

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 1016

By: Representative Ray

HOUSE JOINT RESOLUTION

AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO AMEND ARKANSAS CONSTITUTION, ARTICLE 5, § 1, TO REPEAL THE PROVISION ALLOWING THE SPONSOR OF AN INITIATIVE OR REFERENDUM PETITION TO CORRECT OR AMEND A PETITION AFTER IT IS DETERMINED TO BE INSUFFICIENT BY THE SECRETARY OF STATE OR A COUNTY OR CITY CLERK.

Subtitle

A CONSTITUTIONAL AMENDMENT TO REPEAL THE PROVISION OF ARKANSAS CONSTITUTION, ARTICLE 5, § 1, ALLOWING THE SPONSOR OF AN INITIATIVE OR REFERENDUM PETITION TO CORRECT OR AMEND A PETITION.

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



Amendment of Petition Burden of Proof.

~~(a)(1) If the Secretary of State, county clerk or city clerk, as the case may be, shall decide any petition to be insufficient, he or she shall without delay notify the sponsors of such petition, and permit at least thirty (30) days from the date of such notification, in the instance of a state wide petition, or ten (10) days in the instance of a municipal or county petition, for correction or amendment.~~

~~(2) For a state wide petition, correction or amendment of an insufficient petition shall be permitted only if the petition contains valid signatures of legal voters equal to:~~

~~(A) At least seventy five percent (75%) of the number of state wide signatures of legal voters required; and~~

~~(B) At least seventy five percent (75%) of the required number of signatures of legal voters from each of at least fifteen (15) counties of the state.~~

~~(b) In the event of legal proceedings to prevent giving legal effect to any petition upon any grounds, the burden of proof shall be upon the person or persons attacking the validity of the petition.~~

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 to Amend Arkansas Constitution, Article 5, § 1, to Repeal the Provision Allowing the Sponsor of an Initiative or Referendum Petition to Correct or Amend a Petition After it is Determined to be Insufficient by the Secretary of State or a County or City Clerk."