

Stricken language would be deleted from and underlined language would be added to present law.  
Act 236 of the Regular Session

State of Arkansas  
94th General Assembly  
Regular Session, 2023

As Engrossed: H2/21/23

# A Bill

HOUSE BILL 1419

By: Representatives Underwood, Achor, John Carr, Gonzales, G. Hodges, Lundstrum, McCollum, J. Moore, Pilkington, Rose, Wardlaw, *Gazaway, B. McKenzie*

By: Senators J. Dotson, *Hester*

## For An Act To Be Entitled

AN ACT TO CREATE THE ENSURING ACCESS FOR ALL ARKANSANS AND VOTER PROTECTION ACT OF 2023; TO AMEND THE PROCEDURE FOR THE FILING OF A BALLOT INITIATIVE PETITION AND REFERENDUM PETITION; TO AMEND THE LAW CONCERNING STATEWIDE PETITIONS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

## Subtitle

TO CREATE THE ENSURING ACCESS FOR ALL ARKANSANS AND VOTER PROTECTION ACT OF 2023; TO AMEND THE PROCEDURE FOR THE FILING OF A BALLOT INITIATIVE AND REFERENDUM PETITION; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. Title.

This act shall be known and may be cited as the "Ensuring Access for All Arkansans and Voter Protection Act of 2023".

SECTION 2. Arkansas Code § 7-9-126, concerning the count of signatures for initiative petitions or referendum petitions, is amended to add additional subsections to read as follows:

(e) In order to certify a measure for the state wide election ballot,



the official charged with verifying the signatures on an initiative petition or referendum petition shall also verify:

(1) For a statutory initiative petition or referendum petition, that:

(A) Petitions are filed from at least fifty (50) counties of the state; and

(B) The petitions bear the signature of at least one-half (1/2) of the designated percentage of the electors of each county represented in subdivision (e)(1)(A) of this section; and

(2) For an initiative petition for a constitutional amendment, that:

(A) Petitions are filed from at least fifty (50) counties of the state; and

(B) The petitions bear the signature of at least one-half (1/2) of the designated percentage of the electors of each county represented in subdivision (e)(2)(A) of this section.

(f) If the requirements of subsection (e) of this section are less than the designated number of signatures or counties represented by petitions required by the Arkansas Constitution and statutory law in order to certify the measure for the ballot and the deadline for filing petitions has passed, the official charged with verifying the signatures shall declare the petition insufficient and shall not accept and file any additional signatures to cure the insufficiency of the petition on its face.

SECTION 3. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the laws of the State of Arkansas apply to all Arkansans; that there is a need to increase participation from all parts of Arkansas in the process of obtaining signatures on initiative petitions and referendum petitions; that broad participation in the initiative and referendum process ensures the public health, safety, and welfare of all Arkansans by allowing citizens to exercise their constitutional rights; and that this act is immediately necessary because there is a need to enhance and protect Arkansans' voices in the ballot initiative and referendum process. 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.

/s/Underwood

**APPROVED: 3/7/23**