

By: Representative Gillam

## HOUSE RESOLUTION

TO AMEND THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY; TO INCLUDE A RULE REGARDING THE ELIGIBILITY, QUALIFICATIONS, AND REMOVAL OF MEMBERS OF THE HOUSE OF REPRESENTATIVES; TO INCLUDE A RULE REGARDING THE PROCEDURE FOR CONSIDERATION OF ARTICLES OF IMPEACHMENT BY THE HOUSE OF REPRESENTATIVES.

### Subtitle

TO AMEND THE RULES OF THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. The Rules of the House of Representatives of the Ninety-First General Assembly are amended to add two (2) additional sections to read as follows:

111. Eligibility, Qualifications, and Removal of Members of the House of Representatives. (Arkansas Constitution, Art. 5, § 12; Arkansas Code § 7-5-805; and other applicable constitutional and statutory provisions)

112. Impeachments.

112.(a) The House of Representatives has the sole power of impeachment under Arkansas Constitution, Article 15, § 2, and shall initiate impeachment proceedings by filing articles of impeachment in the form of a House Resolution, co-sponsored by at least thirty-four (34) members. Upon filing



of the impeachment resolution, the Speaker of the House shall refer the impeachment resolution to committee for the following purposes:

(1) To investigate the allegations asserted in the articles of impeachment; and

(2) To make a recommendation to the House of Representatives as to whether cause exists to impeach the official that is the subject of the articles of impeachment.

112.(b) All meetings of the committee to which the articles of impeachment are referred shall be open to the public. Advance notice shall be given to the public for all meetings consistent with notice requirements of other House committee meetings and shall include publication of the agenda for the meeting.

112.(c) The committee shall adopt rules to govern the proceedings concerning the issue of impeachment in order to ensure due process, fundamental fairness, and a thorough investigation, provided that the rules of the committee are not inconsistent with this rule.

112.(d) The committee shall gather information and may hear testimony related to the question of whether cause exists to impeach the official that is the subject of the articles of impeachment.

112.(e)(1) Upon conclusion of its investigation, the committee shall return its recommendation to the House of Representatives regarding the resolution containing the articles of impeachment.

(2) The committee by an affirmative vote of a majority of its membership may offer amendments to the impeachment resolution.

(3) The committee shall submit to the House of Representatives, along with its recommendation on the resolution, a report regarding its findings and conclusions. If the recommendation of the committee is not unanimous, at the request of two (2) members, the members in opposition to the recommendation of the committee may submit a dissenting report.

(4) The recommendation of the committee, along with the committee report and any dissenting report, shall be provided to the members of the House of Representatives no less than three (3) business days prior to consideration of the impeachment resolution by the House of Representatives.

112.(f) Upon the conclusion of the three (3) business days, the Speaker of the House shall call the House of Representatives into a meeting in order to take up consideration of the impeachment resolution and the

recommendation of the committee.

112.(g) Passage of the impeachment resolution shall require an affirmative vote of a majority of the members of the House of Representatives. The vote shall be by roll call.