AN ACT

to amend the Elections Offenses Act, by inserting additional provisions to clarify certain offenses
and to prohibit certain acts on polling day.

BE IT ENACTED BY THE NITIJELA OF THE MARSHALL ISLANDS

Section 1  Short Title

This Act may be cited as the Election Offenses (Amendment) Act, 2003.

Section 2  Amendments

The Elections Offenses Act is hereby amended in the following manner;

(1) By amending section 211 to read as follows;

§211.  Bribery

(1) For the purpose of the Elections and Referenda Act, 1980, a person or
candidate who, directly or indirectly;

(a) gives, lends or agrees to give, lend or offer any money or promise to
procure any money or other valuable consideration to or for the purposes of
influencing a voter to vote for, or to refrain from voting for, a certain candidate; or

(b). accepts or takes any money, offered or promised, in order to
influence the outcome of an election;

shall be guilty of the offense of “bribery” and upon conviction, shall be liable as follows;
(i) in the case of a person who has been elected to
office, such person shall be disqualified from holding office
immediately and his or her election to that office shall be vacated
as of the date conviction, if no appeal against the conviction has
been filed. If an appeal has been filed, the election shall be vacated
on the date the appeal is denied.

(ii) in the case of any other person, such persons shall
liable to a fine of not more than five hundred dollars ($500) or a
term of imprisonment not exceeding one (1) year or both.

(2) By amending section 212 to read in the following manner;

§212. **Intimidating candidates and Voters**

(1) A person who, directly or indirectly, physically threatens or
intimidates a candidate in an election so as to cause or attempt to cause him to
withdraw from the election shall be guilty of a felony and shall upon conviction be
liable to a fine not exceeding $2,000 or to a term of imprisonment not exceeding
five (5) years, or both.

(2) A person who, directly or indirectly, physically threatens or
intimidates a voter in order to induce or compel such voter:

(i) to vote for or to refrain from voting for a particular
candidate in an election; or
(ii) to refrain from voting in the elections or referendum; or

(iii) to vote or refrain from voting in a particular way in a

referendum;

shall be guilty of the offense of “Intimidating Candidates and Voters” and upon

conviction, shall be liable to a fine not exceeding one thousand dollars ($1,000) or to a

term of imprisonment not exceeding five (5) years or both.

Section 3. Effective Date

This Act shall take effect upon certification in accordance with Article IV Section 21 of

the Constitution and the Rules of Procedures of the Nitijela.

CERTIFICATE

I hereby certify:

(1) that Nitijela Bill No. 157ND1 was passed by the Nitijela of the Marshall Islands on the

30th day of Sept., 2003; and

(e) that I am satisfied that Nitijela Bill No. 157ND1 was passed in accordance with the

relevant provisions of the Constitution of the Republic of the Marshall Islands and the Rules of

Procedures of the Nitijela.
I hereby place my signature before the Clerk of the Nitijela this 4th day of Nov., 2003.

Attest:

Litokwa Tomeing, Speaker,
Nitijela of the Marshall Islands

Joe E Riklohn
Clerk,
Nitijela of the Marshall Islands