

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

As Engrossed: H2/26/19

HJR 1029

By: Representative Sorvillo

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO REQUIRE THAT THE GENERAL ASSEMBLY MEET EACH YEAR IN A REGULAR SESSION; AND TO REPEAL THE FISCAL SESSION OF THE GENERAL ASSEMBLY.

Subtitle

A CONSTITUTIONAL AMENDMENT TO REQUIRE THAT THE GENERAL ASSEMBLY MEET EACH YEAR IN A REGULAR SESSION.

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, Article 5, § 5, is amended to read as follows:

§ 5. Regular ~~and fiscal~~ sessions.

(a) The General Assembly shall meet at the seat of government every year.

(b)(1) The General Assembly shall meet in regular session on the



second Monday in January of each ~~odd-numbered~~ year to consider any bill or resolution.

(2) The General Assembly may alter the time at which the regular session begins.

~~(c)(1) Beginning in 2010, the General Assembly shall meet in fiscal session on the second Monday in February of each even-numbered year to consider only appropriation bills. The General Assembly may alter the time at which the fiscal session begins.~~

~~(2) A bill other than an appropriation bill may be considered in a fiscal session if two-thirds (2/3) of the members of each house of the General Assembly approve consideration of the bill.~~

~~(d) The General Assembly, by a vote of two-thirds (2/3) of the members elected to each house of the General Assembly, may alter the dates of the regular session and fiscal session so that regular sessions occur in even-numbered years and the fiscal sessions occur in odd-numbered years.~~

SECTION 2. Arkansas Constitution, Article 5, § 17, is amended to read as follows:

§ 17. Duration of sessions.

(a) A regular ~~biennial~~ session in an odd-numbered year shall not exceed sixty (60) calendar days in duration, unless extended by a vote of two-thirds (2/3) of the members elected to each house of the General Assembly. ~~The~~ A regular biennial session in an odd-numbered year shall not exceed seventy five (75) calendar days in duration, unless extended by a vote of three-fourths ($\frac{3}{4}$) of the members elected to each house of the General Assembly.

(b) A ~~fiscal~~ regular session in an even-numbered year shall not exceed thirty (30) calendar days in duration, except that by a vote of three-fourths ($\frac{3}{4}$) of the members elected to each house of the General Assembly a ~~fiscal~~ regular session in an even-numbered year may be extended one (1) time by no more than fifteen (15) calendar days.

(c) *Provided, that this section shall not apply when impeachments are pending.*

SECTION 3. Arkansas Constitution, Article 5, § 18, is amended to read as follows:

§ 18. Presiding officers.

Each house, at the beginning of every regular session of the General Assembly in an odd-numbered year, and whenever a vacancy may occur, shall elect from its members a presiding officer, to be styled, respectively, the President of the Senate, and the Speaker of the House of Representatives; and whenever, at the close of any session, it may appear that the term of the member elected President of the Senate will expire before the next regular session, the Senate shall elect another President from those members whose terms of office continue over, who shall qualify and remain President of the Senate until his successor may be elected and qualified; and who, in the case of a vacancy in the office of Governor, shall perform the duties and exercise the powers of Governor as elsewhere herein provided.

SECTION 4. Arkansas Constitution, Article 5, § 34, is amended to read as follows:

§ 34. Introduction of bills – Time limit.

No new bill shall be introduced into either house during the last three days of a regular ~~or fiscal~~ session.

SECTION 5. Arkansas Constitution, Article 5, § 42(b), concerning the review and approval of administrative rules by a legislative committee, is amended to read as follows:

(b) The review and approval by a legislative committee under subsection (a) of this section may occur during the interim or during a regular, or special, ~~or fiscal~~ session of the General Assembly.

SECTION 6. Arkansas Constitution, Article 19, § 22, is amended to read as follows:

§ 22. Constitutional amendments.

Either branch of the General Assembly, at a regular session ~~thereof~~ in an odd-numbered year, may propose amendments to this Constitution; and if the same be agreed to by a majority of all members elected to each house, such proposed amendments shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to

the electors of the State, for approval or rejection; and if a majority of the electors voting at such election adopt such amendments, the same shall become a part of this Constitution. But no more than three amendments shall be proposed or submitted at the same time. They shall be so submitted as to enable the electors to vote on each amendment separately.

SECTION 7. Arkansas Constitution, Amendment 70, § 2, is amended to read as follows:

§ 2. Additional Constitutional amendments authorized.

In addition to the three amendments to the Constitution allowed pursuant to Article 19, § 22, either branch of the General Assembly at a regular session ~~thereof~~ in an odd-numbered year may propose an amendment to the Constitution to change the salaries for the offices of Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer of State, Commissioner of State Lands, and Auditor of State and for members of the General Assembly. If the same be agreed to by a majority of all members elected to each house, such proposed amendment shall be entered on the journals with the yeas and nays, and published in at least one newspaper in each county, where a newspaper is published, for six months immediately preceding the next general election for Senators and Representatives, at which time the same shall be submitted to the electors of the State for approval or rejection. If a majority of the electors voting at such election adopt the amendment the same shall become a part of this Constitution. Only one amendment to the Constitution may be referred pursuant to this section.

SECTION 8. Nothing in this amendment shall be construed to alter the Governor's authority to call an extraordinary session of the General Assembly under Arkansas Constitution, Article 6, § 19.

SECTION 9. EFFECTIVE DATE. This amendment is effective on and after January 1, 2021.

SECTION 10. 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 Require that the General Assembly Meet Each Year in a Regular Session and to Repeal the Fiscal Session of the General Assembly".

/s/Sorvillo