

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
95th General Assembly
Regular Session, 2025

As Engrossed: H2/6/25

A Bill

HOUSE BILL 1222

By: Representative Ray

By: Senator K. Hammer

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING INITIATIVE PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE THE ATTORNEY GENERAL TO REVIEW BALLOT TITLES FOR CONFLICTS WITH THE UNITED STATES CONSTITUTION AND FEDERAL STATUTES; TO PROHIBIT THE SUBMISSION OF CONFLICTING INITIATIVE PETITIONS AND REFERENDUM PETITIONS; AND FOR OTHER PURPOSES.

Subtitle

TO REQUIRE THE ATTORNEY GENERAL TO REVIEW BALLOT TITLES FOR CONFLICTS WITH THE UNITED STATES CONSTITUTION AND FEDERAL STATUTES; AND TO PROHIBIT THE SUBMISSION OF CONFLICTING INITIATIVE PETITIONS AND REFERENDUM PETITIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code § 7-9-107(e), concerning filing of the original draft of an initiative petition or referendum petition before circulation, is amended to read as follows:

(e) If, as a result of his or her review of the ballot title and popular name of a proposed initiated act or a proposed amendment to the Arkansas Constitution, the Attorney General determines that the ballot title or the nature of the issue, is presented in such manner that the ballot title would be misleading or designed in such manner that a vote "FOR" the issue would be a vote against the matter or viewpoint that the voter believes



himself or herself casting a vote for, or, conversely, that a vote "AGAINST" the issue would be a vote for a viewpoint that the voter is against, or that the text of the proposal conflicts with the United States Constitution or a federal statute, the Attorney General may reject the entire ballot title, popular name, and petition and state his or her reasons therefor and instruct the petitioners to redesign the proposed measure and the ballot title and popular name in a manner that would not be misleading or in conflict with the United States Constitution or a federal statute.

SECTION 2. Arkansas Code § 7-9-107, concerning filing of the original draft of an initiative petition or referendum petition before circulation, is amended to add an additional subsection to read as follows:

(g)(1) A sponsor shall not submit multiple initiative petitions or referendum petitions that are conflicting measures to the Attorney General for review, except as follows:

(A) If an initiative petition or referendum petition is certified under this section, a sponsor may submit an initiative petition or referendum petition that is a conflicting measure with the certified initiative petition or certified referendum petition after the date of the next general election following the certification; or

(B) If an initiative petition or referendum petition is rejected under this section, a sponsor may submit an initiative petition or referendum petition that is a conflicting measure with the rejected initiative petition or referendum petition.

(2) The Attorney General shall reject all initiative petitions and referendum petitions that are submitted by a sponsor in violation of this subsection.

(3) As used in this subsection, "conflicting measures" means two (2) or more initiative petitions or referendum petitions that:

(A) Cover the same subject matter;

(B) Are for the same general purpose; and

(C) Contain different language in any part of their full texts, ballot titles, or popular names.

SECTION 3. SEVERABILITY. The provisions of this act are declared to be severable, and the invalidity of any provision of this act shall not

affect other provisions of the act which can be given effect without the
invalid provision.

/s/Ray