

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

State of Arkansas
95th General Assembly
Regular Session, 2025

HJR 1006

By: Representative B. McKenzie

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION PROVIDING THAT A GOVERNMENTAL BODY SHALL NOT USE STATE OR LOCAL FUNDS TO ENTER INTO A CONTRACT WITH A LOBBYIST FOR THE PURPOSE OF LOBBYING ON BEHALF OF THE GOVERNMENTAL BODY.

Subtitle

AN AMENDMENT TO THE ARKANSAS CONSTITUTION PROVIDING THAT A GOVERNMENTAL BODY SHALL NOT USE STATE OR LOCAL FUNDS TO ENTER INTO A CONTRACT WITH A LOBBYIST FOR LOBBYING PURPOSES.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FIFTH 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 19, is amended to add an additional section to read as follows:

§ 32. Use of state or local funds to contract with lobbyist.



(a) A governmental body shall not use state or local funds to enter into a contract with a lobbyist for the purpose of lobbying on behalf of the governmental body.

(b) The prohibition under subsection (a) of this amendment includes without limitation the use of state or local funds by a governmental body to pay membership dues to an organization that engages in lobbying on behalf of the governmental body or similar governmental bodies, including without limitation employing one (1) or more persons registered as a lobbyist to lobby on behalf of the governmental body or similar governmental bodies, if state or local funds are used to pay the membership dues.

(c) This section does not prohibit a governmental body from employing one (1) or more individuals to engage in lobbying on behalf of the governmental body, including without limitation one (1) or more individuals registered as lobbyists.

(d) As used in this section:

(1)(A) "Administrative action" means a decision on, or proposal, consideration, or making of a rule, regulation, ratemaking proceeding, or policy action by a governmental body.

(B) "Administrative action" does not include ministerial action;

(2) "Governmental body" means an office, department, commission, council, board, committee, legislative body, agency, or other establishment of the executive, judicial, or legislative branch of the state, municipality, county, school district, improvement district, or any political district or subdivision thereof;

(3)(A) "Income" means any money or anything of value received or to be received as a claim for future services, whether in the form of a retainer, fee, salary, expense, allowance, forbearance, forgiveness, interest, dividend, royalty, rent, or any other form of recompense or any combination thereof.

(B) "Income" includes a payment made under obligation for services or other value received;

(4) "Legislative action" means introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto, or any other official action or nonaction on any bill, ordinance, law, resolution, amendment, nomination, appointment, report, or other matter pending or

proposed before a committee or house of the General Assembly, a quorum court, or a city council or board of directors of a municipality;

(5) “Legislator” means a person who is a member of the General Assembly, a quorum court of a county, or the city council or board of directors of a municipality;

(6) “Lobbying” means communicating directly or soliciting others to communicate with a public servant with the purpose of influencing legislative action or administrative action;

(7) “Lobbyist” means a person who:

(A) Receives income or reimbursement in a combined amount of four hundred dollars (\$400) or more in a calendar quarter for lobbying one (1) or more governmental bodies;

(B) Expends four hundred dollars (\$400) or more in a calendar quarter for lobbying one (1) or more governmental bodies, excluding the cost of personal travel, lodging, meals, or dues; or

(C) Expends four hundred dollars (\$400) or more in a calendar quarter, including postage, for the express purpose of soliciting others to communicate with a public servant to influence any legislative action or administrative action of one (1) or more governmental bodies unless the communication has been filed with the Secretary of State or the communication has been published in the news media. If the communication is filed with the Secretary of State, the filing shall include the approximate number of recipients;

(8)(A) “Person” means a business, individual, union, association, firm, committee, club, or other organization or group of persons.

(B) As used in subdivision (d)(8)(A) of this section, “business” includes without limitation a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, receivership, trust, or any legal entity through which business is conducted;

(9)(A) “Public appointee” means an individual who is appointed to a governmental body.

(B) “Public appointee” does not include an individual appointed to an elective office;

(10)(A) “Public employee” means an individual who is employed by

a governmental body or who is appointed to serve a governmental body.

(B) "Public employee" does not include a public official or a public appointee;

(11) "Public official" means a legislator or any other person holding an elective office of any governmental body, whether elected or appointed to the office, and shall include such persons during the time period between the date they were elected and the date they took office;

(12) "Public servant" means all public officials, public employees, and public appointees; and

(13) "State or local funds" means all money derived from state or local revenues.

SECTION 2. EFFECTIVE DATE. This amendment to the Arkansas Constitution is effective on and after January 1, 2027.

SECTION 3. 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 Providing that a Governmental Body Shall Not Use State or Local Funds to Enter Into a Contract with a Lobbyist for the Purpose of Lobbying on Behalf of the Governmental Body."