

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. The signature is not valid if it is obtained after the next general election following the ballot title certification under A.C.A. § 7-9-107.

3. A signer must provide his or her photo identification as defined in A.C.A. § 7-1-101(40), 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. Paid canvassers must also hold domicile in the State of Arkansas¹. Each canvasser must file a true affidavit, described in A.C.A. §7-9-111, with the Secretary of State.

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:**
 - Signs a name other than his or her name to a petition;
 - Signs his or her name more than once on a petition;
 - Signs a petition when he or she is not legally entitled to do so;
 - Prints a name, address, or birth date other than his or her own to a petition; or
 - Prints the date of signing for another person, unless the signer requires assistance due to disability and the person complies with A.C.A. § 7-9-103.
- **While acting as a canvasser, notary, sponsor as defined under A.C.A. § 7-9-101, or as a sponsor's agent:**
 - Knowingly misrepresents the purpose and effect of the petition or the measure for the purpose of causing a person to sign a petition;
 - Solicits or obtains a petition signature knowing that the person signing is not qualified to sign the petition;
 - Knowingly pays a person any form of compensation for signing a petition as a petitioner; or
 - Accepts or pays money or anything of value for obtaining petition signatures 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 A.C.A. § 7-9-601.
- **While acting as a canvasser, knowingly accepts a petition signature, and prior to the signing:**
 - Fails to either (a) witness the signer read the petition's ballot title, or (b) read aloud the petition's ballot title to the signer; or
 - Fails to either (a) verbally disclose or (b) provide written notice separate from the petition to the potential signer that petition fraud is a criminal offense;
- **While acting as a sponsor or as sponsor's agent:**
 - Knowingly hires a paid canvasser who is not both a resident of this state and domiciled in this state;² or

¹ Effective August 5, 2025. See Act 453 of 2025; Ark. Att'y Gen. Op. 2025-032.

² Effective August 5, 2025. See Act 453 of 2025; Ark. Att'y Gen. Op. 2025-032.

- Files a petition part with the official verifying signatures knowing that the petition part contains one or more false or fraudulent signatures, unless the sponsor clearly strikes each false or fraudulent signature before filing.


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:

- While acting as a canvasser,
 - Knowingly makes a false statement on a petition verification form; or
 - 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.
- 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. § 7-9-127, 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:
 - Changes, erases, intentionally destroys, or discards a petition signature other than his or her own petition signature;
 - Pays a person any form of compensation for not signing a petition as a petitioner or for destroying a petition signature;
 - Accepts or pays money or anything of value for not obtaining signatures on a petition when the person is included on the sponsor's list filed with the Secretary of State under A.C.A. § 7-9-601;
- When acting as a canvasser,
 - Misrepresents the purpose and effect of the petition or measure affected to cause a person not to sign the petition.

8. 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.



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