of the utmost importance that the integrity of the initiative process be strengthened through this act so that petitioners and voters maintain a

high degree of confidence in the soundness of their right to legislate as citizens of Arkansas; and that this act is immediately necessary because any delay in the implementation of this act would disrupt the initiative process for the 2026 general election, which would have a detrimental effect on the public peace, health, and safety of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

*/s/K. Hammer*