

**Stricken language would be deleted from and underlined language would be added to the Arkansas Constitution.**

State of Arkansas  
91st General Assembly  
Regular Session, 2017

HJR 1004

By: Representative Leding

**HOUSE JOINT RESOLUTION**

AN AMENDMENT TO ARKANSAS CONSTITUTION CONCERNING THE PROCEDURES FOR FILING AND CHALLENGING PETITIONS UNDER ARKANSAS CONSTITUTION, ARTICLE 5, SECTION 1; PROVIDING THAT AN INITIATIVE PETITION FOR A STATE-WIDE MEASURE SHALL BE FILED WITH THE SECRETARY OF STATE AT LEAST ONE HUNDRED FIFTY DAYS BEFORE THE ELECTION AT WHICH THE MEASURE WILL BE VOTED UPON; PROVIDING THAT A CHALLENGE TO SUFFICIENCY OF THE BALLOT TITLE OF A PETITION SHALL BE MADE NO LATER THAN THIRTY DAYS AFTER THE APPROVAL OF THE BALLOT TITLE; AND PROVIDING THAT A CHALLENGE TO THE SUFFICIENCY OF PETITION SIGNATURES SHALL BE MADE NO LATER THAN THIRTY (30) DAYS AFTER THE PETITION IS CERTIFIED FOR THE BALLOT.

**Subtitle**

AN AMENDMENT TO ARKANSAS CONSTITUTION, ARTICLE 5, SECTION 1, CONCERNING THE FILING OF INITIATIVE PETITIONS AND THE PROCESS FOR CHALLENGING THE SUFFICIENCY OF A PETITION.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST 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. The subsection of Arkansas Constitution, Article 5, § 1, titled "Initiative" is amended to read as follows:

Initiative. The first power reserved by the people is the initiative. ~~Eight per cent~~ percent (8%) of the legal voters may propose any law and ~~ten per cent~~ percent (10%) may propose a constitutional amendment by initiative petition and every such petition shall include the full text of the measure so proposed. Initiative petitions for state-wide measures shall be filed with the Secretary of State not less than ~~four months~~ one hundred fifty (150) days before the election at which they are to be voted upon; provided, that at least thirty (30) days before the aforementioned filing, the proposed measure shall have been published once, at the expense of the petitioners, in some paper of general circulation.

SECTION 2. The subsection of Arkansas Constitution, Article 5, § 1, titled "Court Decisions" is amended to read as follows:

Court Decisions. (a)(1) A challenge to the sufficiency of the ballot title of a petition shall be made no later than thirty (30) days after the approval of the ballot title required by law.

(2) A challenge to the sufficiency of petition signatures shall be made no later than thirty (30) days after the petition is certified for the ballot.

(b) If the sufficiency of any petition is challenged such cause shall be a preference cause and shall be tried at once, but the failure of the courts to decide prior to the printing of ballots for the election as to the sufficiency of any such petition, shall not prevent the question from being placed upon the ballot at the election named in such petition, nor militate against the validity of such measure, if it shall have been approved by a vote of the people.

SECTION 3. 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 this joint resolution shall be the ballot title; and

(2) The popular name shall be "An Amendment to Arkansas Constitution, Article 5, Section 1, Concerning the Filing of Initiative Petitions and the Process for Challenging the Sufficiency of a Petition".