

Stricken language would be deleted from and underlined language would be added to present law.
Act 602 of the Regular Session

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H3/17/25

A Bill

HOUSE BILL 1713

By: Representatives Rose, Crawford, Hawk, Long, Lundstrum, McGrew, S. Meeks, Ray, Underwood,
Unger

By: Senators M. Johnson, J. Boyd, J. Bryant, Caldwell, A. Clark, Gilmore, K. Hammer, Hester, M.
McKee, D. Wallace

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING THE FILING OF AN ORIGINAL DRAFT BEFORE CIRCULATION AS AN INITIATIVE PETITION OR REFERENDUM PETITION; TO REQUIRE BALLOT TITLES FOR INITIATED MEASURES TO BE AT OR UNDER A CERTAIN READING LEVEL; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE BALLOT TITLES FOR INITIATED MEASURES TO BE AT OR UNDER A CERTAIN READING LEVEL; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. DO NOT CODIFY. Legislative findings.

The General Assembly finds that:

(1) Arkansas Constitution, Article 5, Section 1 protects the right of citizens to enact laws and constitutional amendments through the initiative process and to repeal laws enacted by the General Assembly through the referendum process;

(2) The State of Arkansas has a compelling interest in:

(A) Preserving and protecting the integrity of the initiative process and the referendum process; and

(B) Protecting voters from initiatives and referenda that



are deficient, confusing, or misleading or that are placed on the ballot by means of conduct that is:

- (i) Misleading;
- (ii) Fraudulent;
- (iii) Felonious; or
- (iv) Otherwise unlawful;

(3) The General Assembly may further these compelling interests by enacting laws:

(A) Intended to deter and penalize:

(i) Misrepresentation of an issue, measure, or question; or

(ii) Misrepresentation of the effects of an issue, measure, or question; and

(B) Of a practical nature to facilitate the initiative and referendum process; and

(4) Without reasonable and responsible laws and oversight, it may be possible for promoters of a measure, issue, or question to benefit from conduct that is:

- (A) Misleading;
- (B) Fraudulent;
- (C) Felonious; or
- (D) Otherwise unlawful.

SECTION 2. Arkansas Code § 7-9-107, concerning filing an original draft before circulation of an initiative petition or referendum petition, is amended to add an additional subsection to read as follows:

(g)(1) The Attorney General shall not certify a proposed ballot title with a reading level above eighth grade as determined by the Flesch-Kincaid Grade Level formula as it existed on January 1, 2025.

(2) If the Attorney General rejects a proposed ballot title under subdivision (g)(1) of this section, the Attorney General shall state the reasons for rejection and instruct the petitioners to redesign the proposed ballot title or proposed measure in a manner that does not violate this subsection.

SECTION 3. DO NOT CODIFY. Retroactivity.

This act does not apply to a proposed ballot title that has already been certified by the Attorney General for circulation before the effective date of this act.

SECTION 4. DO NOT CODIFY. EMERGENCY CLAUSE.

It is found and determined by the General Assembly of the State of Arkansas that it is essential to establish greater clarity and consistency in the procedures that facilitate initiatives and referenda; that legislation is needed to ensure a fair, transparent, and uniform approval process for all measures presented to voters; and that this act is immediately necessary to preserve the public peace, health, and safety by protecting the rights of voters through transparency and clarity in the initiative approval 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/Rose

APPROVED: 4/14/25