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

State of Arkansas
92nd General Assembly
Regular Session, 2019 HJR 1026

By: Representative Dotson

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO BE KNOWN AS THE "ARKANSAS TERM LIMITS AMENDMENT"; TO PROVIDE THAT A MEMBER OF THE HOUSE OF REPRESENTATIVES SHALL SERVE NO MORE THAN FOUR (4) CONSECUTIVE TWO-YEAR TERMS AND A MEMBER OF THE SENATE SHALL SERVE NO MORE THAN TWO (2) CONSECUTIVE FOUR-YEAR TERMS UNLESS CERTAIN CONDITIONS APPLY; AND TO PROVIDE THAT FUTURE REVISIONS TO TERM LIMITS FOR THE GENERAL ASSEMBLY SHALL BE PROPOSED BY THE GENERAL ASSEMBLY.

Subtitle

A CONSTITUTIONAL AMENDMENT TO BE KNOWN AS THE "ARKANSAS TERM LIMITS AMENDMENT".

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND 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. Arkansas Constitution, Amendment 73, § 2, is amended to read as follows:

§ 2. Legislative Branch.

(a) The ~~Arkansas~~ House of Representatives shall consist of members to be chosen every second year by the qualified electors of the several counties.

(b) The ~~Arkansas~~ Senate shall consist of members to be chosen every four (4) years by the qualified electors of the several districts.

(c)(1) ~~A member of the General Assembly shall serve no more than sixteen (16) years, whether consecutive or nonconsecutive~~. A member of the House of Representatives shall serve no more than four (4) consecutive two-year terms.

(2) ~~A member who completes his or her sixteenth year of service during a term of office for which he or she has been elected may serve until the completion of that term of office~~. A member of the Senate shall serve no more than two (2) consecutive four-year terms.

~~(3) The years of service in both the Senate and the House of Representatives shall be added together and included to determine the total number of years in office.~~

~~(4)~~(3)(A) A partial legislative term served as a result of a special election under Article 5, § 6, ~~or a two-year term served as a result of apportionment of the Senate~~ shall not be included in calculating the ~~total~~ number of ~~years~~ terms served by a member of the General Assembly.

(B) A two-year term served as a result of apportionment of the Senate shall be included in calculating the number of terms served by a member of the General Assembly.

(4) A member of the House of Representatives or Senate who completes his or her eighth year of service during a term of office for which he or she has been elected may serve until the completion of that term of office.

SECTION 2. Arkansas Constitution, Amendment 73, § 6, is amended to read as follows:

§ 6. Application.

(a)(1) ~~This~~ Except as provided in subdivision (a)(2) of this section, this Amendment to the Arkansas Constitution shall take effect and be in operation on January 1, 1993, and its provisions shall be applicable to all person thereafter seeking election to the offices specified in this

Amendment.

(2) Section 2(c) of this amendment shall apply to persons elected to the House of Representatives and the Senate on and after November 6, 2018.

(b) All laws and constitutional provisions which conflict with this Amendment are hereby repealed to the extent that they conflict with this amendment.

SECTION 3. Arkansas Constitution, Amendment 73, is amended to add an additional section to read as follows:

§ 7. Authority to propose amendments.

(a) The citizens of the State of Arkansas find that:

(1) While term limits play an important role in state government, they should be balanced by the need to maintain an experienced legislative branch that can serve as an effective check on the executive and judicial branches;

(2) Frequent amendments to legislative term limits initiated by special interests and others outside of the General Assembly weaken the legislative branch and impair the representation of Arkansas citizens; and

(3) The ability to amend legislative term limits in the future should be limited to a referral to the qualified electors of the state by the General Assembly to ensure that the legislative branch provides the citizens of the state with experienced representation and is immune from outside forces revising term limits in a manner that is not in the best interests of the state.

(b)(1) The power to propose an amendment to this Constitution amending or repealing term limits for members of the House of Representatives or Senate is reserved to the General Assembly under Arkansas Constitution, Article 19, § 22.

(2) The people of the State of Arkansas do not have authority under Arkansas Constitution, Article 5, § 1, to propose an amendment to this Constitution amending or repealing term limits for members of the House of Representatives or Senate.

SECTION 4. EFFECTIVE DATE. This amendment is effective on and after January 1, 2021.

SECTION 5. 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 "A Constitutional Amendment to be known as the "Arkansas Term Limits Amendment" to Provide that a Member of the House Of Representatives Shall Serve No More Than Four (4) Consecutive Two-Year Terms and a Member of the Senate Shall Serve No More Than Two (2) Consecutive Four-Year Terms Unless Certain Conditions Apply and to Provide that Future Revisions to Term Limits for the General Assembly Be Proposed by the General Assembly".