

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: H2/19/25

A Bill

SENATE BILL 211

By: Senator K. Hammer

By: Representative Underwood

For An Act To Be Entitled

AN ACT TO AMEND THE LAW CONCERNING INITIATIVE PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE A CANVASSER TO SUBMIT AN AFFIDAVIT BEFORE SIGNATURES CAN BE COUNTED; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND THE LAW CONCERNING INITIATIVE PETITIONS AND REFERENDUM PETITIONS; TO REQUIRE A CANVASSER TO SUBMIT AN AFFIDAVIT BEFORE SIGNATURES CAN BE COUNTED; AND TO DECLARE AN EMERGENCY.

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

SECTION 1. Arkansas Code § 7-9-111, concerning the determination of the sufficiency of a petition for initiatives, referenda, and constitutional amendments, is amended to add additional subsections to read as follows:

(j)(1) Except as provided under subdivision (j)(4) of this section, a canvasser shall file a true affidavit with the Secretary of State certifying that the canvasser has complied with the Arkansas Constitution and all Arkansas law regarding canvassing, perjury, forgery, and fraudulent practices in the procurement of petition signatures during the current election cycle.

(2) The Secretary of State shall not count the signatures submitted by the canvasser until a true affidavit is submitted under subdivision (j)(1) of this section.

(3) A true affidavit submitted under subdivision (j)(1) of this



section shall have no bearing to establish the genuineness or falsity of the signatures obtained by the canvasser.

(4)(A) The inability of a canvasser to submit an affidavit due to death or medical disability shall not disqualify the signatures gathered by the canvasser.

(B) Subdivision (j)(4)(A) of this section does not excuse a canvasser from filing the affidavit required under § 7-9-109.

(k) A canvasser who has filed a true affidavit under subsection (j) of this section shall not collect additional signatures unless the Secretary of State determines that the sponsor of the initiative petition or referendum petition is eligible for an amendment to the initiative petition or referendum petition under Arkansas Constitution, Art. 5, § 1.

SECTION 2. Arkansas Code § 7-9-126(c), concerning signatures that will not be counted for any reason that appear on the petition, is amended to add an additional subdivision to read as follows:

(8) Signatures submitted by a canvasser who has not filed a true affidavit with the Secretary of State as required under § 7-9-111 certifying that the canvasser has complied with the Arkansas Constitution and all Arkansas laws regarding canvassing, perjury, forgery, and fraudulent practices in the procurement of petition signatures during the current election cycle.

SECTION 3. DO NOT CODIFY. 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.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that the process for citizens to propose initiated acts and amendments to the Arkansas Constitution is critical to a well-functioning democracy in this state; that it is of the utmost importance that the integrity of the initiative process be strengthened through this act so that petitioners and voters maintain a high degree of confidence in the soundness of their right to legislate as citizens of Arkansas; and that this act is immediately necessary because any delay in

the implementation of this act would disrupt the initiative process for the 2026 general election, which would have a detrimental effect on the public peace, health, and safety of Arkansas. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation of the public peace, health, and safety shall become effective on:

(1) The date of its approval by the Governor;

(2) If the bill is neither approved nor vetoed by the Governor, the expiration of the period of time during which the Governor may veto the bill; or

(3) If the bill is vetoed by the Governor and the veto is overridden, the date the last house overrides the veto.

/s/K. Hammer