

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

State of Arkansas  
94th General Assembly  
Regular Session, 2023

HJR 1011

By: Representative Pilkington

**HOUSE JOINT RESOLUTION**

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING CONSTITUTIONAL AMENDMENTS CONSIDERED BY ELECTORS AT A GENERAL ELECTION; PROVIDING THAT A MEASURE SUBMITTED UNDER ARKANSAS CONSTITUTION, ARTICLE 5, § 1, PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION SHALL BECOME A PART OF THE ARKANSAS CONSTITUTION IF AT LEAST TWO-THIRDS OF THE ELECTORS VOTING AT THE GENERAL ELECTION ADOPT THE AMENDMENT; PROVIDING THAT THE GENERAL ASSEMBLY MAY PROPOSE NO MORE THAN TWO CONSTITUTIONAL AMENDMENTS AT THE SAME GENERAL ELECTION, EXCEPT THAT A THIRD AMENDMENT MAY BE PROPOSED ADDRESSING THE SALARIES OF CERTAIN ELECTED STATE OFFICIALS; PROVIDING THAT AN AMENDMENT TO THE ARKANSAS CONSTITUTION PROPOSED BY THE GENERAL ASSEMBLY SHALL BECOME A PART OF THE ARKANSAS CONSTITUTION IF AT LEAST TWO-THIRDS OF THE ELECTORS VOTING AT THE GENERAL ELECTION ADOPT THE AMENDMENT; AND PROVIDING THAT THIS AMENDMENT SHALL BECOME A PART OF THE ARKANSAS CONSTITUTION IF AT LEAST TWO-THIRDS OF THE ELECTORS VOTING AT THE GENERAL ELECTION AT WHICH IT IS CONSIDERED ADOPT THE AMENDMENT.

**Subtitle**

AN AMENDMENT TO THE ARKANSAS CONSTITUTION CONCERNING CONSTITUTIONAL AMENDMENTS CONSIDERED BY ELECTORS AT A GENERAL ELECTION.



BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH 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 two-thirds (2/3) 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 "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 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 proposing an amendment to this Constitution shall become a part of this Constitution if at least two-thirds (2/3) of the electors voting at the election adopt the amendment.

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 2. 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 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. However, if conflicting measures initiated or referred to the people proposing an amendment to this Constitution shall be approved by at least two-thirds (2/3) of the votes

severally cast for and against the proposed amendment to this Constitution at the same election, the proposed amendment receiving the highest number of affirmative votes shall become a part of this Constitution.

SECTION 3. 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 (1) newspaper in each county, where a newspaper is published, for six (6) 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 two-thirds (2/3) of the electors voting at such election adopt such amendments, the same shall become a part of this Constitution. But no more than ~~three~~ two (2) 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 4. Arkansas Constitution, Amendment 70, § 2, is amended to read as follows:

§ 2. Additional Constitutional amendments authorized.

In addition to the ~~three~~ two (2) 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 (1) newspaper in each county, where a newspaper is published, for six (6) 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 two-thirds (2/3) of the electors voting at such election adopt the amendment the same shall become a part of this Constitution. Only one (1) amendment to the Constitution may be referred pursuant to this section.

SECTION 5. REQUIRED VOTE FOR PASSAGE. This amendment shall become a part of the Arkansas Constitution if at least two-thirds (2/3) of the electors voting at the general election at which it is considered adopt the amendment.

SECTION 6. EFFECTIVE DATE. This amendment is effective on and after January 1, 2025.

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 Concerning Constitutional Amendments Considered by Electors at a General Election; Providing That a Measure Submitted Under Arkansas Constitution, Article 5, § 1, Proposing an Amendment to the Arkansas Constitution Shall Become a Part of the Arkansas Constitution if At Least Two-Thirds of the Electors Voting at the General Election Adopt the Amendment; Providing That the General Assembly May Propose No More Than Two Constitutional Amendments at the Same General Election, Except That a Third Amendment May Be Proposed Addressing the Salaries of Certain Elected State Officials; Providing That an Amendment to the Arkansas Constitution Proposed by the General Assembly Shall Become a Part of the Arkansas Constitution If At Least Two-Thirds of the Electors Voting at the General Election Adopt the Amendment; and Providing That This Amendment Shall Become a Part of the Arkansas Constitution if At Least Two-Thirds of the Electors Voting at the General Election at Which it is Considered Adopt the Amendment."