

State of Arkansas
92nd General Assembly
Regular Session, 2019

A Bill

SENATE BILL 376

By: Senator Rapert
By: Representative Gazaway

For An Act To Be Entitled

AN ACT TO AMEND ARKANSAS LAW CONCERNING ACTS OF THE
GENERAL ASSEMBLY AMENDING THE ARKANSAS CONSTITUTION;
TO AMEND THE ARKANSAS CONSTITUTION UNDER THE
AUTHORITY OF ARKANSAS, CONSTITUTION, ARTICLE 19, §§
28-31, ARKANSAS CONSTITUTION, AMENDMENT 89, § 11, AND
ARKANSAS CONSTITUTION, AMENDMENT 98, § 23; TO DECLARE
AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND ARKANSAS LAW CONCERNING ACTS OF
THE GENERAL ASSEMBLY AMENDING THE
ARKANSAS CONSTITUTION; TO AMEND
PROVISIONS OF THE ARKANSAS CONSTITUTION;
AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Pursuant to the authority under Arkansas Constitution, Article 19, § 28(e), Arkansas Constitution, Article 19, § 28(e), concerning contributions accepted by candidates for public office, is amended to read as follows:

(e)(1)(A) Except as provided in subdivision ~~(e)(2)~~(e)(1)(B) of this section, the General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section so long as such amendments are germane to this section and consistent with its policy and purposes.



~~(2)(B)~~ The General Assembly may amend subsection (d) of this section by a majority vote of each house.

(2)(A) If an act of the General Assembly amends this section, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, make the following revisions to the act so long as the revisions do not change the substance or meaning of the act:

- (i) Correct the spelling of words;
- (ii) Change capitalization for the purpose of uniformity;
- (iii) Correct manifest typographical and grammatical errors;
- (iv) Correct manifest errors in references to laws and other documents;
- (v) Correct manifest errors in internal reference numbers;
- (vi) Number, renumber, redesignate, and rearrange this section;
- (vii) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;
- (viii) Insert or delete hyphens in words to follow correct grammatical usage;
- (ix) Change numerals or symbols to words or vice versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;
- (x) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;
- (xi) Correct punctuation; and
- (xii) Change gender-specific language to gender-neutral language.

(B)(i) If more than one (1) act amending this section is enacted by the General Assembly during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging subsections and subdivisions of this section.

(ii) In the event that one (1) or more acts amending this section result in an irreconcilable conflict with one (1) or more other acts amending this section enacted during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section so that the conflicting provision of the last enactment prevails.

(3) If the Arkansas Code Revision Commission makes revisions under subdivision (e)(2) of this section, the Arkansas Code Revision Commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(A) Explains the revisions made under subdivision (e)(2) of this section; and

(B) Includes the text of this section as amended by the revisions made under subdivision (e)(2) of this section.

SECTION 2. Pursuant to the authority under Arkansas Constitution, Article 19, § 29(d), Arkansas Constitution, Article 19, § 29(d), concerning registration as a lobbyist by a former members of the General Assembly, is amended to read as follows:

(d)(1)(A) Except as provided in subdivision ~~(d)(2)~~(d)(1)(B) of this section, the General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section so long as such amendments are germane to this section and consistent with its policy and purposes.

~~(2)(B)~~ The General Assembly may amend subsection (c) of this section by a majority vote of each house.

(2)(A) If an act of the General Assembly amends this section, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, make the following revisions to the act so long as the revisions do not change the substance or meaning of the act:

(i) Correct the spelling of words;

(ii) Change capitalization for the purpose of uniformity;

(iii) Correct manifest typographical and grammatical errors;

(iv) Correct manifest errors in references to laws and other documents;

(v) Correct manifest errors in internal reference numbers;

(vi) Number, renumber, redesignate, and rearrange this section;

(vii) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;

(viii) Insert or delete hyphens in words to follow correct grammatical usage;

(ix) Change numerals or symbols to words or vice versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;

(x) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;

(xi) Correct punctuation; and

(xii) Change gender-specific language to gender-neutral language.

(B)(i) If more than one (1) act amending this section is enacted by the General Assembly during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging subsections and subdivisions of this section.

(ii) In the event that one (1) or more acts amending this section result in an irreconcilable conflict with one (1) or more other acts amending this section enacted during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section so that the conflicting provision of the last enactment prevails.

(3) If the Arkansas Code Revision Commission makes revisions under subdivision (d)(2) of this section, the Arkansas Code Revision Commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(A) Explains the revisions made under subdivision (d)(2) of this section; and

(B) Includes the text of this section as amended by the revisions made under subdivision (d)(2) of this section.

SECTION 3. Pursuant to the authority under Arkansas Constitution, Article 19, § 30(d), Arkansas Constitution, Article 19, § 30(d), concerning gifts from lobbyists, is amended to read as follows:

(d)(1)(A) Except as provided in subdivision ~~(d)(2)~~(d)(1)(B) of this section, the General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section so long as such amendments are germane to this section and consistent with its policy and purposes.

~~(2)(B)~~ The General Assembly may amend subsection (c) of this section by a majority vote of each house.

(2)(A) If an act of the General Assembly amends this section, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, make the following revisions to the act so long as the revisions do not change the substance or meaning of the act:

- (i) Correct the spelling of words;
- (ii) Change capitalization for the purpose of uniformity;
- (iii) Correct manifest typographical and grammatical errors;
- (iv) Correct manifest errors in references to laws and other documents;
- (v) Correct manifest errors in internal reference numbers;
- (vi) Number, renumber, redesignate, and rearrange this section;
- (vii) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;
- (viii) Insert or delete hyphens in words to follow correct grammatical usage;
- (ix) Change numerals or symbols to words or vice

versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;

(x) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;

(xi) Correct punctuation; and

(xii) Change gender-specific language to gender-neutral language.

(B)(i) If more than one (1) act amending this section is enacted by the General Assembly during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging subsections and subdivisions of this section.

(ii) In the event that one (1) or more acts amending this section result in an irreconcilable conflict with one (1) or more other acts amending this section enacted during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section so that the conflicting provision of the last enactment prevails.

(3) If the Arkansas Code Revision Commission makes revisions under subdivision (d)(2) of this section, the Arkansas Code Revision Commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(A) Explains the revisions made under subdivision (d)(2) of this section; and

(B) Includes the text of this section as amended by the revisions made under subdivision (d)(2) of this section.

SECTION 4. Pursuant to the authority under Arkansas Constitution, Article 19, § 31(1), Arkansas Constitution, Article 19, § 31(1), concerning the independent citizens commission, is amended to read as follows:

(1)(1) The General Assembly, in the same manner as required for amendment of laws initiated by the people, may amend this section, so long as such amendments are germane to this section and consistent with its policy and purposes.

(2)(A) If an act of the General Assembly amends this section, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, make the following revisions to the act so long as the revisions do not change the substance or meaning of the act:

- (i) Correct the spelling of words;
- (ii) Change capitalization for the purpose of uniformity;
- (iii) Correct manifest typographical and grammatical errors;
- (iv) Correct manifest errors in references to laws and other documents;
- (v) Correct manifest errors in internal reference numbers;
- (vi) Number, renumber, redesignate, and rearrange this section;
- (vii) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;
- (viii) Insert or delete hyphens in words to follow correct grammatical usage;
- (ix) Change numerals or symbols to words or vice versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;
- (x) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;
- (xi) Correct punctuation; and
- (xii) Change gender-specific language to gender-neutral language.

(B)(i) If more than one (1) act amending this section is enacted by the General Assembly during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging subsections and subdivisions of this section.

(ii) In the event that one (1) or more acts amending this section result in an irreconcilable conflict with one (1) or more acts

amending this section enacted during the same session, the Arkansas Code Revision Commission may, by a majority vote of the Arkansas Code Revision Commission, revise this section so that the conflicting provision of the last enactment prevails.

(3) If the Arkansas Code Revision Commission makes revisions under subdivision (1)(2) of this section, the Arkansas Code Revision Commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(A) Explains the revisions made under subdivision (1)(2) of this section; and

(B) Includes the text of this section as amended by the revisions made under subdivision (1)(2) of this section.

SECTION 5. Pursuant to the authority under Arkansas Constitution, Amendment 89, § 11, Arkansas Constitution, Amendment 89, § 11, is amended to read as follows:

§ 11. [Three-fourths vote]

(a) The General Assembly may by a three-fourths vote of each house of the General Assembly amend the provisions of this amendment so long as the amendments are germane to this amendment and consistent with its policy and purposes.

(b)(1) If an act of the General Assembly amends one (1) or more provisions of this amendment, the Arkansas Code Revision Commission may, by a majority vote of the commission, make the following revisions to the act so long as the revisions do not change the substance or meaning of the act:

(A) Correct the spelling of words;

(B) Change capitalization for the purpose of uniformity;

(C) Correct manifest typographical and grammatical errors;

(D) Correct manifest errors in references to laws and other documents;

(E) Correct manifest errors in internal reference numbers;

(F) Number, renumber, redesignate, and rearrange the provisions of this amendment at issue;

(G) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;

(H) Insert or delete hyphens in words to follow correct grammatical usage;

(I) Change numerals or symbols to words or vice versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;

(J) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;

(K) Correct punctuation; and

(L) Change gender-specific language to gender-neutral language.

(2)(A) If more than one (1) act amending a provision of this amendment is enacted by the General Assembly during the same session, the commission may, by a majority vote of the commission, revise this amendment as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging sections, subsections, and subdivisions of this amendment.

(B) In the event that one (1) or more acts amending a provision of this amendment result in an irreconcilable conflict with one (1) or more acts amending a provision of this amendment enacted during the same session, the commission may, by a majority vote of the commission, revise this amendment so that the conflicting provision of the last enactment prevails.

(c) If the commission makes revisions under subsection (b) of this section, the commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(1) Explains the revisions made under subsection (b) of this section; and

(2) Includes the text of this amendment as amended by the revisions made under subsection (b) of this section.

SECTION 6. Pursuant to the authority under Arkansas Constitution, Amendment 98, § 23, Arkansas Constitution, Amendment 98, is amended to add an additional section to read as follows:

§ 26. Acts amending Arkansas Medical Marijuana Amendment of 2016.

(a)(1) If an act of the General Assembly amends one (1) or more

sections of this amendment under § 23 of this amendment, the Arkansas Code Revision Commission may, by a majority vote of the commission, make the following revisions to the act so long as the revisions do not change the substance or meaning of the act:

- (A) Correct the spelling of words;
- (B) Change capitalization for the purpose of uniformity;
- (C) Correct manifest typographical and grammatical errors;
- (D) Correct manifest errors in references to laws and other documents;
- (E) Correct manifest errors in internal reference numbers;
- (F) Number, renumber, redesignate, and rearrange the provisions of this amendment at issue;
- (G) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;
- (H) Insert or delete hyphens in words to follow correct grammatical usage;
- (I) Change numerals or symbols to words or vice versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;
- (J) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;
- (K) Correct punctuation; and
- (L) Change gender-specific language to gender-neutral language.

(2)(A) If more than one (1) act amending a section of this amendment under § 23 of this amendment is enacted by the General Assembly during the same session, the commission may, by a majority vote of the commission, revise this amendment as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging sections, subsections, and subdivisions of this amendment.

(B) In the event that one (1) or more acts amending a section of this amendment under § 23 of this amendment result in an irreconcilable conflict with one (1) or more acts amending a section of this amendment enacted during the same session, the commission may, by a majority vote of the commission, revise this amendment so that the conflicting

provision of the last enactment prevails.

(b) If the commission makes revisions under subsection (a) of this section, the commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(1) Explains the revisions made under subsection (a) of this section; and

(2) Includes the text of this amendment as amended by the revisions made under subsection (a) of this section.

SECTION 7. Arkansas Code Title 1, Chapter 2, Subchapter 3, is amended to add an additional section to read as follows:

1-2-308. Acts amending Arkansas Constitution.

(a)(1) If an act of the General Assembly amends a provision of the Arkansas Constitution as expressly permitted by the Arkansas Constitution, the Arkansas Code Revision Commission may, by a majority vote of the commission, make the following revisions to the act amending the Arkansas Constitution so long as the revisions do not change the substance or meaning of the act amending the Arkansas Constitution:

(A) Correct the spelling of words;

(B) Change capitalization for the purpose of uniformity;

(C) Correct manifest typographical and grammatical errors;

(D) Correct manifest errors in references to laws and other documents;

(E) Correct manifest errors in internal reference numbers;

(F) Number, renumber, redesignate, and rearrange the provision of the Arkansas Constitution at issue;

(G) Change internal reference numbers to agree with renumbered sections, subsections, subdivisions, or other provisions of law;

(H) Insert or delete hyphens in words to follow correct grammatical usage;

(I) Change numerals or symbols to words or vice versa and add figures or words if they are merely repetitions of written words or vice versa for purposes of uniformity and style;

(J) Change the form of nouns, pronouns, and verbs for purposes of style and grammar;

(K) Correct punctuation; and

(L) Change gender-specific language to gender-neutral language.

(2)(A) If more than one (1) act amending the same provision of the Arkansas Constitution is enacted by the General Assembly during the same session, the commission may, by a majority vote of the commission, revise the provision of the Arkansas Constitution at issue as necessary so that all of the enactments shall be given effect, including without limitation renumbering, redesignating, and rearranging sections, subsections, and subdivisions of the provision of the Arkansas Constitution at issue.

(B) In the event that one (1) or more acts amending the same provision of the Arkansas Constitution result in an irreconcilable conflict with one (1) or more acts of the General Assembly amending the Arkansas Constitution enacted during the same session, the commission may, by a majority vote of the commission, revise the provision of the Arkansas Constitution at issue so that the conflicting provision of the last enactment prevails.

(b) If the commission makes revisions under subsection (a) of this section, the commission shall file a report with the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Governor that:

(1) Explains the revisions made under subsection (a) of this section; and

(2) Includes the text of the provision of the Arkansas Constitution at issue as amended by the revisions made under subsection (a) of this section.

SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that under current law the Arkansas Code Revision Commission does not have the authority to correct conflicts occurring when multiple acts amend the same provision of the Arkansas Constitution as expressly permitted by the Arkansas Constitution; that this inability to resolve conflicts makes the law unclear and impossible to publish for review and study by the citizens of the state; and that this act should become effective at the earliest opportunity so that it may be applied to acts enacted by the Ninety-Second General Assembly. Therefore, an

emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

APPROVED: 4/4/19