

**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 1010

By: Representative Unger

**HOUSE JOINT RESOLUTION**

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO AMEND THE PROCESS FOR THE REMOVAL OF A MEMBER OF A BOARD OR COMMISSION ESTABLISHED UNDER THE ARKANSAS CONSTITUTION OR ARKANSAS LAW; TO PROVIDE THAT BY A VOTE OF AT LEAST TWO-THIRDS OF THE MEMBERSHIP OF THE SENATE, THE SENATE MAY REMOVE A MEMBER OF A BOARD OR COMMISSION ESTABLISHED UNDER THE ARKANSAS CONSTITUTION OR ARKANSAS LAW BEFORE THE EXPIRATION OF HIS OR HER TERM FOR CAUSE ONLY, AFTER NOTICE AND HEARING; AND TO PROVIDE THAT REMOVAL BY THE SENATE UNDER THIS AMENDMENT SHALL BE SUPPLEMENTAL TO OTHER METHODS OF REMOVAL PROVIDED FOR UNDER THE ARKANSAS CONSTITUTION OR ARKANSAS LAW.

**Subtitle**

A CONSTITUTIONAL AMENDMENT TO PROVIDE THAT BY A TWO-THIRDS VOTE, THE SENATE MAY REMOVE MEMBERS OF CERTAIN BOARDS AND COMMISSIONS FOR CAUSE ONLY, AFTER NOTICE AND HEARING.

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, § 31(b), concerning the independent citizens commission existing for the purpose of setting salaries of elected constitutional officers of the executive department, members of the General Assembly, justices, judges, and prosecuting attorneys, is amended to add an additional subdivision to read as follows:

(9) By a vote of at least two-thirds (2/3) of the membership of the Senate, the Senate may remove a member of the independent citizens commission before the expiration of his or her term for cause only, after notice and hearing.

SECTION 2. Arkansas Constitution, Amendment 33, § 4, is amended to read as follows:

§ 4. Removal of member – Procedure —~~Appeal.~~

~~The Governor shall have the power to remove any member of such boards or commissions before the expiration of his term for cause only, after notice and hearing. Such removal shall become effective only when approved in writing by a majority of the total number of the board or commission, but without the right to vote by the member removed or by his successor, which action shall be filed with the Secretary of State together with a complete record of the proceedings at the hearing.~~

~~An appeal may be taken to the Pulaski Circuit Court by the Governor or the member ordered removed, and the same shall be tried de novo on the record. An appeal may be taken from the circuit court to the Arkansas Supreme Court, which shall likewise be tried de novo.~~

By a vote of at least two-thirds (2/3) of the membership of the Senate, the Senate may remove a member of a board or commission under this amendment before the expiration of his or her term for cause only, after notice and hearing.

SECTION 3. Arkansas Constitution, Amendment 35, § 5, is amended to read as follows:

~~A Commissioner may be removed by the Governor only for the same causes as apply to other Constitutional Officers, after a hearing which may be reviewed by the Chancery Court for the First District with right of appeal therefrom to the Supreme Court, such review and appeal to be without presumption in favor of any finding by the Governor or the trial court.~~

By a vote of at least two-thirds (2/3) of the membership of the Senate, the Senate may remove a Commissioner under this amendment before the expiration of his or her term for cause only, after notice and hearing.

SECTION 4. Arkansas Constitution, Amendment 66, concerning the Judicial Discipline and Disability Commission, is amended to add an additional subdivision to read as follows:

(h) By a vote of at least two-thirds (2/3) of the membership of the Senate, the Senate may remove a member of the Commission before the expiration of his or her term for cause only, after notice and hearing.

SECTION 5. Arkansas Constitution, Amendment 98, § 19(a), concerning the Medical Marijuana Commission, is amended to read as follows:

(7) By a vote of at least two-thirds (2/3) of the membership of the Senate, the Senate may remove a member of the commission before the expiration of his or her term for cause only, after notice and hearing.

SECTION 6. Arkansas Constitution, Article 5, is amended to add an additional section to read as follows:

§ 43. Removal of members of boards and commissions.

(a) By a vote of at least two-thirds (2/3) of the membership of the Senate, the Senate may remove a member of a board or commission established under this Constitution or Arkansas law before the expiration of his or her term for cause only, after notice and hearing.

(b) The method for removal of a member of a board or commission under subsection (a) of this section shall be supplemental to other methods of removal provided for by this Constitution or Arkansas law.

SECTION 7. EFFECTIVE DATE. This amendment to the Arkansas Constitution is effective on and after January 1, 2027.

SECTION 8. 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 Amend the Process for the Removal of a Member of a Board or Commission Established Under the Arkansas Constitution or Arkansas Law; to Provide that by a Vote of at Least Two-Thirds (2/3) of the membership of the Senate, the Senate May Remove a Member of a Board or Commission Established Under the Arkansas Constitution or Arkansas Law Before the Expiration of His or Her Term For Cause Only, After Notice and Hearing; and to Provide that Removal by the Senate Under this Amendment Shall Be Supplemental to Other Methods of Removal Provided for Under the Arkansas Constitution or Arkansas Law.".