

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas  
89th General Assembly  
Regular Session, 2013

*As Engrossed: S3/20/13 S4/18/13*

SJR 16

By: Senator B. Sample  
*By: Representative Vines*

## SENATE JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 5, SECTION 1, OF THE ARKANSAS CONSTITUTION CONCERNING INITIATIVE AND REFERENDUM; AND PROVIDING CERTAIN REQUIREMENTS FOR THE CORRECTION OR AMENDMENT OF INSUFFICIENT STATE-WIDE PETITIONS.

### Subtitle

PROPOSING AN AMENDMENT TO ARTICLE 5, SECTION 1, OF THE ARKANSAS CONSTITUTION CONCERNING INITIATIVE AND REFERENDUM.

BE IT RESOLVED BY THE SENATE OF THE EIGHTY-NINTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

THAT the following is proposed as an amendment to the Constitution of the State of Arkansas, and upon being submitted to the electors of the state for approval or rejection at the next general election for Representatives and Senators, if a majority of the electors voting thereon at the election adopt the amendment, the amendment shall become a part of the Constitution of the State of Arkansas, to wit:

*SECTION 1. The subsection of Article 5, Section 1, of the Arkansas Constitution titled "Amendment of Petition" is amended to read as follows:*

*Amendment of Petition. (a)(1) If the Secretary of State, county clerk or city clerk, as the case may be, shall decide any petition to be*



insufficient, he or she shall without delay notify the ~~sponsors~~ sponsors of such petition, and permit at least thirty (30) days from the date of such notification, in the instance of a state-wide petition, or ten (10) days in the instance of a municipal or county petition, for correction or amendment.

(2) For a state-wide petition, correction or amendment of an insufficient petition shall be permitted only if the petition contains valid signatures of legal voters equal to:

(A) At least seventy-five percent (75%) of the number of state-wide signatures of legal voters required; and

(B) At least seventy-five percent (75%) of the required number of signatures of legal voters from each of at least fifteen (15) counties of the state.

(b) In the event of legal proceedings to prevent giving legal effect to any petition upon any grounds, the burden of proof shall be upon the person or persons attacking the validity of the petition.

/s/B. Sample