

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: S4/1/25

A Bill

SENATE BILL 434

By: Senator J. Dotson
By: Representative Gazaway

For An Act To Be Entitled

*AN ACT TO CREATE THE "PROTECT OUR CONSTITUTION ACT";
CONCERNING THE PERCENTAGE OF VOTES REQUIRED FOR
APPROVAL OF A CONSTITUTIONAL AMENDMENT REFERRED TO
VOTERS UNDER ARKANSAS CONSTITUTION, ARTICLE 5, § 1;
AMENDING ARKANSAS CONSTITUTION, ARTICLE 5, § 1, AS
AUTHORIZED BY THAT PROVISION OF THE ARKANSAS
CONSTITUTION; TO DECLARE AN EMERGENCY; AND FOR OTHER
PURPOSES.*

Subtitle

*TO CREATE THE "PROTECT OUR CONSTITUTION
ACT"; TO AMEND A PORTION OF THE ARKANSAS
CONSTITUTION AS AUTHORIZED BY ARKANSAS
CONSTITUTION, ARTICLE 5, § 1; AND TO
DECLARE AN EMERGENCY.*

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

SECTION 1. TITLE. This act shall be known and may be cited as the
"Protect Our Constitution Act".

SECTION 2. Pursuant to the authority granted by Arkansas Constitution,
Article 5, § 1, the subsection of Arkansas Constitution, Article 5, § 1,
titled "Majority" is amended to read as follows:

Majority. (a)(1) ~~Any~~ Except as provided in subdivision (a)(2) of this
section, any measure submitted to the people as herein provided shall take
effect and become a law when approved by a majority of the votes cast upon



such measure, and not otherwise, and shall not be required to receive a majority of the electors voting at such election.

(2) A constitutional amendment submitted to the people as herein provided shall take effect and become a law when approved by at least two-thirds (2/3) of the votes cast upon such measure.

(b) ~~Such measures~~ After a measure has been approved by a vote of the people, the measure shall be operative on and after the thirtieth day after the election at which it is approved, unless otherwise specified in the ~~Act~~ measure.

(c) This section shall not be construed to deprive any member of the General Assembly of the right to introduce any measure, but no measure shall be submitted to the people by the General Assembly, except a proposed constitutional amendment or amendments as provided for in this Constitution.

SECTION 3. Pursuant to the authority granted by Arkansas Constitution, Article 5, § 1, the subsection of Arkansas Constitution, Article 5, § 1, titled "Conflicting Measures", is amended to read as follows:

Conflicting Measures. If conflicting measures initiated or referred to the people shall be approved ~~by a majority of the votes severally cast for and against the same~~ as herein provided at the same election, the one receiving the highest number of affirmative votes shall become law.

SECTION 4. EMERGENCY CLAUSE. It is found and determined by the General Assembly of the State of Arkansas that amendments to the Arkansas Constitution impact the public peace, health, and safety of each citizen of this state; that to protect the public peace, health, and safety of the citizens of this state, it is necessary to increase the threshold for passage of a constitutional amendment proposed under Arkansas Constitution, Article 5, § 1, to ensure that constitutional amendments are supported by an appropriate number of voters to justify an amendment to the Arkansas Constitution; and that this act should become effective at the earliest opportunity to ensure that its provisions are in place for the 2026 general election. 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/J. Dotson