

Instructions to Canvassers and Signers

1. Under the Arkansas Constitution, citizens have the power to (a) initiate legislation by petition of 8% of the legal voters, (b) initiate constitutional amendments by petition of 10% of legal voters, or (c) order a referendum on any general act or any item of an appropriation bill or measure passed by the General Assembly by petition of 6% of legal voters. A proposed measure must be submitted at a regular election. Referendum petitions may be referred at special elections on petition of 15% of the registered voters. Any measure submitted to the people becomes law when approved by a majority of the votes cast upon such measure.

2. Only registered voters may sign. All signatures must be in the signer's own handwriting and in the presence of the person circulating the petition. Each petition part should contain only the signatures of voters residing in a single county.

3. A signer must provide her or her printed name, date of birth, residence, city or town of residence, and date of signing. If, due to a disability, a petition signer needs help providing this information, another person may print the signer's information and that person must sign and print her or her name in the petition's margin.

4. A canvasser must be both a citizen of the United States and a resident of the State of Arkansas.

5. Under A.C.A. § 7-9-103, a person commits a Class A misdemeanor, punishable by a fine of up to \$2,500 and confinement of up to one year in jail, if the person knowingly (a) prints a name, address, or birth date other than his or her own to a petition or (b) prints the date of signing for another person, unless the signer requires assistance due to disability and the person complies with § 7-9-103.

6. Under A.C.A. §§ 5-55-601 and 7-9-109, a person commits a Class D felony, punishable by a fine of up to \$10,000 and up to six years imprisonment, if the person:

- **Knowingly:**
 - Signs a name other than his or her name to a petition;
 - Signs his or her name more than once on a petition; or
 - Signs a petition when he or she is not legally entitled to do so;
- **While acting as a canvasser, notary, sponsor, as defined under A.C.A. § 7-9-101, or as a sponsor's agent:**
 - Signs a name other than his or her own to a petition;
 - Prints a name, address, or birth date other than his or her own to a petition, unless the signor requires assistance due to disability and the person complies with § 7-9-103;
 - Solicits or obtains a signature to a petition knowing that the person signing is not qualified to sign the petition;
 - Knowingly pays a person any form of compensation in exchange for signing a petition as a petitioner;
 - Accepts or pays money or anything of value for obtaining signatures on a petition when the person acting as a canvasser, sponsor, or agent of a sponsor knows that the person acting as a canvasser's name or address is not included on the sponsor's list filed with the Secretary of State under § 7-9-601; or
 - Knowingly misrepresents the purpose and effect of the petition or the measure for the purpose of causing a person to sign a petition;
- **While acting as a canvasser, knowingly makes a false statement on a petition verification form;**
- **While acting as a sponsor, files a petition or a petition part with the official charged with verifying the signatures knowing that the petition or petition part contains one or more false or fraudulent signatures, unless the sponsor clearly strikes each false or fraudulent signature before filing;**
- **While acting as a canvasser, witnesses signatures on a petition part but knowingly allows another canvasser who did not witness all signatures on a petition part to execute a false verification affidavit with respect to that petition part; or**
- **While acting as a sponsor, sponsor's agent, or representative:**
 - Knowingly pays a canvasser for petitioner signatures on a petition part not personally witnessed by that paid canvasser; or
 - Knowingly submits to the Secretary of State a petition part where the verifying canvasser has not witnessed each signature on that petition part.

7. Under A.C.A. § 7-9-601, a person commits a Class A misdemeanor, punishable by a fine of up to \$2,500 and up to one year in jail, if the person pays or offers to pay a person, or receives payment or agrees to receive payment, on a basis related to the number of signatures obtained on a statewide petition.



Tim Griffin
Attorney General of Arkansas