

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Cabe

HOUSE BILL 1785

"AN ACT TO AMEND SECTION 3 OF ARTICLE 11 OF ACT 465 OF 1969,
AS AMENDED [ARK. STATS. 3-1103], TO CLARIFY THE ELECTION LAWS
OF THIS STATE WITH RESPECT TO CONVICTED FELONS WHO HAVE BEEN
PARDONED; AND FOR OTHER PURPOSES."

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

SECTION 1. That Section 3 of Article 11 of Act 465 of 1969, as amended, the same being Section 3-1103 of the Arkansas Statutes, is hereby amended to read as follows:

"Section 3. Candidates for State or district offices shall file with the Secretary of State, and candidates for county, municipal, or township offices shall file with the county clerk of the county, not later than 12 o'clock noon on the first (1st) Tuesday of April, before the preferential primary election, a pledge in writing, stating that he is familiar with the requirements of this Article and will, in good faith, comply with its terms. Provided, persons nominated as independent candidates shall file such political practice pledge at the time of filing the petition for nomination, and persons who wish to be write-in candidates shall file such political practice pledge at the time of filing the notice to be a write-in candidate. All political practices pledge forms for State or district offices and county, municipal, or township offices shall be required to contain the following additional pledge:

'I hereby certify that I have never been convicted of a felony in Arkansas or in any other jurisdiction outside of Arkansas.' For purposes of this Section, a person shall be qualified to be a candidate for a State, district, county, municipal and township office and may certify that he has never been convicted of a felony if: (a) his record was expunged in accordance with Act 346 of 1975, or a similar expunction statute in another state; provided, the candidate presents a 'Certificate of Expunction' from the court

that convicted the prospective candidate; or (b) his conviction has been pardoned by the Governor of this State, or by the executive authority of another jurisdiction outside of Arkansas; provided that the candidate presents a 'Proclamation of Pardon' from the Governor of this State or a similar instrument of executive clemency from the jurisdiction in which the prospective candidate was convicted.

The refusal of any candidate to sign such a pledge shall be justifiable grounds to keep the candidate's name from appearing on the ballot. Any person who has been convicted of a felony and signs the pledge stating that he has not been convicted of a felony shall be guilty of a Class D felony."

