

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

State of Arkansas *As Engrossed: H3/1/21 H3/9/21 H3/30/21*
93rd General Assembly
Regular Session, 2021

HJR 1005

By: Representatives Ray, Gonzales, *Vaught, Barker, Beaty Jr., Bentley, M. Berry, Boyd, Bragg, Breaux, Brooks, Brown, Bryant, Cavanaugh, M. Davis, Dotson, L. Fite, Furman, M. Gray, Hollowell, L. Johnson, Lundstrum, Lynch, McCollum, McGrew, Milligan, Payton, Penzo, Pilkington, Richmond, Rye, B. Smith, Underwood, Beck, Cozart, Jean, Speaks, Wardlaw, Wing*

By: Senators Hester, *Gilmore, B. Ballinger, B. Davis, Rapert, J. English, M. Johnson, Bledsoe*

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION, TO BE KNOWN AS THE "CONSTITUTIONAL AMENDMENT AND BALLOT INITIATIVE REFORM AMENDMENT", CONCERNING THE NUMBER OF VOTES REQUIRED FOR APPROVAL OF CERTAIN MEASURES PRESENTED TO VOTERS; REQUIRING THAT INITIATIVES PROPOSED UNDER ARKANSAS CONSTITUTION, ARTICLE 5, § 1, AND CONSTITUTIONAL AMENDMENTS PROPOSED UNDER ARKANSAS CONSTITUTION, ARTICLE 19, § 22, AND ARKANSAS CONSTITUTION, AMENDMENT 70, § 2, SHALL BE APPROVED WHEN RECEIVING AT LEAST SIXTY PERCENT (60%) OF THE VOTES CAST ON THE PROPOSED INITIATIVE OR PROPOSED CONSTITUTIONAL AMENDMENT; AND REQUIRING THAT A MEASURE SUBJECT TO A REFERENDUM SHALL BE REPEALED IF THE MEASURE IS REJECTED BY A MAJORITY OF THE ELECTORS VOTING UPON THE MATTER.

Subtitle

A CONSTITUTIONAL AMENDMENT TO BE KNOWN AS THE "CONSTITUTIONAL AMENDMENT AND BALLOT INITIATIVE REFORM AMENDMENT".

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-THIRD 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. TITLE. This amendment shall be known and may be cited as the "Constitutional Amendment and Ballot Initiative Reform Amendment".

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

Majority Approval. Any measure submitted to the people as herein provided shall take effect and become a law when approved by ~~a majority~~ at least sixty percent (60%) of the votes cast upon such measure, ~~and not otherwise, and shall not be required to receive a majority of the electors voting at such election.~~ Such measures shall be operative on and after the thirtieth day after the election at which it is approved, unless otherwise specified in the ~~Act~~ measure. However, a measure subject to a referendum shall be repealed if it is rejected by a majority of the electors voting upon the matter.

This section shall not be construed to deprive any member of the General Assembly of the right to introduce any measure, but no measure shall be submitted to the people by the General Assembly, except a proposed constitutional amendment or amendments as provided for in this Constitution.

SECTION 3. The subsection of Arkansas Constitution, Article 5, § 1, titled "Conflicting Measures", is amended to read as follows:

Conflicting Measures. If conflicting measures initiated or referred to the people shall be approved by ~~a majority~~ at least sixty percent (60%) of the votes severally cast for and against the same at the same election, the one receiving the highest number of affirmative votes shall become law.

SECTION 4. 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, 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~~ at least sixty percent (60%) 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 5. 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 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~~ at least sixty percent (60%) 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 6. EFFECTIVE DATE. This amendment shall be effective on and after January 1, 2023.

SECTION 7. 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 Reform Certain Measures Presented to Voters, to be Known as the "Constitutional Amendment and Ballot Initiative Reform Amendment".

/s/Ray