

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

State of Arkansas  
90th General Assembly  
Regular Session, 2015

*As Engrossed: H3/3/15*

HJR 1015

By: Representative Dotson

## HOUSE JOINT RESOLUTION

*AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO ALLOW THE GENERAL ASSEMBLY TO DETERMINE BY LAW WHETHER SUPREME COURT JUSTICES, COURT OF APPEALS JUDGES, CIRCUIT COURT JUDGES, DISTRICT COURT JUDGES, AND PROSECUTING ATTORNEYS ARE SELECTED ON A PARTISAN OR NONPARTISAN BASIS.*

### Subtitle

A CONSTITUTIONAL AMENDMENT CONCERNING THE  
ELECTION OF JUDICIAL DEPARTMENT  
OFFICIALS.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, 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. Section 17 of Amendment 80 to the Arkansas Constitution is amended to read as follows:*

*§ 17. Election of circuit and district judges.*

*(A) Circuit Judges and District Judges shall be elected ~~on a~~*



~~nonpartisan basis~~ by a majority of qualified electors voting for such office within the circuit or district which they serve.

(B) Vacancies in these offices shall be filled as provided by this Constitution.

SECTION 2. Section 18 of Amendment 80 to the Arkansas Constitution is amended to read as follows:

§ 18. Election of Supreme Court Justices and Court of Appeals Judges.

(A) Supreme Court Justices and Court of Appeals Judges shall be elected ~~on a nonpartisan basis~~ by a majority of qualified electors voting for such office. Provided, however, the General Assembly may refer the issue of merit selection of members of the Supreme Court and the Court of Appeals to a vote of the people at any general election. If the voters approve a merit selection system, the General Assembly shall enact laws to create a judicial nominating commission for the purpose of nominating candidates for merit selection to the Supreme Court and Court of Appeals.

(B) Vacancies in these offices shall be filled by appointment of the Governor, unless the voters provide otherwise in a system of merit selection.

SECTION 3. (a) Except as provided in subsection (b) of this section, the General Assembly may provide by law whether justices of the Supreme Court, judges of the Court of Appeals, circuit court judges, district court judges, and prosecuting attorneys are selected on a partisan or nonpartisan basis.

(b) As of the effective date of this amendment, justices of the Supreme Court, judges of the Court of Appeals, circuit court judges, district court judges, and prosecuting attorneys shall be selected on a partisan basis unless the General Assembly provides by law that the offices shall be selected on a nonpartisan basis.

SECTION 4. Justices of the Supreme Court, judges of the Court of Appeals, circuit court judges, district court judges, and prosecuting attorneys in office at the time this amendment takes effect shall continue in office until the end of the terms for which they were elected or appointed.

SECTION 5. EFFECTIVE DATE. This amendment is effective on and after

January 1, 2017.

*SECTION 6. BALLOT TITLE AND POPULAR NAME. When this proposed amendment is submitted to the electors of this state on the general election ballot:*

*(1) The title of the House Joint Resolution shall be the ballot title; and*

*(2) The popular name shall be "Amending the Arkansas Constitution to Allow the General Assembly to Determine Whether Judicial Department Officials are Selected on a Partisan or Nonpartisan Basis."*

*/s/Dotson*