

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

State of Arkansas
91st General Assembly
Regular Session, 2017

As Engrossed: H3/10/17

A Bill

HOUSE BILL 1861

By: Representative Ballinger

For An Act To Be Entitled

AN ACT CONCERNING THE APPROVAL OF BALLOT TITLES AND
POPULAR NAMES OF PETITIONS PRIOR TO CIRCULATION; AND
FOR OTHER PURPOSES.

Subtitle

CONCERNING THE APPROVAL OF BALLOT TITLES
AND POPULAR NAMES OF PETITIONS PRIOR TO
CIRCULATION.

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

SECTION 1. Arkansas Code § 7-9-107 is repealed.

~~*7-9-107. Approval of ballot titles and popular names of petitions prior to circulation—Publication—*~~

~~*(a) Before any initiative or referendum petition ordering a vote upon any amendment or act shall be circulated for obtaining signatures of petitioners, the sponsors shall submit the original draft to the Attorney General, with a proposed legislative or ballot title and popular name,*~~

~~*(b) Within ten (10) days, the Attorney General shall approve and certify or shall substitute and certify a more suitable and correct ballot title and popular name for each amendment or act. The ballot title so submitted or supplied by the Attorney General shall briefly and concisely state the purpose of the proposed measure.*~~

~~*(c) If, as a result of his or her review of the ballot title and popular name of a proposed initiated act or a proposed amendment to the Arkansas Constitution, the Attorney General determines that the ballot title, or the nature of the issue, is presented in such manner that the ballot title*~~



~~would be misleading or designed in such manner that a vote "FOR" the issue would be a vote against the matter or viewpoint that the voter believes himself or herself casting a vote for, or, conversely, that a vote "AGAINST" an issue would be a vote for a viewpoint that the voter is against, the Attorney General may reject the entire ballot title, popular name, and petition and state his or her reasons therefor and instruct the petitioners to redesign the proposed measure and the ballot title and popular name in a manner that would not be misleading.~~

~~(d) If the Attorney General refuses to act or if the sponsors feel aggrieved at the Attorney General's acts in such premises, the sponsors may, by petition, apply to the Supreme Court for proper relief.~~

~~(e) [Repealed.]~~

~~(f) [Repealed.]~~

SECTION 2. Arkansas Code § 7-9-126(b)(6), concerning count of signatures, is amended to read as follows:

(6) The petition fails to comply with § 7-9-104 or § 7-9-105, including the lack of the exact popular name or ballot title ~~approved by the Attorney General~~ for a statewide initiative, a discrepancy in the text of the initiated or referred measure, or the lack of an enacting clause in a statewide petition for an initiated act; or

/s/Ballinger