NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS 27TH CONSTITUTIONAL REGULAR SESSION, 2006 **BILL NO:124** P.L. 2006-70 AN ACT to amend the "Elections and Referenda Act, 1980" in order to require that candidates for elections to the Nitijela or Local Governments do not have previous convictions for felonies in the Republic or abroad. BE IT ENACTED BY THE NITIJELA OF THE REPUBLIC OF THE MARSHALL ISLANDS: Section 1. Short Title. This Act may be cited as the Elections and Referenda (Amendment) Act, 2006. Section 2. Amendments. The Elections and Referenda Act, 1980 is hereby amended to insert a new provision to read **(1)** as follows: §109A. General exclusion from candidacy **(1)** Any person who has been convicted of a felony, whether in the Republic or in any other country, shall not be eligible to stand as a candidate for elections under section 108 or 109 of this Act or under the Local Government Act 1980 or under any

Local Government Constitution, unless that person presents evidence to the Chief

Electoral Officer that he or she has been pardoned by the Cabinet under Article V,

Section 1(3)(f) of the Constitution of the Marshall Islands or by the equivalent

authority in any foreign country.

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25	(2)	Pursuant to Subsection (1), the Cabinet shall not pardon any person except with the	
26		recommendation of the Parole Board provided under Section 306(1)(b) of the Parole	
27		of Prisoners Act 2001.	
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29	(2) Secti	on 102 of the Elections and Referenda Act, 1980 is hereby amended to insert a new	
30	provi	ision to read as follows:	
31	§102(1)(s)		
32	"felo	ony" means a crime or offense which may be punishable by imprisonment for a	
33	period of more than one year, or any meaning ascribed to the term by the Criminal Code		
34	of the Republic;		
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36	Section 3.	Effective Date	
37	This	Act shall take effect on the date of certification in accordance with the Constitution	
38	and the Rules of Procedures of the Nitijela.		
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40		<u>CERTIFICATE</u>	
41	I hereby certi	ify:	
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43	(1)	That Nitijela Bill No: 124 was passed by the Nitijela of the Republic of the Marshall	
44		Islands on the 6th day of November, 2006; and	

45	(2) That I am satisfied that Nitijela Bil	No.: 124 was passed in accordance with the relevant
46	provisions of the Constitution of th	e Republic of the Marshall Islands and the Rules of
47	Procedures of the Nitijela.	
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49	I hereby place my signature before the Clerk	this 5th day of <u>December</u> , 2006.
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51	A	ttest:
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54	Ruben R. Zackhras	Joe E. Riklon
55	Vice-Speaker	Clerk
56	Nitijela of the Marshall Islands	Nitijela of the Marshall Islands
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